

Understanding the

NFU

an English Agribusiness Lobby Group

Ethical Consumer Research Association

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The NFU – an English Agribusiness Lobby Group.

1. Introduction

This report looks in detail at the National Farmers' Union (NFU) of England and Wales, a registered employers' association for the farming industry. The definition of an employers' association is “an organisation of owners of business or manufacturing enterprises employing personnel or of their agents for the purpose of concerted action (as in labour negotiations)”. The NFU’s introductory text on its website states:

“The National Farmers' Union of England and Wales is the voice of British Farming. As farmers and growers, you need someone to give British farming a voice, so what you’re most passionate about can be continuously protected and shaped. You need someone who can offer you advice and services that are actually of real value to you. The NFU is that someone. We’re your trade association, providing professional representation on the issues that affect you most. Our objectives are to champion farming in England and Wales and to provide professional representation and service to Farmer & Grower members.”

The NFU appears not to be widely known or understood, particularly outside of rural areas. It has a long history and, as we see in section six, for a large part of this time, its work was uncontentious and widely respected. However, as food production has globalised and the environmental movement has grown, consensus about how our food should be produced has broken down. Over the last 20 years, for environmental campaigners particularly, the NFU has developed a reputation of having hardened into an anti-environmental, free-market lobby group.

The often reliably rude George Monbiot has asked:

"Is there any organisation as selfish, grasping and antisocial as the National Farmers' Union? Is there any organisation, except the banks, that secures so much public money for its members while offering so little in return?"¹

And the more measured Guy Watson, a high-profile farmer from Riverford Organics, has said:

"I don't feel represented by the NFU. In fact, I find myself increasingly alienated by their self-righteous lobbying for the short-term interests of a small number of largescale farmers. This especially applies to their resistance ... to even the tamest environmental regulation; to public access to land; and to any redirection of farming subsidies to encourage younger, smaller-scale entrants to the industry."²

1.1 Understanding the NFU

The primary goal of this report is to understand the NFU, and how this organisation has changed and why. This has not always been easy since much of what the NFU stands for appears baffling on the surface. Why would farmers, for example, want to oppose soil erosion standards when this would appear to undermine their long-term future?³ Or why would they want to drive through a badger cull which seems to annoy the majority of its customers,⁴ and yet appears demonstrably ineffective at achieving what it wants to do?⁵

1 Guardian. The National Farmers' Union secures so much public cash yet gives nothing back George Monbiot July 13th 2013

2 <http://www.riverford.co.uk/blog/2014/11/07/an-unholy-alliance/>

3 See section 3.2 below.

4 UK public opposed to badger cull opinion poll suggests 8/6/11 www.bbc.co.uk/news/science-environment-13684482

5 See section 4.2 below.

The mists begin to clear with the realisation that its name is where the seeds of many misunderstandings first begin to germinate. This is because, as we go on to argue, the National Farmers' Union is not really national, not really comprised of farmers and not really a union. It is easier to understand it if we think of it, perhaps, as the English, Agribusiness Lobby-Group.

1.2 Not really National

Of the three words in its title, this is perhaps the easiest to challenge. In Scotland, there is the independent group NFU Scotland and in Northern Ireland there is the Ulster Farmers' Union. Although the NFU does have a NFU Cymru region, there is also a parallel, and independent, Farmers' Union of Wales.

Anecdotally, some of the biggest farms outside England might be members of both the NFU and the regional alternative but, by and large, they keep to their own patches. In the sense that we in the UK think of ourselves as being from Great Britain or the United Kingdom, the NFU is not really national. If we were to describe it more accurately we might be inclined to replace 'National' with 'English'.

1.3 Not really farmers

Challenging the use of the word 'farmers' in the NFU's name is a much more complex task, and one to which much of this report is directed. There are two main senses in which thinking of the NFU as 'farmers' is confusing.

1.3(a) Not just farmers

In the interviews with farmers that we conducted for this report, it is pretty clear that some of them feel that the main UK supermarkets are in some way members, or part of, or partnering with the NFU in a significant way. How else is it possible to make sense of the fact that, for example, in the early years of the campaigns for a supermarket ombudsman to protect suppliers from unfair pricing practices, the NFU was opposed to its establishment?⁶ We look in detail at the Red Tractor Scheme in section 4.3, a project which is jointly owned by the NFU; the Supermarkets' own trade association, The British Retail Consortium; and the representatives of other commercial entities.

The second concern we hear in our interviews for some farmers is that pesticide manufacturers, such as Syngenta, are also in some way members, or part of, or partnering with the NFU.⁷ In the same way, for example, how else can we explain the NFU's vociferous opposition to restrictions on bee-harming neonicotinoid pesticides, despite the vital role that bees have in pollinating a whole range of crops that many farmers will rely on commercially?⁸ Or how can we explain the NFU's support for GM foods despite continued majority opposition from ordinary consumers?⁹ We can also see that Syngenta has sponsored research for the NFU's Oxford Farming Conference,¹⁰ and that Aldi, ASDA, Tesco, the Co-op and M&S are listed as conference sponsors for a 2016 event.¹¹

In section 6.2 we look in more detail at how the NFU is formally structured and it is clear that there are a range of different types of membership including Associate Members and Additional Members. The NFU chooses not to disclose who its corporate members are so it is not possible to be certain how formal these relationships with other food-related businesses are. A decision to be more transparent in this regard might be one way of addressing people's concerns in this area.

Because of the idea that the NFU is lobbying on behalf of 'not just farmers', if we were to describe it more accurately we might replace the word 'farmers' with 'agribusiness'. Agribusiness is defined by the Food and Agriculture Organisation of the UN as "the collective business activities that are performed from farm to fork".¹² These would include

6 See section 2.3

7 See e.g. www.riverford.co.uk/blog/2014/11/07/an-unholy-alliance/

8 See section 3.1

9 See section 5.4

10 www.ofc.org.uk/news/richard-whitlock-and-peter-kendall-launch-fundraising-farm-cycle-challenge

11 www.nfuonline.com/news/nfu-conference-2016/nfu-conference-2016-news/nfu16-our-conference-sponsors/

12 www.fao.org/ag/ags/agribusiness-development/en/

agrichemicals, breeding, crop production (farming and contract farming), distribution, farm machinery, processing, and seed supply, as well as marketing and retail sales.

1.3(b) Not All Farmers

A theme that runs throughout this report – and, indeed, an allegation that has long been laid at the door of the NFU – is that it doesn't really represent the interests of small farmers. Indeed, many of its actions actually appear to work against the interests of smaller farmers. For example, its recent focus on promoting mega-dairies and giant pig farms could create new, and even lower-priced, competitors for small-scale milk and pork producers.¹³ In addition, we can see how its refusal to accept a cap on EU farm subsidies has contributed to a further concentration of land ownership, with bigger farmers, awash with cash they don't really need, outbidding the smaller farms nearby when land comes on the market.¹⁴

It is no secret that the NFU has little patience with the 'uncompetitiveness' of small-scale producers. As long ago as 1991, its former chief economist Séan Rickard was quoted as saying:

"There is a band of small full-time farmers producing 15% of the [country's] output. These are under pressure and do not have the economies of scale. There is nothing that can or should be done to save them. The top 20% with 80% of the output are in a different league, and can compete with the best in the world. They have the makings of a successful food industry".¹⁵

This approach, and its impact on smaller farmers since the 1970s, has led to the creation of a number of breakaway groups such as the Small Farms Association and the Family Farmers Association. This is why we assert that the union is not really for 'all farmers'. Of course, the NFU does retain some small farmer members. Sometimes this is because of practical benefits like insurance, and sometimes it appears to be for less tangible reasons like social opportunities and social pressures. But from the evidence in this report it does appear that the majority of the NFU's lobbying supports the interests of the very largest farming businesses in the country, and particularly those which are focused on profit maximisation at all costs.

1.4 Not really a union

In the UK, the word Union is most commonly used to describe an association of workers created to help represent their collective interests in negotiations with their employers. And despite the long-standing demonisation of trade unions by elements on the political right, the majority of people in the UK view unions favourably.¹⁶ For some, they are seen as a core requirement of socially just societies. The NFU, as a trade association or, technically, an employers' association is, in fact, the diametric opposite of a union of workers. Indeed, in the days of more regulated farm labour, the NFU used to represent the employers in negotiation with farmworkers nationally.¹⁷

Thinking of it as a union can also be confusing because, in another theme running through this report, there is a grumble from smaller farmers that the NFU is not a democratic union (in the sense of one member one vote). Like a company with bigger and smaller shareholders, both formal and informal influence in the NFU appears to be related to farm size.¹⁸

In our History section (see 6.1 below) we note how, at the time of the formation of the NFU, including the word 'Union' in its title was a cause of controversy, appearing too left-leaning for some. In retrospect, the adoption of this word appears to have been a masterstroke because, although formally it is an employers' association which offers some

13 See section 4.1 below.

14 See section 2.1 below.

15 <https://corporatewatch.org/content/national-farmers-union-appendix>

16 78% of Britons agree that trade unions are essential to protect workers' interests: www.ipsos-mori.com/researchpublications/researcharchive/3236/Trade-Unions-Poll.aspx

17 See section 5.3

18 See section 6.2

member benefits, it is not a union in the normally understood meaning of the word, but an alliance of businesses created to promote their commercial interests in the political sphere. In the modern world, we would call this kind of entity a lobby group, a type of entity less favourably viewed in the public mind. Looking at the NFU as a lobby group is also useful because problems created by the power of corporate lobbying generally have become a field of study in their own right in the last 20 years or so.

1.5 Corporate Lobby Groups

"Public confidence in how policies are being formulated, and in whose interest, has been negatively affected by repeated incidences of opaque lobbying practices."¹⁹

– Transparency International

Especially since the rise of economic globalisation in the 1980s, there has been growing concern about the excessive power and influence that corporate lobby groups appear to have in modern democratic societies.²⁰

Much of this is simply down to resources. Successful for-profit corporations simply have more money than anyone else to hire lawyers, employ lobbyists and fund think tanks to track and influence the direction and detail of public policy. The near-corruption of political donations and revolving-door appointments feature too.²¹

Academics who study politics are adopting a new language of 'corporate capture' or even 'regulatory capture' of government departments or even whole administrations by private interests.²² A particular focus for campaigners in recent years, for example, has been the influence of coal and oil industry lobbyists around the ongoing international climate negotiations. So widespread has concern become over lobbying generally that a number of formal transparency initiatives have been introduced. For example, the UK's now much-criticised 'Register of Consultant Lobbyists' was established in March 2015, and in Europe the (also criticised) voluntary European Transparency Register was set up in 2011.

So, into this new modern discourse about lobby groups we must fit the NFU. On its own website, the NFU seems almost proud of its early lobbying history: "Charles Weller Kent was the NFU's first Parliamentary Lobbyist, serving from 1913-16, and the first ever person to have 'lobbyist' in their job title."²³ And in our own History Section (at 6.1 below) we can see how, in its post-war relationship with the government, the NFU acted as a key element in the managed food production increases that were so essential at that time.

Nearly 60 years on though, the NFU does appear to have hardened into a singularly anti-regulation and pro-profit-at-all-costs lobbyist. The core of our report is broken down into four sections:

- Economic Lobbying
- Environmental Lobbying
- Animal interventions
- Social Lobbying

And in order to press these values the NFU is able to use the years of expertise, contacts and formal relationships that its history has bought with it. In our Context Section at 6.4 we look at its relationship with government. And although there is a lot of anecdotal concern in our interviews and elsewhere that it may have 'captured Defra', the evidence seems to show that, though their influence is huge, full capture is not yet complete. The comment of one of our interviewees appeared to sum up the real position quite succinctly:

19 www.transparency.org.uk/our-work/uk-corruption/lobbying/

20 See e.g. *Who Will Tell The People* by William Greider 1992, or *Captive State* by George Monbiot 2000.

21 Note – we are not accusing the NFU in this respect – see section 6.3 below.

22 Nobel Prize winning economist George Stigler is commonly associated with ideas of regulatory capture.

23 www.nfuonline.com/membership/student/studentfarmer-magazine/blogs/oliver-savory-london-calling/

*"We have an urban political elite. They don't know about farming. So they just delegate to the NFU."*²⁴

1.6 Solving the problem

Quite a few of the experts we spoke to were unconvinced that further demonisation of the NFU was really going to help. In a sense, this has happened a lot already over the last ten years or so, and all it has done is to further entrench the green lobby into one corner and the NFU into another.

However, as one of the experts we interviewed reminded us:

*"In the long run, farming, as a whole, will have to start to think differently about ecosystems, reliance on fossil fuels etc. even if they remain focused on the 'bottom line'."*²⁵

But in the short term, it appears that there are four avenues available to increase pressure on the NFU to take sustainable agriculture more seriously.

1.6(a) Recognising the NFU for what it is

The objectives of the NFU were clearly stated in a 1987 academic work on agricultural policy:

*"The objectives of the NFU are those which could be expected from any professional group: to be an effective voice for farmers in the nation's affairs; to achieve security for farmers' incomes; to remove uncertainties as far as this is practicable – though the weather will always be a major cause of uncertainty; to supply the market efficiently with the products it needs; to eliminate distortion to fair competition; and thereby to enable efficient producers to obtain reasonable returns on their capital, labour and management, while taking proper account of environmental needs."*²⁶

Or perhaps, more succinctly, as posted by a farmer in response to George Monbiot's 2013 denunciation:

*"If the NFU did not exist it would be necessary to invent it. I am as entitled to a trade body as the next man and I expect it to seek to further the interests of its members."*²⁷

It is, as we argue here, simply an English Agribusiness Lobby Group. It is ideologically focused on profit maximisation which reflects the interests of the biggest agribusiness firms in its membership. In only one of the eighteen issues we looked at in sections 2 to 5 of this report, did its interests coincide with that of environmental groups. This was in the area of renewable energy (see Section 3.6) – where the presence of generous government incentives to install wind and solar generation capacity was met with much enthusiasm. In other words, the NFU in its current form only appears likely to respond positively to interventions which impact positively on the economic performance of its biggest members.

1.6(a) Organising outside the NFU

One obvious move for campaigners has been to set up rival unions of farmers but with a less extreme position towards environmental protection. This has now been tried more than once. Many such attempts have struggled – like the farm.org.uk project in 2003. Zac Goldsmith also tried backing 'Better NFU' which fielded more sympathetic candidates

24 Peter Riley – interviewed for this report in 2015.

25 Larch Maxey – interviewed for this report in 2015.

26 Agricultural Policy Formation in the European Community. M. Petit, M. de Benedictis, D. Britton, M. de Groot, W. Henrichsmeyer, F. Lechi. 1987 Elsevier

27 www.theguardian.com/environment/georgemonbiot/2013/jul/08/national-farmers-union-public

for NFU presidential elections.²⁸ This, apparently, did not end well either. As one of our experts commented: "although farmers can be united in knowing what they don't want, they are less successful in agreeing what they do want."²⁹

Organisations working more broadly around sustainable agriculture have fared much better with a big increase in interest in alternative approaches such as local food delivery schemes. For example, the Landworkers' Alliance, a network and union of small and family farmers, is seeing a growing membership, as is the Farming Community Network. And the annual 'Oxford Real Farming Conference', which runs at the same time as the more mainstream Oxford Farming Conference, is now famous for attracting more people.

1.6(c) Making sure its stakeholders know what it is

As we mentioned above, thinking of the NFU as the 'English Agribusiness Lobby group' will help develop a better understanding of where the organisation currently is.

(i) Defra/the Government

It is clear from the research in section 6.3 that Defra's consultations with the NFU outnumber those for all other organisations. As one expert pointed out in our interviews:

"Government shouldn't only talk to the NFU and think they've heard the voice of farmers – the blame lies with the Government as much as the NFU."³⁰

No doubt Defra will need reminding that with the NFU, it is only possible currently to get the perspective of an English Agribusiness Lobby Group – a group that currently seeks to pass costs on to the rest of society by undermining protection for other interests. Reminding Defra of this fact is one purpose of this report.

(ii) The press and other media

For those elements of the media which still seek objective or balanced reporting, it is important to communicate to them that the NFU will only give the perspective of English agribusiness companies rather than farmers as a whole. This is particularly the case with the BBC whose coverage of rural issues remains extensive. Reminding the BBC of this fact is another purpose of this report.

(iii) Current farmer members

One of the surprising results of our research was discovering how many small farmers were still – albeit discontented – members of the NFU. We hope that some of the detail in this report will encourage a re-assessment of whether an English Agribusiness Lobby Group which actively works against their economic interests is really what they want to be supporting. Section 2.1 on the NFU and farm subsidies in this regard makes particularly chilling reading.

Farmers keen on a less profit-at-all-costs approach may well find that significant numbers of consumers will support them innovating in this space. Small increases in price for ethical advantages still have mass market appeal.

1.6(c) Exploring the role of external pressure

One of the striking things about the NFU is the degree to which it appears unconcerned about the opinions of the general public, given that they are the ultimate customers of their members' products. Generally, consumers are opposed to, for example, GM foods, the badger cull, and bee-harming pesticides. More directly consumer-facing businesses, like the supermarkets themselves, are much more circumspect about pushing ahead with such controversial activities, no matter how wrong they think their opponents to be.

The experience of campaigning against lobby groups opposed to action on climate change has revealed that high-profile brands in particular are vulnerable to being 'outed' as members of such groups. Apple, for example, was just one of a number of companies which publicly left the US Chamber of Commerce in 2009 over its lobbying against climate

28 www.walesonline.co.uk/news/local-news/pressure-group-hopes-better-nfu-2363073

29 John Turner - interviewed for this report in 2015

30 John Breach - interviewed for this report in 2015

legislation.³¹ Ethical investors have also been particularly active in this space, challenging lobby-group membership with some success.³²

There are perhaps fewer high-profile farming brands supplying direct to the UK consumer which might be affected by public demands for them to re-evaluate their membership because the supermarkets play such a major role in branding their own suppliers. But it remains an avenue that might be worth exploring. And the NFU does have two consumer-facing brands with which it enjoys close relationships: NFU Mutual (6.2) and the Red Tractor scheme (4.3).

1.7 Understanding this report.

We began our research by speaking to farmers. First, we carried out an online survey and its results have been reproduced and summarised in Appendix 1. We then carried out a series of phone interviews with farmers, campaigners and academics working in this area. Many of the experts we spoke to for this report, particularly those who were farmers and NFU members, would only speak 'off the record'. They appear as Interviewee A, Interviewee B etc. in the footnotes.

The core of this report comprises a review of eighteen areas of concern or controversy and examines the NFU's position in each area. For ease of understanding, we have grouped these 'areas of concern' into four sections:

2. Economic Lobbying – undermining the smaller farmer
3. Environmental Lobbying – unconcerned about sustainability
4. Animal interventions – keeping protection to a minimum
5. Social Lobbying – passing costs on to the rest of us.

Inevitably some issues cross into more than one section. The response to foot and mouth disease, for example, impacted all four areas – though we have placed it in Social Lobbying for this report.

Most sections start with an outline of what the issue is and then follow with an analysis of the NFU's response. The Contents Page is designed to help navigate through them. In Section 6, we provide some context with an analysis of the NFU's history, formal structure and relationships with government. We end with a short review of different perspectives on the global food system (at 6.4) illustrating that the big-business and cheap food approach favoured by the NFU is just one of many possible futures available.

31 <http://www.greenpeace.org/international/en/news/features/apple-leaves-us-chamber-071009/>

32 <http://treealerts.org/region/europe/2015/09/investors-urge-companies-to-leave-anti-climate-lobbying-groups/>

Section 2

Economic Lobbying

undermining the smaller farmer

2.1 NFU and farm subsidies – promoting agribusiness at the expense of smaller farmers

2.11 What's the issue?

The Basic Payment Scheme (BPS) is the new name for the Pillar I direct payments which account for around 80% of the Common Agricultural Policy (CAP) subsidy to farmers. Brought in in 2005 to replace price guarantees and thus 'decouple' subsidy from production, BPS – previously the Single Farm Payment (SFP) – is the EU-funded income support mechanism for UK farmers. It was intended as a transitional arrangement to help smaller family-sized farms cope when direct produce subsidies were scaled back, but has become very entrenched. Many smaller farms would be unviable without it, especially those whose market returns barely cover production costs. However, because BPS is paid per hectare, those who need it least – big landowners whose operations already benefit from economies of scale – are those who collect the most subsidy.

The inequality inherent in England's CAP distribution is second only to that in Spain, with the biggest 174 landowners in England taking £120 million between them, and over 20 farm estates receiving £500,000 or more from the EU.³³ Since area-based payment was introduced, wealthy farm businesses, which need little or none of it for their operational costs, have used it as handy capital for investment. This includes buying up smaller farms to expand their operations further, causing the price per acre of agricultural land to treble since 2005.³⁴

A farmer we spoke to forwarded a letter he had recently sent to his MP, which included this passage:

"I recently went to stay with some friends on their arable farm in Lincolnshire ... Some neighbouring land had recently come onto the market. The local farmers including my friends were hopelessly out-gunned at the auction ... The land made £14,000 per acre and it was no surprise that the biggest, wealthiest land owning family in the area bought it, thereby entitling them to claim even more single farm payment for their vast estate and also putting them in an even stronger position than ever when the next block of farmland comes onto the market."

– Cattle farmer, Devon

One of the European Commission's aims when it embarked on the CAP renegotiations for 2014-2020 was to make Pillar I better targeted to need. An alliance of eastern EU member states, concerned about the surge of foreign investment in their farmland (including by UK farmers and conglomerates) initially proposed a €30,000 maximum annual payment, wanting to boost the competitiveness of their traditional small farmers. However, this figure was repeatedly revised upwards in an effort to get it past the lobbyists. Eventually, the majority of EU states accepted the far more modest suggestion that farmers claiming €150,000 to €200,000 should have their payments reduced by 20%, moving to 40% for amounts between €200,000 and €250,000 and 70% for €250,000 to €300,000, with a 100% cap thereafter. The British government then insisted that this be discretionary. A €300,000 cap would have saved around £70 million for England's underfunded rural development programmes, which is how Wales is using the savings gained by adopting full degressivity and the €300,000 ceiling. In England, Defra ruled out a maximum, and implemented only a compulsory 5% deduction from payments over €150,000 (excluding the 30% greening payment).

Member states also had the option to redistribute up to 30% of their CAP 'national envelope' to holdings of up to 30 hectares, or average farm size, whichever the higher. The UK chose not to take advantage of this. It was obliged to reserve 2% of Pillar I for a Young Farmers' Scheme, whereby the BPS of new entrants aged under 40 can be topped up by an additional 25% of its value for the first five years. Yet this is totally ineffective for attracting 'new blood' into farming. As Ed Hamer from the Landworkers' Alliance commented: "Quite how the Commission expects new entrants

33 <http://www.monbiot.com/2011/11/28/big-farmer>

34 <http://www.thisismoney.co.uk/money/markets/article-3152049/Cost-English-farmland-trebles-10-years-outperforming-FTSE-100-index-central-London-property-market.html>

who don't have land, or entitlements, to benefit from such charity is anyone's guess".³⁵ Small farms and small start-ups are just not part of the long-term vision of England's agricultural policy elite.

It was well known that SFPs (under the previous CAP) were collected by landowners for interests other than farming; subsidies were paid out on land hosting airports, railways, water works and permanent sports grounds. A new Active Farmer Rule was introduced in the last round to try to deal with this, but capitalist interests still lurk within the adopted wording. Anyone who claimed more than €5000 in farm subsidy during the last three years of the previous CAP is automatically deemed an 'active farmer'. Anyone with over 36 hectares of eligible land, or whose business is 40% farm-related, or whose farm payments previously totalled more than 5% of their total income, can claim BPS. 30 UK golf clubs received farm subsidies under the previous rules; this has been cracked down on. Although, as long as there is no stand, clubhouse or 'driving range with nets'; and if your golf course is for "personal use only"; or you can prove that your golfing "does not significantly interfere with the agricultural activity", you can still claim the £200 a hectare.³⁶

Most disappointingly, smallholders with less than five hectares of eligible land – some of the most active and productive farmers of all – have been excluded from BPS altogether. Most policy makers in Europe claim they want to promote 'family farms' and smaller-scale production, recognising the multiple economic, cultural, employment-related and environmental benefits of family-run farms; and the sympathies of the average citizen who pays for the subsidies. Yet in the CAP agreement for 2014-2020, as in all previous years, the larger producer interests dominant among the national farming organisations and Europe's farming ministers, were prioritised. Their preference for large-scale industrial farming is of course shared by the chemical input industries, machinery manufacturers and global food corporations, who have huge political and financial influence in Brussels.³⁷

2.12 What's the NFU position?

During the 2014-2020 CAP negotiations, an NFU spokesperson in Brussels said the British Agricultural Bureau (BAB) would "lobby hard" against the introduction of a cap on Pillar I, and did so.³⁸ The NFU believed a cap would work against a "modern, efficient UK farming sector" and discourage competitiveness.³⁹ David Cameron personally spoke up on the issue, saying a cap on BPS would constrain farm consolidation.⁴⁰ As George Monbiot put it: "It seems that 0.6% of the population owning 69% of the land isn't inequitable enough".⁴¹ The UK already has one of the highest concentrations of land ownership. In 2014, 93% of Italian farmers received less than €5,000 per farm, sharing 43% of the country's total direct payments, whereas in the UK 47% of farmers received less than €5,000 and shared just 4% of the payments.⁴²

The same was true in previous CAP rounds:

*"After the 1999 CAP negotiations, the Ministry of Agriculture boasted 'The Government fought hard – and successfully – against the Commission's proposal' that 'the bulk of the subsidy cuts [should be] targeted towards larger farms.' It has refused to use the European funds available to help new farmers enter the industry, choosing instead to buy small producers into retirement. The purpose of these measures, the ministry tells us, is to 'facilitate restructuring'. We can, I hope, agree that the near disappearance of small farms from Britain is partly the result of social and economic engineering by successive governments."*⁴³

35 www.thelandmagazine.org.uk/articles/cap-hand

36 <https://anewnatureblog.wordpress.com/2015/02/26/the-new-common-agricultural-policy-rules-can-you-claim-farm-benefits-for-your-golf-course/>

37 http://wrap.warwick.ac.uk/2550/1/WRAP_Grant_7170438-pais-110110-wep.pdf

38 www.fwi.co.uk/business/leaked-plans-signal-direct-payment-capping.htm

39 www.thelandmagazine.org.uk/articles/cap-hand

40 <http://www.rspb.org.uk/community/ourwork/b/martinharper/archive/2013/12/19/cap-response.aspx>

41 <http://www.monbiot.com/2011/11/28/big-farmer>

42 [http://eclass.uoa.gr/modules/document/file.php/DI350/Helen_Wallace_William_Wallace_Policy-making_in_\(BookFi%20org\)%20\(2\).pdf](http://eclass.uoa.gr/modules/document/file.php/DI350/Helen_Wallace_William_Wallace_Policy-making_in_(BookFi%20org)%20(2).pdf)

43 <http://www.monbiot.com/2001/04/01/is-agriculture-in-crisis>

With the escalating price of land, it is increasingly hard for people to get a first foothold in farming, yet the NFU also lobbied Defra to resist dedicating more than the legal 2% minimum to entrant farmers, and expressed regret even at the 2%.⁴⁴ France, by contrast, has allocated 10%.

The NFU argued that introducing a subsidy threshold would just lead to more farm holdings being parcelled into smaller units under the names of different family members, something which happens frequently anyway. “Supposing this same argument was applied to parents relying on state benefits to help keep their large broods.” said one of the farmers we spoke to. “Surely the government would soon endeavour to find out the total allowance each household was receiving.”

In fact, all of the UK farmers Ethical Consumer spoke to had been in favour of a redistributive cap, and felt the NFU had ignored its membership with the lobbying position it adopted.

“Farmers in general supported the €300,000 limit – most of the NFU membership, considering most will be smaller farms. I got the official statistics and 1200 farms would have been affected, only 2-300 of them seriously, and then it wouldn’t be big money to them. 99% of the membership unaffected. The NFU were in the middle of a survey of members when it became clear they had already done the deal with Defra. They said it won’t be a problem – if the survey goes against it we’ll just say the government pushed it through.”

– Livestock farmer, Cornwall

“Defra sent quite a good summary of the CAP negotiations round to farmers, with questions on each policy. People were invited to write in and there was a local meeting where 25 people were in the room, and everyone bar one was in favour of the ceiling. Then NFU went around saying they’d consulted widely and farmers weren’t agreed with the ceiling.”

– Dairy farmer, West Country

“We asked the Government for an independent committee to look at capping but was told that would be too bureaucratic. The NFU said they would consult their members, but if they did, it was done behind closed doors.”

– Cattle farmer, Devon

“The main problem with the NFU is the way this organisation only represents the interests of the very large landowners and is happy to see smaller family-sized farms squeezed out. There is an elite clique of large landowners at the top of the NFU leadership who will always put their own vested interests first before the overall good of the rural community. Especially the NFU’s campaign against capping the farm subsidies.”

– Cattle farmer, Devon

One farmer we interviewed insisted we make explicit the commonalities between the NFU and the Conservative Party thinking on land ownership:

“The Tory party has always had these vested interests and the NFU has a similar hierarchy – they are run by a clique who are interested in the very big farms. President Meurig Raymond himself has over 3,400 acres; the former environment minister Richard Benyon has 20,000 acres. David Cameron’s father-in-law, Lord Sheffield, receives his share of tax payers’ money for his huge estate. The failure to cap subsidies is doing tremendous harm, with multi-million pound landowners getting money not to support their livelihoods but so they can buy up more land, then get contractors to farm it, then get more subsidy to reinvest and borrow on the back of the high land value.”

– Cattle farmer, Devon

44 <http://www.nfuonline.com/news/press-centre/nfu-council-cap-reaction>

Unlike the NFU and CLA, the Tenant Farmers Association (TFA) had been in favour of capping subsidy payments. The TFA is also concerned about the number of tax breaks afforded to landowners.⁴⁵ Agricultural land is exempt from inheritance tax after two years if it is ‘actively farmed’, whilst a farming asset can be rolled over into a new business or acquisition, deferring capital gains tax until the asset is sold. In Scotland, the SNP government is setting up a land reform commission “to help tenant farmers buy their holdings, amend the rights of succession so landowners can no longer leave estates to a single heir, and to reintroduce business rates on sporting estates”.⁴⁶ In early 2015, Richard Lochhead, Scottish secretary for rural affairs, challenged the UK government’s *laissez-faire* attitude to land taxation, to which England’s farming minister George Eustice replied: “Property ownership and property rights are the fundamental of a free market”.⁴⁷

The website farmsubsidy.org lists the beneficiaries of EU farm subsidies, although GB data has not been updated since 2013. A European Court of Justice ruling in 2010, that publication of the data breached privacy law, led to a two-year suspension, but from 2014 onwards the public’s right to scrutinise how one third of the EU’s total budget is spent, has been restored. The website shows that 98 English farms and businesses received over €300,000 in direct payments in 2013, the top 15 commercial beneficiaries being noticeably over-represented in the arable plains of East Anglia:

Business name	Location	Direct Payment, 2013
FARMCARE LTD	Lincolnshire	£1,766,208
SIR RICHARD SUTTONS SETTLED ESTATES	London	£1,214,970
BLANKNEY ESTATES LTD	Lincolnshire	£1,187,390
STRUTT & PARKER (FARMS) LTD	Essex	£1,182,658
PARKERS OF LEICESTER LTD	Leicestershire	£1,026,652
ELVEDEN FARMS LTD	Norfolk	£966,628
WALDERSEY FARMS LTD	Norfolk	£915,475
THURLOW ESTATE FARMS LTD	Suffolk	£861,946
AGRESERVES LTD	Cambridgeshire	£841,278
G COLLINS (FARMS) LTD	Wiltshire	£785,939
LIMESTONE FARMING CO. LTD	Lincolnshire	£758,535
BUCKMINSTER FARMS LTD	Lincolnshire	£720,290
COMPTON BEAUCHAMP ESTATES LTD	Oxfordshire	£691,998
FREDERICK HIAM LTD	Suffolk	£690,717
HARLEY FARMS (SOUTH)	Wiltshire	£634,100

Also receiving subsidies of over £1 million were the National Trust (£2,781,192), Natural England (£1,535,592) and Surrey Wildlife Trust (£1,127,321), which raises another set of issues. These are for discussion elsewhere, but include the extent to which these custodians of our countryside are required to prioritise agriculture rather than choose other types of land use, including wilderness.

45 Conversation with CEO George Dunn, December 2014

46 <http://www.theguardian.com/society/2015/sep/02/britain-farmland-tax-haven-reform>

47 <http://www.theguardian.com/society/2015/sep/02/britain-farmland-tax-haven-reform>

2.2 NFU and TTIP – favouring free trade at the expense of smaller farms

2.21 What is the issue?

The EU is in the process of negotiating several bilateral and multilateral trade agreements including the Transatlantic Trade and Investment Partnership (TTIP), CETA and Mercosur, as well as bilateral deals with Japan and Ukraine. If all were to go through, the European Commission estimates that 2.2% (€275 billion) would be added to EU GDP.⁴⁸ But to whom would this accrue and at what cost? This section focuses on TTIP, the most significant of the free trade treaties which is being negotiated in secret by the EU and the USA.

Driven by transnational corporations headquartered in the UK and Germany and USA, TTIP is about reducing barriers to trade between the two blocks. During TTIP's preparatory phase, 92% of lobby encounters with DG Trade (the EU's co-ordinating Directorate-General) were with business groups, and only 4% with public interest groups.⁴⁹ Agribusiness lobbyists (food multinationals, agri-traders, seed producers) accounted for a bigger share of the 92% than those from the pharmaceutical, chemical, financial and car industries combined.⁵⁰ Food and agriculture is a key area of the TTIP negotiations, with firms on both sides of the Atlantic wanting greater access to the other's market. But there are already very few tariffs; instead the focus is on harmonising US and EU environmental regulations, labelling requirements, animal welfare standards and food safety rules.

DG Trade has actively courted industry lobby groups, inviting, for example, the pesticide lobby group European Crop Protection Association (ECPA) to submit a joint wish list of demands with CropLife America, its US equivalent.⁵¹ They represent most of the same companies, such as BASF, Bayer Crop Science, DuPont, Syngenta and Monsanto.⁵²

On April 17th 2015, farmers from across Europe protested outside DG Trade, demanding the suspension of the negotiations. TTIP, they argued, will “support the interests of agribusiness and big landowners, threaten the survival of small family farms – especially meat and dairy farmers – and harm local food initiatives and impede initiatives for green and fair public procurement”.⁵³ The Commission holds that EU standards of consumer, environmental and data protection are “not up for negotiation” and that farmers' livelihoods must not be jeopardised.⁵⁴ But in 2014, DG Trade admitted that there will be “winners and losers”, and that due to higher labour and energy costs, Europe's agricultural sectors will have to “adapt”.⁵⁵ In June 2014, the US Agriculture Secretary Tom Vilsack made no secret of backing the corporate agenda of attacking EU regulations on GMOs and use of artificial hormones in beef, and forcing down standards in general.⁵⁶

2.22 What's the NFU position?

In relation to TTIP, the NFU told the government in 2014 that it “would have preferred a multilateral trade deal but was in principle supportive of the TTIP negotiations”.⁵⁷ It welcomes the potential for expanding exports, in particular of high-value dairy products and lamb, but acknowledges that TTIP will “make it more difficult for some UK farmers to compete with imports”, and that the likely impact will be “unevenly distributed across sectors and across the country” due to the heterogeneity of the UK farming industry”.⁵⁸ The NFU said:

48 <http://www.nfuonline.com/assets/26966>

49 <http://corporateeurope.org/pressreleases/2014/07/agribusiness-biggest-lobbyist-eu-us-trade-deal-new-research-reveals>

50 <http://corporateeurope.org/pressreleases/2014/07/agribusiness-biggest-lobbyist-eu-us-trade-deal-new-research-reveals>

51 <http://corporateeurope.org/international-trade/2014/07/ttip-lose-lose-deal-food-and-farming>

52 <http://corporateeurope.org/international-trade/2014/07/ttip-lose-lose-deal-food-and-farming>

53 <http://www.bilaterals.org/?april-17-lobby-action-tour-on-ttip&lang=fr>

54 http://europa.eu/rapid/press-release_STATEMENT-14-12_en.htm

55 [http://www.europarl.europa.eu/RegData/etudes/briefing_note/join/2014/522349/EXPO-INTA_SP\(2014\)522349_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/briefing_note/join/2014/522349/EXPO-INTA_SP(2014)522349_EN.pdf)

56 <http://corporateeurope.org/international-trade/2014/07/ttip-lose-lose-deal-food-and-farming>

57 <http://webcache.googleusercontent.com/search?q=cache:TneNg5gxxgIJ:tradeinvest.babinc.org/wp-content/uploads/2014/10/Agriculture-Food-and-Drink.pdf+&cd=1&hl=en&ct=clnk&gl=uk>

58 www.nfuonline.com/assets/26966

“US farmers have significant cost of production advantages over EU farmers due to lower regulatory burdens (such as animal welfare, animal traceability, the use of hormones, GM, environmental legislation, access to plant protection products, mycotoxins legislation, etc.). Any liberalisation of trade must ensure that imports are produced to equivalent standards and that product labelling clearly distinguishes different production methods, in a way that is meaningful and is not misleading.”⁵⁹

Yet the NFU and the European lobby group COPA-COGECA, which it is part of, like to focus on the positives. COPA has called it “a unique opportunity to eliminate regulatory obstacles, which is a key priority for the European agri-food industry”.⁶⁰ In a joint statement with industry lobby group Food-Drink-Europe, COPA-COGECA welcomed the chance to “resolve any horizontal animal- or plant-related non-tariff measures that distort trade – be it through equivalence, mutual recognition or harmonisation of standards”.⁶¹ COPA said it wanted to see the process embody respect for “each other’s levels of consumer, environment and health protection”.⁶² Unfortunately, in the context of mutual recognition and harmonisation, ‘respect’ has zero function.

The NFU is aware of the danger TTIP poses to UK farmers – that they will be undercut by lower quality US products produced more cheaply. In its 2015 election manifesto, the NFU asked the government to ensure that “agriculture overall and no specific sectors are disproportionately hit in order to agree the deal”.⁶³ There is particular concern about chicken farmers due to the wide divergence in production methods, making compromise difficult. They want to see poultry meat and eggs treated as ‘sensitive’ in the negotiations.⁶⁴

COPA-COGECA also worries about the lack of level playing field: “European citizens expect farmers to implement increasingly expensive and higher production standards while imported products do not have to meet the same requirements. This inconsistency needs to be resolved”.⁶⁵

Both are choosing to ignore the fact that if the TTIP goes through in any form, what they fear will come to pass. Either Europe’s animal welfare, environmental and food safety standards will be forced down, or its farmers (particularly small farmers) will face unfair competition. Either way the European consumer will be faced with lower quality food. Given that COPA-COGECA and the NFU spend a lot of their time lobbying to reduce the regulatory burden on UK and EU farmers – seeking to dilute environmental, animal welfare and labour rights protections and obligations – and given the NFU’s enthusiasm for more US-style superfarms and industrial pig and cow units in England, it is difficult to accuse them of naivety in their endorsement of TTIP. Indeed, at a meeting of the APPG on TTIP in July 2014, the NFU’s Director General Martin Haworth “hoped a trade deal would bring improvements on the regulatory side in the EU, for example, in the approval system for GM products, which he termed dysfunctional”.⁶⁶ Haworth said he was “not concerned about competitive challenges linked to the scale of production in the US”.⁶⁷ which might not be words of comfort for UK farmers.

However, Nina Holland from campaign group Corporate Europe Observatory warned that:

“The reassurances from EU and US negotiators that ‘food standards will not be lowered’ cannot be trusted. The public needs to know that because of TTIP, imports may be allowed that do not meet local standards. Farmers should be aware that they will suffer more, and unfair, competition. We can also expect that standards will be lowered, or may be undermined during the implementation phase. Regulatory convergence will fundamentally change the way politics is done in the future, with industry sitting right at the table if they get their way. When all these elements are taken together, TTIP reveals itself as the ultimate tool of EU and US agribusiness to counter any ‘inconvenient’ food-related standard.”⁶⁸

59 www.nfuonline.com/assets/26966

60 <http://bit.ly/1UTo9ax>

61 <http://bit.ly/1UTo9ax>

62 <http://bit.ly/1UTo9ax>

63 <http://www.nfuonline.com/news/general-election-2015/election-2015-sector-by-sector>

64 www.nfuonline.com/assets/26966

65 <http://tinyurl.com/ph4d6kt>

66 <http://tradeinvest.babinc.org/wp-content/uploads/2014/10/Agriculture-Food-and-Drink.pdf>

67 <http://tradeinvest.babinc.org/wp-content/uploads/2014/10/Agriculture-Food-and-Drink.pdf>

68 <http://corporateeurope.org/international-trade/2014/07/ttip-lose-lose-deal-food-and-farming>

2.3 NFU – siding with the supermarkets and opposing the Grocery Code Adjudicator

2.31 What's the issue?

A UK Supermarket Code of Practice (SCOP) was introduced in March 2002 to redress the balance between the big supermarkets and their suppliers, including farmers. However, it came under widespread criticism for being too weak. Under pressure from campaign groups, the Office for Fair Trading (OFT) undertook a review of the Code in 2004 and concluded that it was ineffective, but made no recommendations for improvement. Friends of the Earth (FoE), in collaboration with FARM, the Association of Convenience Stores (ACS) and the National Federation of Women's Institutes kept up pressure for revisions to the SCOP, whilst demanding a market review of the grocery market, including its impact on suppliers.⁶⁹ When, in October 2005, FoE supported the ACS in an appeal to the Competition Appeal Tribunal over the OFT's refusal to take action, the OFT agreed to reconsider its decision not to refer the grocery market to the Competition Commission (CC), and in May 2006 it announced there would be a fresh market investigation.⁷⁰ On the basis of its findings, in April 2008, the CC proposed a new Grocery Supply Code of Practice (GSCOP) to replace the existing code, as well as the appointment of an ombudsman to police it. The GSCOP came into force in February 2010 and a Groceries Code Adjudicator, Christine Tacon, finally took office in 2013.⁷¹

The GSCOP gives suppliers access to independent arbitration and aims to protect them from practices such as being asked to cover the cost of theft from stores. It covers the ten biggest grocery retailers – those with annual sales of over £1billion.

2.32 What's the NFU position?

The NFU spent years trying to undermine efforts to get statutory regulation of supermarkets. Only voluntary self-regulation was acceptable to the NFU, which saw itself as a potential broker of such agreements. In 2001, FoE spoke out against the then proposed Supermarket Code of Practice, saying it offered “little, if any protection to farmers” due to its failure “to define what is considered to be unreasonable, or what constitutes due care, or good faith, leaving the interpretation in the hands of the supermarkets”.⁷² The NFU's head of marketing, Helen Lo, hit back with the following:

“We are amazed to see Friends of the Earth suddenly become Friends of the Farmers. We strongly object to anything which attempts to drive a wedge between us and the supermarkets. We will not be drawn by them into a ‘them and us’ situation with the big multiples. That is not constructive in difficult times.”⁷³

By 2004, with its members' increasingly demanding action against their continued exploitation, the NFU had come up with a voluntary 'Buyers Charter' which it hoped the multiples would sign up to. FoE and the rest of the *Breaking the Armlock* coalition of 15 consumer, farming and environmental organisations, warned that this voluntary approach would not stop supermarkets bullying their suppliers. They announced their surprise that the NFU was proposing more voluntary measures and even repeating the flaw in the SCOP whereby suppliers had to submit their complaints directly to the supermarkets rather than to an independent body.⁷⁴ Ahead of the NFU Council's debate on the proposed charter, FoE's supermarket campaigner Sandra Bell said:

“The NFU is meant to act in the interests of farmers, yet it is proposing a voluntary charter that will play into the hands of the big supermarkets. Instead the NFU should add its voice to the calls for the Government to impose a

69 www.foe.co.uk/sites/default/files/downloads/oft_consultation_response.pdf

70 <http://www.tescopoly.org/supermarket-code-practice>

71 <http://www.tescopoly.org/supermarket-code-practice>

72 http://www.foe.co.uk/resource/press_releases/0313supe

73 http://www.thefreelibrary.com/NFU_irritation_as_Friends_of_the_Earth_turns_friends_of_farmers.-a072731897

74 http://www.foe.co.uk/resource/press_releases/nfu_proposals_will_not_sto_29062004

strong statutory code of practice which would give suppliers real protection. The NFU Council should reject this weak and ineffective proposal.”⁷⁵

Criticism also came from within the NFU’s ranks, with Somerset farmer and Council member Derek Mead claiming that “The NFU let the Government off the hook by giving them an alternative in the form of this voluntary Buyers’ Charter. It has taken the pressure right off the need for a strengthened statutory code backed by an independent watchdog”.

A soft fruit grower we interviewed told Ethical Consumer:

“Twenty years ago, other growers and I were desperate to address our concerns with supermarket behaviour and got to speak before a Parliamentary Committee where supermarkets were in the room. The NFU told me you should never criticise your customer and said they wanted a voluntary code, which blatantly never worked.”

In 2005, the NFU was still pushing on with its Buyers’ Charter, saying it represented the best way forward following the OFT’s decision that no changes to the SCOP were necessary.⁷⁶ Despite having branded the OFT’s conclusions “well short of the mark”, they believed their Charter would assist in the structuring of equitable long-term supply chains for all sectors, and that retailers and processors would be keen to be associated with it.⁷⁷ The CLA, in contrast, renewed its call for an ombudsman to be appointed, saying “The Buyers’ Charter is an intelligent idea and we’re not against it, but why should a voluntary code work any better than a statutory code?”.⁷⁸ Even the British Retail Consortium advised that if farmers wanted the OFT to protect their interests, as well as those of consumers, they should lobby the government to expand the remit of the code.⁷⁹

In April 2006, in a survey FoE commissioned from GfK, 81% of those asked supported rules to protect farmers in their dealings with supermarkets.⁸⁰ FoE warned the government that if no action was taken to strengthen the SCOP, more and more British farmers would “either be forced out of business or to intensify their production”.⁸¹ This sentence may shed light on the NFU’s surprising (on the face of it) abdication of responsibility on this issue, leaving it to charities and campaign groups to defend its own sector. Intensification and the consolidation of small ‘inefficient’ farms into the hands of big operators is the NFU’s definition of progress, in line with its ideological commitment to the laws of the market. Even in 2010, in evidence to the Environment, Food and Rural Affairs (EFRA) Committee, the NFU was careful to include “not impeding consolidation of farming businesses” among its suggestions for tackling ongoing imbalances across the supply chain.⁸²

Once the OFT had capitulated to pressure and a new market inquiry was underway, the NFU did change tack. In his evidence to the CC’s Grocery Market in 2006, its director general was unequivocal about the supermarkets’ dominance and the “clear evidence of abuse of power within the supply chain”,⁸³ and the NFU joined the Grocery Market Action Group, alongside many development and environment NGOs, the CLA, ASC and other UK farming unions, in backing the efforts of MP Andrew George to champion the creation of a Supermarket Ombudsman.⁸⁴ True to form, however, the NFU was still (wrongly) optimistic as late as November 2009 that it could persuade the supermarkets to voluntarily agree to the creation of an ombudsman, without it having to be thrust upon them.⁸⁵

75 http://www.foe.co.uk/resource/press_releases/nfu_proposals_will_not_sto_29062004

76 <http://www.fwi.co.uk/news/nfu-pushes-forward-with-buyers-charter.htm>

77 <http://www.fwi.co.uk/news/nfu-pushes-forward-with-buyers-charter.htm>

78 <http://www.fwi.co.uk/news/nfu-pushes-forward-with-buyers-charter.htm>

79 <http://www.fwi.co.uk/news/nfu-pushes-forward-with-buyers-charter.htm>

80 http://www.foe.co.uk/sites/default/files/downloads/oft_consultation_response.pdf

81 http://www.foe.co.uk/sites/default/files/downloads/oft_consultation_response.pdf

82 <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmenvfru/671/67113.htm>

83 http://www.farminguk.com/News/NFU-gives-evidence-to-the-Competition-commission_2883.html

84 <https://politicalcleanup.wordpress.com/tag/grocery-market-action-group>

85 <http://www.yorkshirepost.co.uk/news/main-topics/local-stories/nfu-leader-demands-special-deal-for-farmers-1-2313989>

In June 2011, in its response to a Select Committee inquiry into the draft Groceries Code Adjudicator Bill, the NFU made a welcome call for the appointee to be able to impose significant fines, rather than just ‘name and shame’ as the government was suggesting.⁸⁶ The Groceries Code Adjudicator was given the power to fine retailers and their direct suppliers for unfair trading practices in April 2015.⁸⁷ The NFU also successfully argued for the right to submit evidence to the adjudicator on behalf of members, to allay their fears about reprisals from buyers, and launched its online ‘GSCOP breach report’ facility in May 2015. In its 2015 general election manifesto, the NFU called for mandatory extension for the powers of the Adjudicator to all links in the supply chain between producers and intermediaries, since “most production is via intermediary processors, who often transfer excessive risk and unexpected costs from retailers to their producers”.⁸⁸

A joint statement by NFU, NFU Scotland, NFU Cymru and UFU in August 2015 said the government must admit that “something has gone fundamentally wrong in the supply chain”, and claimed that, “in general, voluntary codes are not sufficient and government intervention in retail and supplier practices is needed to ensure the future of the British supply chain”.⁸⁹ This is the kind of talk farmers like to hear from their unions. Yet the NFU’s former chief economist was quoted in the press on the same day, making the point that dairy farmers receive an average of £28,000 a year from the taxpayer and thus it is “unrealistic for anyone in that position to expect us just to pay them whatever price they think is needed to cover their cost of production ... If they can’t survive with their subsidy then, actually, they should give up making milk and live off the subsidy”.⁹⁰

Meanwhile the NFU hasn’t lost its affection for voluntary initiatives and is currently calling on all supermarkets to publicly back its ‘fruit and veg pledge’, which is about “stripping out unwieldy bureaucracy and charges and minimising market volatility for smaller suppliers, which can kill off their businesses”.⁹¹ Aldi was the first, and so far only, retailer to sign up, in June 2015.

86 <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmbis/1224/1224we11.htm>

87 <http://www.nfuonline.com/news/latest-news/adjudicator-can-fine-nfu-responds>

88 www.nfuonline.com/the-nfu-2015-election-manifesto

89 <http://www.supplymanagement.com/news/2015/uk-food-supply-chain-fundamentally-wrong-say-farmers>

90 <http://www.manchestereveningnews.co.uk/news/uk-news/farmer-leaders-meet-supermarket-bosses-9831909>

91 <http://www.theguardian.com/business/2015/jul/14/aldi-leads-backing-of-uk-farmer-friendly-fruit-and-veg-pledge>

2.4 NFU and foot and mouth disease – exports prioritised over smaller producers

2.41 What's the issue?

When foot and mouth disease was detected in UK livestock in 2001, it had already reached the third stage of an epidemic. It was present in pigs, cows and sheep in different locations around the country, spread by trading and the illegal practice of loaning sheep (allowing farmers to capture more subsidy than they were entitled to).⁹² It was too late for a stamping-out-by-slaughter strategy to be effective, yet this is what the government pursued, thanks to an EU framework which discouraged vaccination and a determination to recover the UK's export trade, worth £570 million, as quickly as possible.⁹³

At the behest of the British Government, the EU had outlawed the use of vaccination for foot and mouth disease in 1990, for it to acquire the international highest trading status of “disease-free region which did not use vaccination”.⁹⁴ Nevertheless, vaccination was permitted in case of dire emergency. Holland, which also had foot and mouth in 2001, was granted permission to vaccinate and successfully halted the epidemic and regained its full export status within four months.⁹⁵

Using ring-vaccination (vaccinating round the outside of the hotspots and working into the centre of each area), the countryside could have returned to normal by the summer of 2001, and the UK could have recovered its export status by the summer of 2002, for a maximum cost of £200 million.⁹⁶ Instead, for a cost of around £9 billion (including £3 billion directly from the public purse), more than 10 million animals, most of them healthy, were slaughtered; around 3,500 farmers went out of business; and over 10,000 workers lost their jobs.⁹⁷

Because the epidemic was so advanced by the time the authorities began to act, stamping it out through slaughter alone called for drastic measures. The result was the ‘contiguous cull’ policy, which saw herds killed even before suspected cases had been confirmed (one in three are thought to have been accurate), and dictated that within 48 hours all livestock within a three-mile radius were also destroyed, even if there was a mountain range in between, creating zero risk of contamination.⁹⁸ The army was brought in to cope with the scale of the cull, which was almost certainly illegal as well as being disproportionate “in terms of public expenditure, economic and social devastation, human misery, animal suffering and long-term damage to the countryside”.⁹⁹ Yet instead of a public inquiry, Tony Blair commissioned three tightly constrained, secretive investigations, preventing lessons being learned and accountability being attributed for one of the country's worst ever mishandlings of a public crisis.¹⁰⁰

Most cattle TB testing was halted in 2001, providing an opportunity for the bTB to spread between cattle as well as to wildlife (a big jump in its prevalence in badgers confirming the importance of cattle-to-badger transmission).¹⁰¹ In the aftermath of foot and mouth the national herd needed to be restocked, and the government allowed this to occur without either prior bTB testing or post movement controls. According to Trevor Lawson of the Badger Trust:

92 <http://www.fmd.brass.cf.ac.uk/lessonsnotlearnedDCBL.pdf>

93 <https://www.theguardian.com/uk/2001/mar/23/footandmouth.derekbrown>

94 http://ec.europa.eu/food/animals/animal-diseases/control-measures/foot-and-mouth-disease/index_en.htm

95 <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32001D0246>

96 <http://www.warmwell.com/footmoutheye.html>

97 <http://www.fmd.brass.cf.ac.uk/lessonsnotlearnedDCBL.pdf>

98 <http://www.warmwell.com/fmd0809.html>

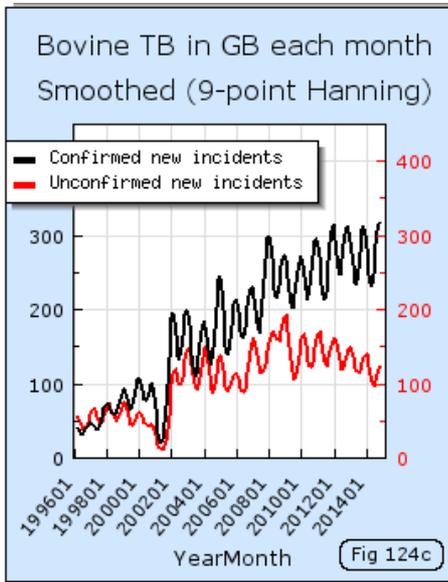
99 <http://www.warmwell.com/footmoutheye.html>

100 <http://www.telegraph.co.uk/news/uknews/1337144/How-the-foot-and-mouth-disaster-of-2001-began.html>

101 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69463/pb13691-bovinetb-policy-statement.pdf

“The incidence of bTB exploded after foot and mouth disease when, under pressure from the National Farmers Union, the Government allowed farmers to begin trading cattle from TB hotspots without testing them first. This spectacularly foolish decision resulted in bovine TB spreading to every part of England, and to previously unaffected parts of Wales and Scotland.”¹⁰²

For example, stock purchased from South West England were the source of bTB in 23 affected herds in Cumbria.¹⁰³ Defra data shows the resulting spike in bTB reactors during the following two years:



Source: www.bovinetb.info/graphs/graph124_bovine-tb-in-great-britain-since-1996.php

2.42 What's the NFU position?

During the foot and mouth epidemic, NFU president Ben Gill admitted he was under huge pressure to accept a vaccination programme, but refused to give ground. The NFU claimed to be unconvinced by the pre-vaccination arguments, constantly speaking about “conflicting veterinary advice” and warning against all evidence that vaccination would mean more animals being slaughtered in the long run.¹⁰⁴ A blinkered, longstanding prejudice against vaccination for foot and mouth – for protectionist marketing reasons – appears to have been behind its stance, probably combined with a calculated appreciation of the financial benefits of the ‘contiguous cull’ for some of its members.¹⁰⁵

Compensation payments were deliberately generous so that farmers would declare the disease, but “reached such a level that it positively encouraged deliberate infection of animals”, according to Professors Campbell and Lee of Cardiff Law School. The amount paid per animal tripled as theoretical market value was inflated by valuers, who farmers were able to appoint themselves.¹⁰⁶ The largest single payment was £4.2 million, with 59 farmers receiving more than £1 million and 323 more than £500,000.¹⁰⁷ Most farmers reluctantly accepted the cull because of the payouts – strong resistance was mainly from owners of rare breeds, some organic producers, those with pet livestock and those whose losses went uncompensated, such as farmers unaffected by foot and mouth who were unable to physically get their animals to market.

¹⁰² <http://www.telegraph.co.uk/news/earth/earthcomment/3460606/Cattle-not-badgers-are-reservoir-of-bovine-TB.html>

¹⁰³ www.bovinetb.info/docs/tuberculosis-tracing-the-dilemma.pdf

¹⁰⁴ <http://www.sovereignty.org.uk/features/footmouth/vacc3.html>

¹⁰⁵ <http://www.fmd.brass.cf.ac.uk/lessonsnotlearnedDCBL.pdf>

¹⁰⁶ <http://www.fmd.brass.cf.ac.uk/lessonsnotlearnedDCBL.pdf>

¹⁰⁷ <https://www.nao.org.uk/wp-content/uploads/2002/06/0102939.pdf>

The NFU led farmers to believe that vaccinated animals would have to be killed with no compensation, when there was not only no requirement within EU law for the slaughter of vaccinated animals, but specific EU provision to compensate them should the ‘vaccinate then slaughter’ option be used.¹⁰⁸ The NFU recruited representatives of the food processing industry, including the chief executive of Nestlé (a major buyer of powdered milk from farms in Cumbria) and the president of the Food and Drink Federation to raise fears that big food retailers would not source and market meat and milk from areas where vaccination had taken place.¹⁰⁹ Yet retailers had clearly stated that they had no concerns, not least because vaccinated meat had been sold and consumed in Britain for years – 67,500 tons of beef and beef products were imported from countries that vaccinate for foot and mouth in 2000.¹¹⁰ During the 2001 Dutch foot and mouth outbreak, milk from vaccinated cattle had gone into the food chain there as usual. According to *The New Regulation and Governance of Food. Beyond the Food Crisis*, “the consumer voice seems to have been best represented by the farming union and the food manufacturers”,¹¹¹ while genuine experts in animal vaccination looked on in disbelief as “almost every argument being put forward against vaccination was without any basis in scientific fact”.¹¹²

Ten years on, in 2011, NFU leader Peter Kendall said that vaccination would play a part if there was an outbreak in the future, since EU law had evolved and there was now better technology to be able to distinguish vaccinated animals.¹¹³ Yet the NSP test referred to had been available in 2001, it’s just that it was not internationally recognised at the time by the World Trade Organisation trade rules. This appears to have been a key reason for the NFU’s rejection of vaccination.¹¹⁴

The NFU lost many members during the foot and mouth episode, mainly smaller farmers angry at its role in spreading misinformation.¹¹⁵ According to insiders, it was the NFU which persuaded MAFF (the Ministry of Agriculture Fisheries and Foods) to allow restocking without movement controls at the end of the crisis, to minimise the risk of antagonising farmers and losing even more members.¹¹⁶

108 <http://www.silentmajority.co.uk/silentmajority/FootinMouth/wordfiles/F&M%20PRIVATE%20EYE%20Booker%20&%20North%20011026.rtf>

109 <http://www.silentmajority.co.uk/silentmajority/FootinMouth/wordfiles/F&M%20PRIVATE%20EYE%20Booker%20&%20North%20011026.rtf>

110 <http://www.warmwell.com/ap7secdoc.htm>

111 Marsden, T. (2010). *The new regulation and governance of food: Beyond the food crisis?* New York: Routledge.

112 <http://www.warmwell.com/footmoutheye.html>

113 <http://www.bbc.co.uk/news/uk-england-beds-bucks-herts-12504125>

114 <http://www.fmd.brass.cf.ac.uk/lessonsnotlearnedDCBL.pdf>

115 <http://www.savemetrust.org/badger/the-team-badger-cull-debate-2012-in-the-house-of-commons>

116 <http://www.ukclimbing.com/forums/t.php?t=1813> ESTANCADA

Section 3

Environmental Lobbying

unconcerned about sustainability

3.1 NFU bees and neonicotinoids – risking it all for a few more pence an acre

3.11 What's the issue?

In December 2013, the EU suspended three neonicotinoid pesticides for two years: imidacloprid, clothianidin (in Bayer CropScience's 'Modesto') and thiamethoxam (in Syngenta's product 'Cruiser'). Neonicotinoids are often applied as a seed coating and are a 'systemic' poison, i.e. taken up by, and active, throughout the plant. Their introduction was heralded as a positive development for the environment as they target the nervous system of insects and thus posed less of a threat to the wider ecosystem. However, the original testing regime has since been judged inadequate, as they were only tested on honey bees (which make up just 10% of wild pollinators); only short term effects were considered; and the effects of multiple compounds in combination (as is usually the case in the field) were not looked at.¹¹⁷ The restrictions apply to flowering crops popular with bees, such as oilseed rape, maize, apples, strawberries and sunflowers. The three chemicals are still permitted for use in greenhouses and on winter crops when bees are dormant.

Why were these three pesticides suspended? The EU Commission concluded that they pose an unacceptably high risk to pollinating insects, including bumblebees and honey bees, following a review of the existing science by the European Food Safety Authority (EFSA) in 2013. "The EFSA and almost everybody else – apart from the manufacturers – agree this class of pesticides was not adequately evaluated in the first place", said Professor Dave Goulson, the UK's foremost bee expert (who also points out that habitat loss is the single biggest driver of bee decline).¹¹⁸ Syngenta threatened to sue the EFSA when it announced its conclusion.¹¹⁹ Unlike different sprays containing neonicotinoids, these three pesticides do not break down in the soil and are linked to a wide range of weakening effects on bees at field-realistic concentrations. In 2014, 29 independent scientists on the Global Taskforce on Systemic Pesticides concluded that the widespread use of neonicotinoid pesticides is affecting earthworms, birds and bees, and the quality of water and soils, and that they break down into compounds which are often as, or more, toxic than the active ingredients.¹²⁰ In July 2014, Nature also reported on Dutch research which showed high surface water concentrations of imidacloprid affecting insectivorous bird populations. Bayer lambasted the authors for referencing critical work which it said had been rebutted by unspecified "peer scientists".¹²¹

One intention behind the EU ban, which was to be reviewed in 2015, was to create a stimulus for the development of alternative pest control methods.¹²² Organic farmers have long used crop rotation and natural pest predators, and a recent meta-analysis performed at Oxford University showed that organic farms have an average of 48% more species of pollinators than non-organic farms.¹²³ Farmers in France and Italy adopted these techniques when controls on neonicotinoids were brought in prior to the 2013 EU resolution – with no marked downturn in yield produced.¹²⁴

The chemical companies have fought back strongly against the ban, claiming that effects of 'normal use' have not been adequately studied under field conditions. It does not help their cause that they keep most of their own data secret.¹²⁵ It is in fact notoriously difficult to conduct field experiments given the omnipresence of neonicotinoids over UK farmland – the study on which the government has based its opposition to the ban started out as a field trial by its own Food and Environment Research Agency (FERA), which had to be abandoned due to neonic contamination of the control group of hives.¹²⁶ Instead, FERA looked at the effect of different concentrations of clothianidin on bee colonies, concluding

117 <http://www.theguardian.com/environment/2013/mar/15/bee-harming-pesticides-escape-european-ban>

118 <http://www.theguardian.com/environment/2013/mar/15/bee-harming-pesticides-escape-european-ban>

119 <http://corporateeurope.org/agribusiness/2013/04/pesticides-against-pollinators>

120 http://www.theecologist.org/News/news_round_up/2790530/bees_victory_in_pesticide_battle_bayer_libel_action_dismissed.html

121 <http://www.ethicalconsumer.org/ethicalreports/honey/bayerandsyngenta.aspx>

122 <http://www.arc2020.eu/front/2014/07/syngenta-shelves-uk-plan-to-overturn-eu-neonic-moratorium/>

123 http://www.foe.co.uk/resource/press_releases/govt-must-uphold-ban-bee-harming-pesticide-says-coalition_01072014

124 <http://www.theguardian.com/environment/2013/apr/28/europe-insecticides-ban-save-bees>

125 <http://www.theguardian.com/environment/2013/apr/28/europe-insecticides-ban-save-bees>

126 <http://www.theguardian.com/environment/2013/jul/26/government-bee-scientist-pesticide-firm>

that they “remained viable and productive in the presence of the neonicotinoid pesticides”.¹²⁷ The ESFA questioned FERA’s interpretation of its results back in 2012, but the UK government nevertheless used it to argue that no ban on neonicotinoids could be justified.¹²⁸ When the data was reanalysed by Professor Goulson in 2015, he found that FERA had produced a conclusion “completely contrary to their own results section”.¹²⁹ Rather than the presence of clothianidin causing no effect, the data showed a reduction in the number of queen bees. Not only had the report not been subject to the normal scientific process of peer review, but the lead author left FERA to work at Syngenta shortly after its publication.¹³⁰

The EU decided to act because the serious decline in bee numbers posed a huge risk to global food production. The UK government abstained during the first vote, in March 2013, saying “We are not opposing the EU's proposals. But as we do not have the evidence yet it is impossible for us to vote either way”.¹³¹ However, by April, they had changed their position to ‘no’, announcing that available evidence (the FERA report) “did not point to risks to pollinators that would justify the proposed restrictions”.¹³² This was despite over three-quarters of the UK population backing a yes vote, according to a YouGov poll.¹³³

Joan Walley MP, chair of Parliament’s Environmental Audit Committee accused ministers of “extraordinary complacency”.¹³⁴ Former Tory environment secretary, John Gummer, said “If ever there were an issue where the precautionary principle ought to guide our actions, it is in the use of neonicotinoids. Bees are too important to our crops to continue to take this risk”.¹³⁵ Greenpeace’s chief scientist, Doug Parr, said: “By not supporting the ban, environment secretary, Owen Paterson, has exposed the UK government as being in the pocket of big chemical companies and the industrial farming lobby”.¹³⁶

To protect its billion-dollar neonicotinoid market, both Bayer CropScience and Syngenta have been on the offensive, accusing the ESFA of incompetence and continuing to pursue a legal challenge to the ban.¹³⁷ In 2015, Bayer made an unsuccessful attempt to sue Friends of the Earth Germany (BUND) for voicing concerns about its Thiacloprid-containing pesticides being labelled ‘not toxic to bees’.¹³⁸ Germany’s Federal Office of Consumer Protection and Food Safety (BVL) had passed the substances as safe for bees, but research shows that Thiacloprid appears to impair their learning ability and navigational behaviour, increase their death rate if already diseased, and becomes 1000 times more toxic when mixed with fungicides.¹³⁹ Friends of the Earth and other civil society groups are now calling for BVL to withdraw its approvals and for the EU to extend its ban to Thiacloprid.

In 2014, new research revealed that the UK has only a quarter of the honey bees it would need to pollinate all the country’s crops – this was the second lowest out of 41 European countries. The gap has opened up due to the decline in bee health (through pesticide effects, habitat loss and disease) and the replacement of wind-pollinated cereals with flowering biofuel crops. “Wild pollinators need greater protection. They are the unsung heroes of the countryside, providing a critical link in the food chain for humans and doing work for free that would otherwise cost British farmers £1.8bn to replace”, said one of the authors of the new research, Simon Potts. He warned that an increasing reliance on wild pollinators was particularly dangerous given that their health is not being monitored and that too little is being

127 <http://www.theguardian.com/environment/2015/mar/26/uk-drew-wrong-conclusion-from-its-neonicotinoids-study-scientist-says>

128 <http://www.theguardian.com/environment/2015/mar/26/uk-drew-wrong-conclusion-from-its-neonicotinoids-study-scientist-says>

129 <http://www.theguardian.com/environment/2015/mar/26/uk-drew-wrong-conclusion-from-its-neonicotinoids-study-scientist-says>

130 <http://www.theguardian.com/environment/2013/jul/26/government-bee-scientist-pesticide-firm>

131 <http://www.theguardian.com/environment/2013/mar/15/bee-harming-pesticides-escape-european-ban>

132 <http://www.bbc.co.uk/news/science-environment-24024634>

133 <http://www.theguardian.com/environment/2013/mar/15/bee-harming-pesticides-escape-european-ban>

134 <http://www.theguardian.com/environment/2013/apr/28/europe-insecticides-ban-save-bees>

135 <http://www.theguardian.com/environment/2013/mar/15/bee-harming-pesticides-escape-european-ban>

136 <http://www.theguardian.com/environment/2013/apr/29/bee-harming-pesticides-banned-europe>

137 <http://www.ethicalconsumer.org/ethicalreports/honey/bayerandsyngenta.aspx>

138 http://www.theecologist.org/News/news_round_up/2790530/bees_victory_in_pesticide_battle_bayer_label_action_dismissed.html

139 http://www.theecologist.org/News/news_round_up/2790530/bees_victory_in_pesticide_battle_bayer_label_action_dismissed.html

done to protect them. "The biofuel policy has gone through without anyone thinking about the impacts on pollination," said Tom Breeze, another of the research team at Reading.¹⁴⁰

What's the NFU's position?

The NFU and Defra, under Owen Paterson, spoke as one during the EU negotiations over neonicotinoids, joining the agricultural companies in claiming a lack of "scientifically demonstrated evidence of risk".¹⁴¹ The NFU's lead on bee health, Chris Hartfield, worried about "a trend in the regulation of agriculturals – the way the precautionary principle is being used and the evidence is assessed".¹⁴² He has expressed concern that the bee issue is being "heavily politicised and manipulated with misinformation by campaign groups with their own agenda against pesticide use".¹⁴³

In Summer 2014, the NFU acted for Syngenta in applying for a derogation for one of the banned chemicals. A government decision wasn't forthcoming in time for planting, which left the NFU "disappointed".¹⁴⁴ The NFU has acknowledged that EU pesticide regulation is inadequate, yet apparently believes that there is no justification for removing them from use even if they do pose a threat to bees: "While acknowledging the importance of pollinators, the government's response also importantly recognises the value to society of food production and the underpinning role pesticides play in that production... These benefits have to be part of the consideration when managing the risks posed to the environment by pesticides"¹⁴⁵ (Chris Hartfield).

The NFU is also influential within COPA-COGECA, which in 2013 (along with the European Seed Association and the European Crop Protection Association (CPA)), launched an industry-sponsored report by the Humboldt Forum for Food and Agriculture (HFFA) which suggested that £630 million could be lost from the UK economy each year if neonicotinoids were withdrawn.¹⁴⁶ Both Bayer and Syngenta were financially involved with several such 'independent' research bodies, including the HFFA and CPA.¹⁴⁷

The NFU has continued to issue doom-laden forecasts regarding the neonic suspensions, prompting Buglife to comment that "The NFU appears to be trying it's hardest to scare farmers into not planting oilseed rape and mislead decision makers into overturning the neonicotinoid ban".¹⁴⁸ For example, Chris Hartfield has warned of likely "catastrophic impacts for food production and unintended consequences for the environment"¹⁴⁹ and Guy Smith has talked about "potential unintended consequences for bee populations" – suggesting that reduced acreage of flowering crops would cause them to starve.¹⁵⁰ Former NFU president Peter Kendall predicted that the UK's oilseed rape crop could be down by a quarter, at a cost of millions,¹⁵¹ when, in fact, 2014 saw high yields and no sign of growers being put off sowing rape.¹⁵² In July 2014, the NFU claimed that Swedish farmers had seen a 70% drop in spring oilseed rape yields due to the new pesticide rules, when in fact the change was in the area planted and there was no significant pest problem or yield effect. The NFU admitted the error (having first used the figure in press and radio interviews) but failed to correct its website, which continued to state in June 2015, erroneously, that in Sweden, "Crops that were planted, even in the lowest-risk situations, came under severe attack from insect pests".¹⁵³ They also said the HGCA had estimated rape yield reductions of around 10%, when it had predicted losses of between 0.5 and 1%. After the error was pointed out,

140 <http://www.theguardian.com/environment/2014/jan/08/uk-food-security-honeybees>

141 www.westermorningnews.co.uk/Plea-retain-EU-pesticide.../story.html

142 <http://www.theguardian.com/sustainable-business/2015/mar/19/pr-battle-neonicotinoids-declining-bee-colonies-food-security>

143 http://www.theecologist.org/News/news_round_up/2464908/victory_syngenta_pulls_beekiller_pesticide_application.html

144 <http://www.nfuonline.com/news/press-centre/nfu-statement-on-syngenta-application-withdrawal/>

145 <http://www.bbc.co.uk/news/science-environment-24024634>

146 <http://www.fwi.co.uk/arable/neonicotinoid-ban-could-cost-farmers-millions.htm>

147 <http://corporateeurope.org/agribusiness/2013/04/pesticides-against-pollinators>

148 <https://www.buglife.org.uk/blog/matt-shardlow-ceo/why-nfu-misleading-farmers-and-government-about-neonicotinoids>

149 <http://www.theguardian.com/environment/blog/2013/apr/29/bee-deaths-should-eu-ban-neonicotinoids>

150 http://www.theecologist.org/News/news_round_up/2464908/victory_syngenta_pulls_beekiller_pesticide_application.html

151 <http://www.theguardian.com/environment/2014/oct/01/neonicotinoid-uk-farmers-rape-seed-crop-bees-pesticide>

152 <https://www.buglife.org.uk/news-%26-events/news/buglife-exposes-2nd-misleading-nfu-oil-seed-rape-pesticide-claim>

153 <https://www.buglife.org.uk/news-%26-events/news/buglife-exposes-2nd-misleading-nfu-oil-seed-rape-pesticide-claim>

the NFU changed this to an average yield loss of “15%, although yield losses of up to 30% can occur” – referring confusingly and unrelatedly to estimated losses to viruses where no pesticides were used at all, which is not the case.¹⁵⁴

154 <https://www.buglife.org.uk/blog/matt-shardlow-ceo/why-nfu-misleading-farmers-and-government-about-neonicotinoids>

3.2 NFU and soil erosion – opposing formal protection

3.21 What's the issue?

In October 2014, the Farmer's Weekly reported that there were only "100 harvests left" in the UK's soils.¹⁵⁵ The intensification of farming has caused 84% of the country's fertile topsoil to be lost since 1850.¹⁵⁶ Research in Devon has showed farmland soil being lost at the rate of five tonnes per hectare per year, while Lord Krebs, chair of the Climate Change Coalition adaption sub-committee cautioned in 2014 that East Anglia's most fertile topsoils could be lost within a generation, given the likely climate shift towards higher temperatures, water shortages and more frequent heavy rains.¹⁵⁷

"Around 2.2 million tonnes of topsoil is eroded annually in the UK as a whole. Loss of organic matter and other problems such as compaction also affect large areas. As well as reducing productivity, soil loss and degradation is associated with problems of water pollution, flooding and release of greenhouse gases into the atmosphere. Damage to our soils is already affecting people's lives and livelihoods. Following the winter floods, RSPB supporters from at least 27 flood-affected constituencies wrote to their MPs asking for stronger CAP rules and better use of CAP money to improve the management of agricultural soils."

– Wildlife and Countryside Link¹⁵⁸

There are a number of causes of soil erosion on farms. They include "deep ploughing, rapid crop-rotation and ever-larger fields free of trees allowing the wind and rain to carry away the top layer of soil".¹⁵⁹ Another factor is the increasing size of farm machinery, whose sheer weight compacts the soil into non-draining 'concrete'. The flotation tyres now standard on mega-tractors and combines gives the illusion that soils are not being damaged, but it is happening in a lower layer out of sight.¹⁶⁰ When rainfall can't percolate into the land it 'flashes' off (runs off the surface) and delivers the topsoil to the nearest river, often along with agrochemicals or silage run-off. The silt and chemicals harm wildlife and can clog the watercourse, making flooding more likely.¹⁶¹

A particular problem is the increasing cultivation of maize – in 75% of maize fields studied in South West England the soil structure had broken down.¹⁶² The introduction of winter cropping cereals in the 1980s had already brought problems, since the soil is left uncovered through the winter. Yet the chance of maize fields experiencing serious erosion is six times that of winter wheat.¹⁶³ Potatoes, asparagus and sugar beet are also prone to problems¹⁶⁴.

Soil erosion is not restricted to arable farming; livestock trampling is another common cause of compaction, while lack of tree cover and grass on uplands due to extensive grazing also contributes to river silting and flooding.¹⁶⁵ CAP incentives for farmers to remove 'dense scrub' to receive their BPS doesn't help. In many upland areas, too, drainage channels cut into bogs to make them suitable for grazing or grouse shooting reduces their ability to store water, causing rainfall to rush to the nearest river.¹⁶⁶

155 <http://www.fwi.co.uk/news/only-100-harvests-left-in-uk-farm-soils-scientists-warn.htm>

156 <http://www.independent.co.uk/news/uk/home-news/soil-erosion-a-major-threat-to-britains-food-supply-says-government-advisory-group-10353870.html>

157 <https://www.theguardian.com/environment/2016/jul/12/uk-poorly-prepared-for-climate-change-impacts-government-advisers-warn>

158 http://www.wcl.org.uk/docs/Link_response_GAECs_Sept09.pdf

159 <http://www.independent.co.uk/news/uk/home-news/soil-erosion-a-major-threat-to-britains-food-supply-says-government-advisory-group-10353870.html>

160 <http://extension.psu.edu/plants/crops/soil-management/soil-compaction/avoiding-soil-compaction>

161 <https://anewnatureblog.wordpress.com/2014/02/06/lost-in-the-drainage-maize/>

162 <https://www.theguardian.com/environment/georgemonbiot/2014/mar/14/uk-ban-maize-biogas>

163 www.bbc.co.uk/news/science-environment-26466653

164 <http://www.bbc.co.uk/news/science-environment-26466653>

165 http://randd.defra.gov.uk/Document.aspx?Document=BD2304_7020_FRA.pdf

166 <http://publications.naturalengland.org.uk/file/50072>

b) What's the NFU position?

In 2006 the EU Commission put forward plans for a European Soil Framework Directive, to give soils the same protections as air and water. It aimed to oblige member states to “take precautions to minimise soil erosion and compaction, to maintain the organic matter soil contains, to prevent landslides and to prevent soil from being contaminated with toxic substances”.¹⁶⁷ The NFU lobbied against the SFD for eight years, and took the credit for its eventual withdrawal in 2014 (an unprecedented move for such a proposal). It had been on hold since being blocked in 2007 by five countries, led by the UK. NFU Vice President Guy Smith said:

*“Our long-held and firm belief has been that there is no need for additional legislation in this area – soils in the UK, and across the EU, are already protected by a range of laws and other measures, including cross compliance requirements and more targeted measures within agri-environment scheme agreements.”*¹⁶⁸

As on most issues, the NFU wanted “carefully targeted advice and information, voluntary action, partnerships and a greater emphasis on monitoring and research”,¹⁶⁹ not legislation.

At the time Smith made this statement, the cross-compliance requirement was to complete an annual ‘Soil Protection Review’ form, identifying levels of risk and saying how the farm was approaching its soil protection. Only 1% of farms were inspected by the Rural Payments Agency (RPA) and even if serious erosion were found the farmer was deemed compliant so long as the SPR had been filled in correctly.¹⁷⁰ As one farmer related on an online forum:

*“They know we fill the thing in at the end of the year with any old rubbish – they don’t care, as long as the farm doesn’t look like a warzone. It’s the ultimate in ‘We pretend to abide by the rules, and you pretend to enforce the rules, and everyone’s happy’ concepts. Take 10 mins to fill your form in once a year and be very glad Defra have decided this is the way to go.”*¹⁷¹

Clearly then, not an onerous burden yet, in 2011, the NFU recommended that the SPR become an “advisory feature” only, and that “not completing the Review correctly (or at all) should not result in a breach”.¹⁷² In March 2014, the NFU were still complaining about the matter: “There may be some farmers who do fail to complete an SPR, but this does not mean they are ‘bad’ farmers or indeed that they have any problems with their soil – but they are penalised heavily for not completing a form.”¹⁷³

However, new guidelines were issued in January 2015 replacing the SPR. Farmers will now be judged on their soil management rather than their ability to tick boxes. Defra announced that the new standards (again, part of cross compliance rules) are focused on “improving soil outcomes” and include “practical advice to help farmers mitigate or prevent soil erosion in different farming situations”.¹⁷⁴

In theory, the RPA will carry out more inspections than previously and farmers could stand to lose some of their BPS if soil erosion was shown to be occurring.¹⁷⁵ Agricultural advisor Charles Mayson said: “Late-harvested crops are going to be a challenge under the new regime”, for example, “maize, potato and sugar beet growers will be hard-pressed in late,

167 <http://www.monbiot.com/2014/06/05/ripping-apart-the-fabric-of-the-nation/>

168 <http://www.nfuonline.com/archived-content/more-news/soil-framework-directive-withdrawn/>

169 <http://www.nfuonline.com/archived-content/more-news/soil-framework-directive-withdrawn/>

170 <https://www.theguardian.com/environment/georgemonbiot/2014/jun/05/the-farming-lobby-has-wrecked-efforts-to-defend-our-soil>

171 <https://thefarmingforum.co.uk/index.php?threads/soil-protection-review.15170/page-3>

172 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69202/pb13528-farm-reg-task-summary1.pdf

173 <https://www.nfuonline.com/cross-sector/environment/water/flooding/setting-the-record-straight-on-flooding/>

174 <http://www.fwi.co.uk/news/soil-rules-must-not-unfairly-penalise-farmers-say-nfu.htm>

175

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/397046/CCSoilPS_2015_v1_WEB.pdf

wet years to get the crop off without damage”, and he expected greater Defra vigilance of designated Nitrate Vulnerable Zones.¹⁷⁶ However, in response to the NFU’s concern that this new approach should not “impact on the industry” nor farmers be “unduly penalised”, Defra gave reassurances that the new system was just about eliminating unnecessary paperwork.¹⁷⁷

Wildlife and Countryside Link (WLC), representing 43 UK wildlife and environmental organisations, were fairly critical in their comments on the new guidance. They disagreed, for example, that erosion can be ignored if it covers less than a hectare or, in relation to livestock trampling, less than a 20 m stretch along a watercourse.¹⁷⁸ They also wanted farmers to be liable for repairing soil and riverbank erosion even if the cause is historical (such as old drainage grips or channels). Instead, they are exempt. WCL also cautioned that “a one-off visual inspection may not be sufficient to detect problems, especially as it could take place at any time of year. Inspectors must be trained to assess management practices and identify where risks are not being addressed (even if erosion is not currently occurring), and this should count as a non-compliance”.¹⁷⁹

Maize cultivation is also on the increase; it has expanded from 1,400 to 160,000 ha since 1970. The NFU wants to see another 100,000 ha added over the next five years.¹⁸⁰

Some soil in allotments has been shown to contain a third more organic carbon than agricultural soil and 25% more nitrogen, and can produce between 4 and 11 times more food per hectare than arable farming. There are other ways that agriculture could be encouraging a restoration of soil fertility, through minimum and zero-tillage systems, and permacultural techniques including companion cropping, which all have additional benefits for wildlife. Yet nowhere in the NFU’s guidance publications for farmers are these alternative methods discussed.

176 <http://www.fwi.co.uk/news/soil-rules-must-not-unfairly-penalise-farmers-say-nfu.htm>

177 <http://www.fwi.co.uk/news/soil-rules-must-not-unfairly-penalise-farmers-say-nfu.htm>

178 http://www.wcl.org.uk/docs/Informal_cross_compliance_consultation_Link_response_Mar14.pdf

179 http://www.wcl.org.uk/docs/Informal_cross_compliance_consultation_Link_response_Mar14.pdf

180 <http://www.monbiot.com/2014/06/05/ripping-apart-the-fabric-of-the-nation/>

3.3 NFU and Air pollution – opposing EU regulation

3.31 What's the issue?

Agriculture is a major contributor to air pollution, which is the number one environmental cause of premature death in the EU and causes an estimated 29,000 premature deaths in the UK each year.¹⁸¹ The smog which affected the UK in April 2015 was “mainly composed of nitrate with a strong ammonia signal ... likely to have been due to the springtime application of slurry and fertilizer in agricultural regions on the near-continent”.¹⁸² The European Environmental Bureau (EEB), representing 140 environmental organisations, claims that around 90% of ammonia and 40% of methane emissions derive from the agricultural sector through activities such as livestock digestion, synthetic fertilisers, and manure spreading and storage.¹⁸³

A National Emissions Ceiling Directive (NECD), designed to set national limits for certain air pollutants, is currently passing through the EU legislative process. It is part of the EU's Clean Air Package, which, as well as reducing premature deaths, aims to save 123 000 km² of ecosystems from nitrogen pollution and 19 000 km² of forest ecosystems from acidification by 2030.¹⁸⁴

Agricultural ammonia emissions are considered one of few remaining 'low-hanging fruits' for achieving substantial air quality benefits at low cost. The NECD will not require EU member states to reduce livestock numbers but to take measures such as best practice manure storage and application techniques, and low emission feeding strategies. These are expected to have potential co-benefits for farmers, helping them comply with other environmental legislation such as climate and nitrate targets.¹⁸⁵

The NECD is also expected to cap methane for the first time, a greenhouse gas more short-lived but up to 100 times more powerful than carbon dioxide, which also damages blood vessels and contributes to heart disease if breathed in over time.¹⁸⁶ Louise Duprez, senior policy officer for air quality and noise at the EEB, said in 2015: “action to improve air quality is worth every cent. The benefits always outweigh the costs. The more ambitious our politicians are in cutting air pollution, the greater the benefits for our health, for nature and for the economy.”¹⁸⁷

3.32 What's the NFU position?

COPA-COGECA is the EU-level trade association which represents farmers and is heavily influenced by the NFU. In 2014, it lobbied EU Vice President Franz Timmermans to scrap the Clean Air Package, to prevent restrictions on ammonia emissions from agriculture, and other new regulations.¹⁸⁸ The European Commission was planning to demand a 30% cut in ammonia emissions, which COPA said was “unrealistic, unachievable and possibly not cost effective”. It believed that the caps proposed by the NECD would hit the livestock sector hard and “could result in a drop in EU production, which would threaten food security”.

181 <https://www.theguardian.com/environment/2015/sep/16/more-people-die-from-air-pollution-than-malaria-and-hiv-aids-new-study-shows>

182 <https://www.spelthorne.gov.uk/CHttpHandler.ashx?id=14108&p=0>

183 <http://climateobserver.org/eu-institutions-debate-new-air-quality-standards/>

184 http://europa.eu/rapid/press-release_IP-13-1274_en.htm

185 [http://www.clrtap-tfrn.org/sites/clrtap-tfrn.org/files/documents/TFRN-9/presentations/Bjornholm-Ottosson%20EC%20\(2014%20March\)%20New%20air%20policy%20-%20slides%20give%20by%20MS.pdf](http://www.clrtap-tfrn.org/sites/clrtap-tfrn.org/files/documents/TFRN-9/presentations/Bjornholm-Ottosson%20EC%20(2014%20March)%20New%20air%20policy%20-%20slides%20give%20by%20MS.pdf)

186 <http://www.eeb.org/?LinkServID=CE1E5250-5056-B741-DB16E09F7346411E&showMeta=0&aa>

187 <http://www.eeb.org/index.cfm/news-events/news/what-will-be-the-impact-of-air-pollution-between-now-and-2030-use-the-air-o-meter-to-find-out/>

188 <https://www.theguardian.com/environment/2014/dec/16/eu-backs-down-on-plans-to-axe-waste-and-air-quality-directives>

A leaked European Council document in February 2015 revealed the UK government/NFU position on the NEC ammonia ceilings. It said “We are disappointed that the potential growth in the dairy sector in the UK and a number of EU member states ... is not reflected in the analysis as this will have significant impact on our ability to meet the ceilings”.¹⁸⁹ At a meeting of Europe’s environment ministers in June 2015, the UK’s minister for air quality, Rory Stewart, also raised the issue of “constraints around our own environmental policy, particularly towards the dairy industry and the ceilings that you are proposing around ammonia.”¹⁹⁰ This in reference to the oversupplied UK dairy market whose NFU dairy board chairman commented in July 2015 was facing “a massive shakeout”, and that the TFA “had been right in suggesting that farmers needed to cut back rather than expand their operations”.¹⁹¹

The NFU was also against the inclusion of methane in the NECD. According to president Meurig Raymond this “just duplicates other EU and national legislative measures that are already in place” as well as (somewhat contradictorily) creating “additional burdens”.¹⁹² Climate experts have warned that the EU’s 2030 climate and energy package allows governments too much flexibility as to how to bring down methane levels, and that agriculture-specific controls within the NECD are essential.¹⁹³

The EEB’s spokesperson said the environment ministers had spent much of their June 2015 meeting “pushing for different kinds of flexibility schemes in case they do not meet [the targets]”. She added: “The farmers’ lobby is doing everything it can to remove emission limits which would make farming more sustainable and our air cleaner. What is so special about agriculture that doesn’t apply to sectors like cars or heating installations? Agriculture must deliver emission reductions just like everybody else.”¹⁹⁴

However, so far, the farming lobby hasn’t had everything its way. In July 2015, the EU Parliament’s Agriculture Committee accepted the text of the NECD¹⁹⁵ with few changes, to the “bitter disappointment” of the NFU. Thus, the UK will be required to reduce ammonia emissions by 21% (successfully lobbied down from the original 30% goal) and methane emissions by 41% by 2030, and will have to give progress reports in 2025 and 2030. The NFU had been hoping for “much more realistic and achievable reduction targets” and had pledged to campaign via its Brussels office for a different result when the EU Parliament had its final vote on the Directive in October 2015.¹⁹⁶

The NFU had also made the Industrial Emissions Directive (IED, formerly the IPPC Directive) a focus of sustained lobbying since changes to it were first considered in 2007. In 2013 it announced that this had paid off and the threatened reductions in emissions thresholds for poultry and pigs, and extension of the controls to cover cattle would not be coming in. The NFU’s chief environment adviser expressed delight that “common sense has prevailed”, saying “the costs ... would have far outweighed the environmental benefits”. However, she remained concerned that the EU was still considering new controls on manure spreading and combustion plants of below 50 megawatts and was keen for the Commission “to recognise the value of industry-led initiatives, such as Tried & Tested” and “the fact that national controls are already in place for combustion plants”, “before considering additional measures”¹⁹⁷ (suggesting a failure to grasp the concept of ‘additional’).

189 <https://euobserver.com/environment/128180>

190 <http://www.airqualitynews.com/2015/06/17/uk-raises-concern-over-proposed-eu-ammonia-regulations/>

191 <http://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/nfu-dairy-board-chairman-addresses-members/>

192 <http://www.nfuonline.com/cross-sector/environment/ippc/nfus-bitter-disappointment-at-european-emissions-vote/>

193 <http://www.eeb.org/index.cfm/news-events/news/eu-ministers-discussing-get-out-of-jail-free-cards-instead-of-tackling-air-pollution/>

194 <http://www.eeb.org/index.cfm/news-events/news/eu-ministers-discussing-get-out-of-jail-free-cards-instead-of-tackling-air-pollution/>

195 <http://www.nfuonline.com/science-environment/climate-change/nfus-bitter-disappointment-at-european-emissions>

196 <https://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/nfus-bitter-disappointment-at-european-emissions-vote/>

197 <http://www.nfuonline.com/news/press-centre/nfu-lobbying-success-for-livestock-sector>

3.4 NFU, biodiversity and meadows – keeping the regulations away

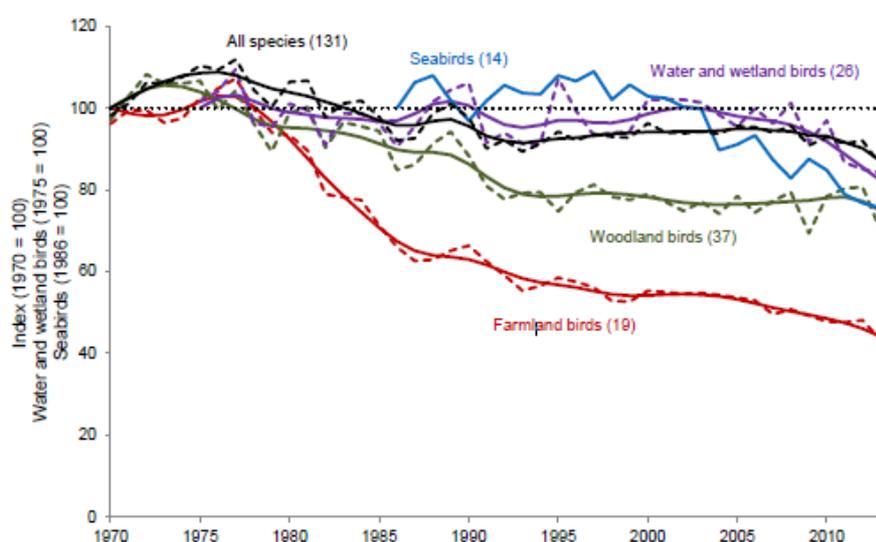
3.41 Context

The intensification of farming since the Second World War has had serious consequences for Britain’s wildlife and flora. Wholesale removal of hedgerows and ponds; drainage of wetlands; destruction of wild flower meadows; over-grazing; reduction in wildlife abundance through fertiliser, herbicide, fungicide and insecticide use; and pollution from silage run-off are just some of the problems highlighted by researchers. On a global level, the expansion and intensification of agriculture has helped drive the extinction of *half of all vertebrates* since 1965.¹⁹⁸

3.42 Birds

Of all the categories in the annual British Birds Survey (BBS), farmland birds have fared the worst:

Figure 1a: Populations of wild birds in the UK, by habitat, 1970-2013



Source: RSPB, BTO, JNCC, Defra

Source: <http://www.bto.org/science/monitoring/developing-bird-indicators>

The Department for the Environment, Food and Rural Affairs’ (Defra’s) Farmland Bird Index (FBI), derived from the BBS and the Common Birds Census (CBC), covers 19 species which feed and nest in open farmland. In 2013, the FBI was below half its 1970 level – the lowest ever recorded. The largest drop has been in the 12 ‘farmland specialist’ species – those most dependent on agricultural habitats. They include the turtle dove, lapwing, skylark and corn bunting. They declined 70% between 1970 and 2013 with only four of the 12 species seeing an increase or no change in their population size. Between 2007 and 2012, 33% of farmland specialists and 29% of ‘generalists’ increased in number, while 50% of specialists and 57% of generalists declined.¹⁹⁹

“Over the last 20 years we’ve squeezed the tiny remnants of naturalness out of our arable landscapes but the impact on birds which hung on quite well on just a few percent of the land has been catastrophic. The push for more is

198 <http://www.theguardian.com/environment/2014/sep/29/earth-lost-50-wildlife-in-40-years-wwf>

199 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372755/UK_Wild_birds_1970-2013_final_-_revision_2.pdf

nothing to do with feeding us and everything to do with farm incomes, where a few percent are the critical difference between (modest) profit and loss.”

– Roderick Leslie²⁰⁰

3.43 Biodiversity

Birds are the best monitored vertebrates, but similar rates of loss have been seen in other key wildlife indicators such as ground-dwelling beetles, moths and butterflies. The number of farmland specialist butterflies has halved since 1990.²⁰¹ Wildlife-rich semi-natural grasslands have all but disappeared – only 2% of English grassland is now classified as semi-natural (around 100,000 ha).²⁰² In 2005 only a fifth of these sites were judged to be in ‘favourable’ condition, while a quarter had lost some or all of their wildlife value.²⁰³

Following the Convention on Biological Diversity at the 1992 Rio de Janeiro Earth Summit, more than 500 UK species and habitats were made subject to Biodiversity Action Plans. A 2008 progress report found that 24% of the priority species and 42% of the priority habitats (including wildlife-rich upland chalk grassland and upland hay meadows) were in decline. The proportion of priority habitats where agriculture was identified as a threat now or in the future was 65% (no change since 2005) but had increased for priority species from 29% to 35% between 2005 and 2008.²⁰⁴ In 2010 a government-sponsored review led by Sir John Lawton concluded that England does not have a “coherent and resilient ecological network” and that “action is needed across whole landscapes to reverse the effects of fragmentation and environmental degradation”.²⁰⁵

More recently, in May 2015, the European Environment Agency (EEA) published the *State of Europe’s Nature*, reporting on species and habitats listed under the EU Birds and Habitats Directive. The EEA focuses exclusively on those species and habitats needing most protection and not on what is going on more widely – something worth flagging because only 7% of the UK is covered by the Directives, the lowest proportion of any EU Member State. The data showed that where bird populations, listed habitats and non-bird species were under pressure across Europe, agriculture was the main cause. The UK came third from bottom *vis a vis* habitats, with only about 5% of assessments favourable and 90% ‘unfavourable’, ‘inadequate’ or ‘bad’. The UK did relatively well, ranking 7th of 26, for non-bird species.²⁰⁶

According to naturalist Miles King:

“It is no coincidence that the EU pays out billions of euros in farm subsidies on the one hand, and that agriculture is far and away the single most significant pressure on the future survival of Europe’s ‘finest’ species and habitats. Despite 36 years of implementing the Birds Directive and 23 years of the Habitats Directive, there has been little success in altering the course of the Common Agricultural Policy Supertanker.”²⁰⁷

3.44 Farmers as custodians of biodiversity?

In 2012, a poll by the Campaign to Protect Rural England (CPRE) found that “four out of five adults believe farmers have a duty to look after the landscape for future generations”; that fewer than a fifth would accept a more industrialised farming sector; and that 78% wanted farmers to receive more support to carry out environmentally sustainable farming practices.²⁰⁸ The Royal Society for the Protection of Birds (RSPB) runs its Hope Farm as a research and demonstration farm, using entry level agri-environment schemes (ELS) to trial techniques for maximising wildlife value without

200 <http://markavery.info/2011/11/18/casual-calculated-antienvironmentalism>

201 <https://butterfly-conservation.org/files/soukb2011.pdf>

202 <https://grasslandstrust.wordpress.com/2011/11/22/biodiversity-crisis-what-biodiversity-crisis>

203 <https://grasslandstrust.wordpress.com/2011/11/22/biodiversity-crisis-what-biodiversity-crisis>

204 <https://grasslandstrust.wordpress.com/2011/11/22/biodiversity-crisis-what-biodiversity-crisis>

205 <https://www.woodlandtrust.org.uk/mediafile/100077582/lawton-review.pdf>

206 <https://anewnatureblog.wordpress.com/2015/05/22/the-state-of-europes-nature>

207 <https://anewnatureblog.wordpress.com/2015/05/22/the-state-of-europes-nature>

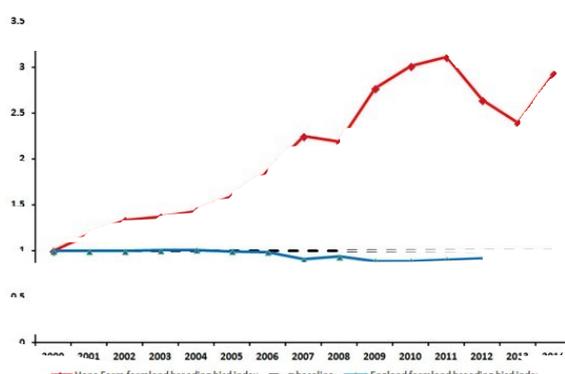
208 <http://www.telegraph.co.uk/news/earth/earthnews/9000694/Farmers-must-take-better-care-of-our-countryside.html>

compromising farm economics or sacrificing yields. The graph shows what can be achieved by taking small measures to encourage wildlife, and that biodiversity does not have to be at the expense of productivity.

Yet in 2012, the year in which the State of Nature report revealed that 60% of the UK's native species are in long term decline and 1 in 10 were heading for extinction,²⁰⁹ the NFU's then-president, Peter Kendall, announced at the NFU annual conference that:

“Government should switch its focus from bio-diversity and concentrate on farm productivity if it wants to make the most of British agriculture's potential as an engine for growth ... we haven't got a bio-diversity crisis in this country. Most of the key environmental indicators have been moving in the right direction and almost 70% of farmland is covered by an agri-environment scheme.”²¹⁰

Farmland bird index at the RSPB's Hope Farm, and in England as a whole



Source: <http://www.rspb.org.uk/community/ourwork/farming/b/farming-blog/archive/2014/09/29/hope-farm-2014-has-been-so-much-better.aspx>

The 70% figure here is a nonsense arising from ELS' 'whole farm' scheme designation; if just 1% of a farm (e.g. a stretch of hedgerow) is managed under ELS, the entire area (including the 99% not managed for biodiversity) is counted in this 70%. Secondly, Kendall had confused indicators of process (e.g. declining fertiliser use) with indicators of outcomes (e.g. condition of semi-natural grassland outside SSSIs).²¹¹ Kendall later added that if, in 40 years' time, England's biodiversity was "no worse", this would have been a "fair achievement".²¹² This says all we need to know about the NFU's attitude towards the UK's international targets for helping the countryside recover from decades of wildlife and habitat destruction.

When Kendall's speech was posted online by wildlife bloggers Mark Avery and Miles King, farmers and non-farmers responded with incredulity and dismay:

“...the worst thing of all is just how tiny the percentage of production is that has to be given up to dramatically reverse the decline in farmland birds – nowhere near the generous 10% in RSPB's Fair to Nature standard, nor the 20% the NFU reckons self-sufficiency has fallen by since the 1980s – just imagine what 5% of our farmed area

209 <http://www.wildlifetrusts.org/news/2013/05/22/state-nature-60-uk-species-decline-groundbreaking-study-finds>

210 http://www.farminguk.com/News/Farm-productivity-is-the-key-challenge_22028.html

211 <https://grasslandstrust.wordpress.com/2011/11/22/biodiversity-crisis-what-biodiversity-crisis>

212

http://www.southwestfarmer.co.uk/news/farmingnews/9379257.NFU_President_Peter_Kendall_challenges_deliberate_misunderstanding_/?ref=eb

could do not just for birds but for flood prevention, places for people, reduction in diffuse pollution and our still beautiful countryside. Then picture what the NFU are asking for: further stripping out what little is left. Surely a stark, and easy, choice.”

“I think that the people, who are concerned about the natural world, need to emphasise that the NFU thinking is redundant and out of date and that it is not a question of "either farm productivity or biodiversity" it is BOTH. It is perfectly possible to have both.”

“We all depend on the natural world for our existence, farmers more than anybody, and its welfare indicators are all pointing in a downward direction, so put in this context his approach is even more myopic than it seems at first.”

“I can honestly say that what he said was awful and destructive to my industry at a time where we cannot afford it. Is he so out of touch that he makes these daft statements because he feels that is what his members want? I know of probably hundreds of farmers who are doing so much to encourage wildlife and redress the destruction of the past that I cannot believe they approve of his vitriolic stance ... with such a man at the helm of NFU we are in danger of slipping back into the dark ages.

How can the man talk such rubbish? Concentrating on farm productivity (by using chemicals that kill the food birds rely on) is how we got our countryside into this sorry state in the first place. I am an organic farmer/grower and in my lifetime alone I have witnessed a 'quieting' of the countryside I grew up in.”

“Our farmland can be highly productive for food and much more productive for wildlife (and store more carbon, produce less polluted water) all at the same time.

Farmers regularly tell me that they haven't seen curlew, lapwing, skylark, etc., etc. nesting on their fields for years. It's no longer anecdotal – the evidence exists on a UK and global level.

Farmers are heavily subsidised and to maintain/justify such public financial support they need to better demonstrate that they can maintain functioning landscapes – ones that function for wildlife, people and can be sustained for future generations.

I think many farmers are very confused and such comments from high-profile leaders are unhelpful, add to the confusion and negatively contribute towards the goal of achieving a balance for food production, people and wildlife. The evidence is also starting to show that without biodiversity our systems of food production could well fail. It's a foolish strategy that the NFU are taking.”

“We're not all ignorant townies. Many of us are from farming backgrounds, just like you. Many of us went to agricultural colleges, just like you. And we know you're being disingenuous and mendacious, playing on public fears to drive your agenda for a new CAP that intensifies agriculture once more. A return to the 'good old days' when you could do what the hell you liked.”

“Because it is quite practical to have both increased biodiversity and better crop yields I would have thought the NFU would welcome a good working relationship with the RSPB, which many individual farmers do have. Instead they seem uninterested in and often opposed to anything the RSPB says or does.”

“... it seems that the NFU doesn't want to give a message of hope. It seems intent on making an unnecessary conflict between production and nature ... today the NFU is a fundamentally anti-environment organisation.”

“The stupidity of the Kendall statement is that food production increases can go hand in hand with conservation with some simple measures. The two are not necessarily mutually exclusive. Why do the NFU feel so threatened by this? ... Taken to extremes we could of course grub up every hedge, ancient woodland, the few hay meadows that are left and grow some profitable wheat on it. Who really wants this?”

Former NFU Communications Director Anthony Gibson, and now Vice President Guy Smith, posted comments on Avery's blog defending Kendall's scepticism towards the notion of biodiversity being in crisis. Both questioned the science behind the FBI, arguing, for example, for the inclusion of pheasants and partridges in the Index.^{213,214} That these are non-native species which are bred in captivity and released each year for shooting purposes, is indicative of a somewhat different mind-set.

3.45 The Campaign for the Farmed Environment (CFE)

Peter Kendall was also responsible for this voluntary initiative which, after sustained lobbying by the NFU, was brought in to replace compulsory set-aside measures in 2009, "in a largely successful attempt to see off moves towards a more regulatory approach to farming and wildlife under the previous (Labour) government".²¹⁵ The Campaign for the Farmed Environment (CFE), led by the NFU, with other partners including the Country Landowners Association, the RSPB, Natural England, the Environment Agency and LEAF (Linking Environment And Farming), is about "encouraging farmers and land managers across England to protect and enhance the environmental value of farmland, through measures that sit alongside productive agriculture".²¹⁶ Yet it was Kendall, when faced with the prospects of funding cuts in 2010, who hinted that the axe should fall, if at all possible, on money for Higher Level Agri-Environment Schemes (HLS).²¹⁷ Farming minister Jim Paice said in 2010: "We want the campaign to be a success and don't believe that we should regulate and impose more red tape if the farming community can achieve the same results through its own actions".²¹⁸ However, as Defra's former chief scientist Bob Watson has remarked, "not a single environmental issue was ever addressed without the right grouping of regulation, financial incentive and behaviour change – to think that it can be done through behaviour change alone is unbelievably naïve".²¹⁹ The Link Coalition of environmental NGOs agrees that there is "very little evidence to suggest that voluntary approaches deliver genuine environmental improvements".²²⁰ According to Link, CFE has "raised awareness among farmers about the best way to optimise environmental benefit from land management options but has not met its original objectives".²²¹ This was to double in-field ELS options from 40,000 ha to 80,000 ha by 2012; but only 58,000 ha was reached.²²² A Defra survey found that the area of land under voluntary environmental management had decreased by 41% from the 2013/14 to the 2014/15 farming year".²²³ This means that voluntary measures are heading in the wrong direction, yet are relied on by the NFU and the Government as a main plank of evidence of stewardship of our natural environment by farming. Reliance on voluntary schemes such as CFE forgets that:

"... the experience of the Environment Agency in their successful campaign to reduce farm pollution incidents was that a mix of carrot in the form of advice and grants, and stick in the form of prosecution of offenders was successful. Agri-environment funds provide the carrot to protect farmland wildlife but there is no stick."

– John Hopkins²²⁴

213 <https://markavery.info/2011/11/18/casual-calculated-antienvironmentalism>

214 <https://markavery.info/2011/11/19/antienvironmental-nfu>

215 <https://anewnatureblog.wordpress.com/2014/09/04/panic-ploughing>

216 <http://www.cfeonline.org.uk/news/campaign-for-the-farmed-environment-is-active-in-s>

217 <http://www.rspb.org.uk/community/ourwork/b/markavery/archive/2010/05/23/f.aspx>

218 <https://www.gov.uk/government/news/farmers-must-back-the-campaign-for-the-farmed-environment>

219 <https://grasslandstrust.wordpress.com/2011/12/02/the-governments-conflicted-state-on-biodiversity>

220 www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

221 www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

222 <http://markavery.info/2013/09/17/nfu-failing-2>

223 <https://www.gov.uk/government/statistics/campaign-for-the-farmed-environment-survey-of-land-managed-voluntarily-in-201415-england>

224 <http://markavery.info/2013/09/17/nfu-failing-2>

3.46 NFU against meadows

Around 98% of English meadows have disappeared since WW2,²²⁵ due partly to the switch from hay meadows to the intensive production of silage for feeding livestock, involving the cutting of grasslands. Worcestershire, famous for its wild flower meadows, lost 75% between 1975-2000 and another 25% in the past 10 years.²²⁶ However, the rate of destruction accelerated in 2011 after the EU announced that rules protecting Europe's remaining grasslands might be tightened. In the end, the measure was dropped from the CAP reform due to lobbying by the NFU and similar bodies, but not before NE had received 234 applications from farmers to plough grassland in 2012, nearly double the usual annual average of 128.²²⁷ It is thought that 100,000 ha of permanent pasture, or 1% a year, has been lost since 2012.²²⁸ The NFU president warned farmers to hold back, because "if people do see us ploughing up any bit of grass over five years old, we will get environmentalists on our back, and undo some of the good work we've done in showing people how well we care for the environment".²²⁹ But farming Minister George Eustice has acknowledged that the comments had "maybe sparked a bit of panic ploughing"²³⁰ and there is evidence that professional advisers were suggesting farmers do so. Land agents Strutt and Parker, for example, said: "You may want to keep your grassland area to a minimum between now and 2014, or ensure that grassland is rotated before the five-year point, to prevent it becoming permanent pasture and landlords should also give consideration to what their tenants are doing".²³¹ Comments left on The Farming Forum (TFF) message board confirm this. For example:

"I definitely have sped up the process of converting old meadow to crop production due to the spectre of regulation. It wasn't that great a habitat but it was getting interesting – but these things need to be paid for."

– TFF comment

"It was the same when the hedgerow protection came in. My mate down in Norfolk had JCB in there for weeks in the run up to that legislation."

– TFF comment

One of the problems, according to the RSPB, is that NE no longer has the resources to carry out detailed inspections.²³² Staff lack sufficient expertise and, as mentioned above, the bar has been set too high for many pieces of land to qualify for protection under EIA (an Environmental Impact Assessment). For a start, nothing under two hectares is eligible, which makes no sense given the high nature potential of small plots. In September 2014, the BBC reported that Keresley meadow near Coventry, which residents were seeking to have designated as a Village Green, had been sprayed with weed killer.²³³ Local people spoke in terms of "grief" and "loss", one saying "We've lost a beautiful habitat full of clover, buttercups, bees and moths. For me it's a huge grief to have lost this lovely place that I knew very well. It felt like a friend to me".²³⁴ However, the owner described it as "a worn-out pasture with little wildlife value" and online comments by other farmers were on similar lines:

"Nature!?! These so called wild flower meadows are man-made anyway, before we came along it was mostly trees with the odd clearing where these flowers might grow."

"Saw this on the news, someone had sprayed off a pasture and the townies were moaning about it, saying its where they take their dog to have a sh!t."

225 <http://www.bbc.co.uk/news/science-environment-29037804>

226 <https://anewnatureblog.wordpress.com/2014/09/04/panic-ploughing>

227 <http://www.bbc.co.uk/news/science-environment-29037804>

228 <https://anewnatureblog.wordpress.com/2014/09/04/panic-ploughing>

229 <https://grasslandstrust.wordpress.com/2011/11/19/peter-kendall-nfu-president-says-dont-plough-up-your-permanent-pastures>

230 <https://anewnatureblog.wordpress.com/2014/09/04/panic-ploughing>

231 <https://anewnatureblog.wordpress.com/2014/09/04/panic-ploughing>

232 <http://www.bbc.co.uk/news/science-environment-29037804>

233 <http://www.bbc.co.uk/news/science-environment-29037804>

234 <http://www.bbc.co.uk/news/science-environment-29037804>

“Does it ever occur to some of these people that though they might have a ‘connection’ to a meadow they have absolutely no right to say in what the owner does with it, agriculturally speaking, just as I don’t go into town and insist that the folk there paint all their houses light green... The BBC also seems to assume the countryside belongs to all of us. Well it doesn’t, yet.”

“Does the land have any development potential? This perhaps is why the land owner is keen to plough it now to prevent any ecological reasons for development in the future.”²³⁵

Responding to the furor, the NFU’s countryside adviser, Claire Robinson, said: “The increase in applications from farmers to Natural England, under the Environmental Impact Assessment, to change management regime (use more fertiliser) or plough up grassland or semi-natural grassland, shows farmers are being responsible and going through the due process, taking advice from the Government’s own specialists”.²³⁶ She gave reassurances that EIA regulations are there to protect wild flower meadows. However, the NFU has repeatedly campaigned to get rid of EIA.

3.46 NFU vs bees

Working closely with the NFU, the UK was one of a minority of EU Member States to vote against recent European Commission proposals to protect bees, basing their position on limited study and scientific claims which were later shown to be misinterpreted, mis-presented and/or flawed in design.

Nevertheless, a two-year extendable moratorium was implemented in December 2013, preventing some uses of three neonicotinoids on crops known to be attractive to bees and other pollinating insects. It followed a European Food Safety Authority (EFSA) report which had flagged up an unacceptable ‘high acute risk’ to bees from exposure to these chemicals. A Global Task Force on systemic insecticides and the European Academies Science Advisory Council have both since concluded that current use of neonicotinoids pose a threat to a range of wildlife, and the UK Government’s Chief Scientist has highlighted the growing evidence of risk.²³⁷ Yet, in May 2015, the NFU applied for an ‘emergency’ licence to apply neonicotinoid seed treatments to oilseed rape crops for autumn sowing claiming a widespread, virtually nationwide, threat to oilseed rape crops. In 2014, it had supported a similar exemption application by pesticide manufacturer Syngenta, which was later withdrawn because time was too tight for a decision to be made. In 2014, about 5% of the UK oilseed rape crop was lost to pests, with some farmers hit harder than others. However, this level of crop loss may be due to a range of factors, not just the unavailability of neonicotinoids and is broadly within the normal range of losses expected in farming. But, according to the Pesticides Action Network “the levels of damage seen do not constitute an emergency by any stretch of the imagination”.²³⁸ Lincolnshire farmer Peter Lundgren said “the cost to my business of not using neonicotinoid seed treatment is minimal – just £2.20 per hectare. As far as I’m concerned this cost is outweighed by the importance of conserving our pollinator populations”.²³⁹

Please note there is also a section on Bees and Neonicotinoids on page XX above.

3.47 General belief in voluntary action and cutting ‘red tape’

Since 2010, the Cameron-led governments and the NFU have shared a core belief that regulation is a policy instrument of last resort where commercial interests are in play. This mutual thinking was symbolised by the 2012 appointment of former NFU Director General Richard MacDonald to head a Task Force on reducing ‘red tape’ in farming and food processing (NFU head of policy Andrew Clark, and three other farmers and NFU representatives were also on the team). The ‘MacDonald’ Task Force recommended a system of ‘earned recognition’ for farm assurance scheme

235 <http://thefarmingforum.co.uk/index.php?threads/wildflower-meadow-protection-plan-backfires.30642>

236 <http://www.nfuonline.com/archived-content/more-news/the-state-of-meadows-nfu-response>

237 <https://www.gov.uk/government/speeches/crop-protection-managing-risk-not-avoiding-it>

238 <https://www.buglife.org.uk/news-%26-events/news/nfu-attempt-to-dodge-pesticides-ban-bee-coalition-reaction>

239 <https://www.buglife.org.uk/news-%26-events/news/nfu-attempt-to-dodge-pesticides-ban-bee-coalition-reaction>

members, whereby good practice in one area could be ‘read across’ to other areas to save on monitoring. Yet Defra-funded research had shown that Farm Assurance Scheme membership did *not* improve compliance with other environmental requirements. Farmers are subject to a lot of frustrating form filling, and over-regulation is one of the biggest sources of complaint the NFU receives from farmers, while its efforts to roll back regulation are one of the top ways it earns members' approval. However, the focus should be on what works, not on what can be got away with. The basis on which billions of pounds of taxpayers' money are paid to farmers is one of a ‘social contract’ whereby they are paid as custodians of assets which everyone depends on.

3.5 NFU and Europe – keeping sustainability out of the CAP

In December 2013, the EU adopted a revised Common Agricultural Policy (CAP) for the period 2014-2020, after a long process which began with a period of public debate and consultation in 2010. Agriculture Commissioner Dacian Cioloş, overseeing the reforms, had articulated a desire to shift European agriculture onto a sustainable path, which raised expectations among civil society groups that a fundamental rethink was possible. By 2012, however, he was stating:

“During the public debate, the voices heard the most loudly were those who wanted to change the CAP. During the negotiations, on the other hand, those in favour of leaving things as they are as far as possible are the ones making their presence felt the most. From our standpoint, the objective is to introduce changes which are as far-reaching as possible. We want to make sure that everyone is on board, with expectations taken into account as well as what is feasible from the social, economic, budgetary and political angles.”²⁴⁰

It was never going to be easy to create effective policy without increasing the burden of regulation on farmers, especially if, as environmental groups wanted, EU-wide standards were to be fixed. The ability for individual countries or farming types to plead different circumstances made it easy for them to argue against one-size-fits-all policy making, which led to progressive watering down of conditions. The areas in which civil society groups had hoped to see changes were:

1. Re-targeting of subsidies towards farmers most in need of financial help, away from already rich large-scale farmers.
2. Consideration of the global (economic, social and environmental) footprint of EU agriculture, in particular in developing countries, and action to mitigate harms.
3. Alignment of the CAP instruments with other EU environmental legislation on water quality, climate change, biodiversity, etc.
4. Reduction in the proportion of subsidy collected just for owning land (80%), making more of it contingent on good environmental practice and provision of other ‘public goods’.

The NFU was a strong presence during the Brussels negotiations, on its own and as part of COPA-COGECA,²⁴¹ targeting the agriculture committee COMAGRI and UK representatives (and other key figures) in the Commission and the Council of Ministers. Later, due to the UK Government’s success (on behalf of farmers) in securing maximum flexibility of implementation for EU countries, it had a second chance to influence, via Defra, how the new rules would be applied in England (Wales and Scotland made their own policy).

3.51 Opposing integration of the CAP with EU environment legislation

The third issue listed above, on alignment of the CAP with existing environmental policy, was one the NFU had strong views on. Its position on incorporating targets from, for example, the Nitrates Directive, EU Water Quality Framework and Birds and Habitats Directives into the new CAP rules, comes across clearly in these extracts:

“... the Nitrates Directive is very prescriptive and inflexible, imposing high costs to agriculture, and particularly the livestock sector... most NVZ [nitrate vulnerable zone] action programme measures only limit nitrate pollution by small percentages and the impact depends wholly on the local situation so a one-size-fits-all approach cannot deliver benefits equivalently across all areas.”

²⁴⁰ www.europa.eu/rapid/press-release_SPEECH-12-557_en.htm?locale=en

²⁴¹ COPA (Comité des Organisations Professionnelles Agricoles de la CEE) was founded in 1958 and is made up of around 60 organisations from the 28 EU countries. It is led by a Presidium - one representative per member organisation - including the president of COGECA (General Confederation of Agricultural Co-operatives in the European Union) with which it collaborates in most activities, giving rise to the hyphenated COPA-COGECA.

“EU water quality standards can have substantial resource (economic cost and carbon) implications. In the case of EU drinking water standards, many of these are longstanding and they also include some rigorous compliance regimes (e.g. must never be exceeded). However, some of these standards present no toxicological or scientific basis (e.g. pesticides), and others are purely aesthetic (e.g. colour).”

“Member States are disadvantaged in that they still have to ensure compliance to protect habitats and species within designated areas, even although climate change may be causing these areas to alter or for species to move. In addition, ... the principles of cost-effectiveness and disproportionate costs ... do not appear to be considered by the Habitats Directive, unless there are Imperative Reasons of Overriding Public Interest (IROPI). This notable absence means that habitat protection almost always wins out against any business or economic consideration. We believe that greater consideration of the economic case for development or the cost-effectiveness of measures to protect habitats is needed.”²⁴²

They reflect the NFU’s general outlook on regulation, which has long informed its political lobbying. This is the NFU’s advice to government on how to ensure better EU policy development (our emphasis in italics):

- Where rules are deemed necessary for the functioning of the common market, these should be agreed at a European level, with the *flexibility to adapt to local conditions*.
- Designing holistic policies or frameworks for management, *rather than having prescriptive policies* (i.e. ‘nitrates’, ‘drought’, etc.)
- Ensuring safeguards so that any rules are implemented in an equitable way by all participants on the common market to ensure *no gold plating* [i.e. standards going above the minimum requirement] or distortions in competition can prevail.
- Working on the basis of sound evidence and a robust science-base, *rather than relying on a precautionary or hazard-based approach*.
- Building in useful principles or tests such as *cost-effectiveness* and *disproportionate cost*.
- Ensuring *objective evaluation* of the costs and benefits of any new policy.
- Avoiding duplication between different policy areas. For example, methane is tackled by climate change policy so does not require consideration under air quality policy.
- *Only considering regulation when all voluntary or industry-led methods have been shown to fail.*²⁴³

In the end, key elements of the Birds and Habitats Directives and the inclusion of two new Statutory Management Requirements relating to the Water Framework Directive and the Sustainable Use of Pesticides Directive were all rejected from CAP rules, along with a new standard which aimed to protect wetlands and carbon rich soils. Also in 2011, in another victory for the industrial farming lobby, the EU Council on Environment ruled against including goals for agriculture in Europe’s Biodiversity Strategy, “putting an end to hopes that the biodiversity agenda, CAP agri-environment schemes, the EU Sustainable Development Strategy and the Climate Package would all be integrated”.²⁴⁴

3.52 Opposing the greening of Pillar I

Since 2005, CAP payments had been ‘decoupled’ from production. They had been divided into direct ‘Pillar I’ payments (then called the Single Farm Payment, or SPF) and a much smaller ‘Pillar II’ concerned with rural development, including environmental (‘agri-environment’) management schemes. Environmental NGOs were keen for everything to be transferred to Pillar II-type support under the new CAP (a view shared by the previous UK Labour Government, partly for free market reasons). This didn’t make it into the set of proposals eventually tabled by the Commission, but there was a less ambitious proposal for 30% of Pillar I payments (now called the Basic Payment Scheme, or BPS) to be made conditional on three ‘greening measures’:

242 www.nfuonline.com/2013-boc_environment-climate-change_4

243 www.nfuonline.com/2013-boc_environment-climate-change_4

244 <http://ecpr.eu/Filestore/PaperProposal/e1c712e9-6973-4410-8cc6-75622a6c515b.pdf>

- maintaining existing permanent grassland,
- establishing Ecological Focus Areas (EFAs) on 7% of farmed area,
- growing a minimum of three different crops on any farm with more than three hectares of arable land, to try to halt the spread of monocultures which affect soil and water quality.

Environmental groups felt that these proposals did not go far enough and risked being merely a 'greenwash'. COPA-COGECA, predictably, argued that they were “not sufficiently focused on improving economic performance and overcoming the environmental constraints that burden farmers”²⁴⁵ and, like the Tenant Farmers’ Association (TFA), objected to the principle of imposed conditions which “risked reducing the competitiveness of farm businesses through adding burdensome regulations and undermining farmers' ability to make business decisions”,²⁴⁶ at a time when “the prevailing messages are that EU agriculture will need to increase its food production capacity”.²⁴⁷ The Country Land and Business Association (CLA) supported the idea of compulsory greening and joined conservation and wildlife groups in calling on the Commission “to rank environmental measures alongside food security in importance and reward them accordingly”.²⁴⁸ The NFU president (then still Kendall) criticised the CLA for putting a “noose around our neck” making it “easier for policy makers to argue that subsidy payments should be shifted from food production towards the environment”.²⁴⁹

Once it became clear that some form of greening was inevitable, "environmentalists", said then NFU Policy Director (now Deputy Director General) Martin Haworth, “will want their euro of flesh”²⁵⁰). The NFU and their allies successfully refocused their efforts onto getting the measures weakened – almost to the point of being useless. Over 88% of EU farmers, and 48% of agricultural land,²⁵¹ are finally exempt from the greening measures, and instead of forfeiting part of their BPS as envisaged, non-compliance just means losing a separate green payment. Yet despite all the concessions and changes in their favour, COPA-COGECA continued to complain that the introduction of greening would “hinder production levels at a time when demand for agricultural products is expected to increase”.²⁵²

At the close of negotiations, and as a result of the concessions to the industrial farming lobby, what was left of 'greening' included:

Grassland

- The rules permit an overall 5% loss in grassland, Europe's most endangered habitat.
- Permanent pasture can be ploughed and reseeded – farmers can be paid for replacing species-rich wild flower meadows with ‘monocrop’ grass for cattle.

EFAs

- Over a third of all EU agricultural land is exempt from new Ecological Focus Areas (EFAs). E.g. if more than 75% of a holding is permanent grassland and the rest is fewer than 50 ha, no EFA is needed.
- Only five of the possible EFA categories are available in England.
- Peas and beans can be planted in EFAs, despite the low wildlife value (the whole point of EFAs) of these chemically treated monocultures. Andrew Clark, NFU chairman, agreed that if you compared these nitrogen-fixing crops with permanent pasture, “obviously, the pasture will have greater biodiversity. But we believe a range of options should be available to farmers ... because we want farmers to have as much flexibility as possible so they can focus on growing British food”.²⁵³

245 http://www.die-gdi.de/uploads/media/ODI_7888.pdf

246 <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmenvfru/671/67111.htm>

247 <http://www.publications.parliament.uk/pa/cm201011/cmselect/cmenvfru/671/67111.htm>

248 www.fwi.co.uk/news/nfu-rethinks-outright-farm-subsidies-opposition.htm

249 www.fwi.co.uk/news/nfu-rethinks-outright-farm-subsidies-opposition.htm

250 www.fwi.co.uk/news/nfu-rethinks-outright-farm-subsidies-opposition.htm

251 <http://www.birdwatch.co.uk/channel/newsitem.asp?c=11&cate=15517>

252 <http://cap2020.ieep.eu/2013/1/29/disappointing-outcome-for-the-environment-from-comagri-cap-reform-vote>

253 www.bbc.co.uk/news/science-environment-27764658

Diversification

- In 2013 Peter Kendal called it “madness to make some farmers grow three different crops when there is no market or environmental logic for them to do so,”²⁵⁴ and the NFU and Defra are still trying to get alternatives and concessions out of the EU to prevent inconvenience or interruption to the purveyors of arable monocrops. Concessions already achieved include no need for crop diversification where more than 75% of a holding is grass and the remainder is less than 30 ha.

The UK negotiated hard to secure the right for EU Member States to apply tighter rules than the minimum ones agreed in Brussels. NGOs implored Defra to maximise the effectiveness of greening by implementing a National Certification Scheme (NCS), while the NFU, conversely, warned that there must be no such “gold plating”.²⁵⁵ And despite Defra ministers acknowledging that “rewarding farmers for the environmental goods they provide is a much better use of taxpayers’ money than providing income support”,²⁵⁶ they rejected the NCS option, because, according to the BBC, “England’s farmers persuaded the government this would make them uncompetitive”.²⁵⁷ The introduction of greening was supposed to free up Pillar II funding for more ambitious objectives, so it was important to avoid farmers being paid twice for measures already in existence through ELS. But Defra has ensured that many farmers will benefit from double funding. Environment stakeholders dubbed this wasteful, blatantly unaffordable and the polar opposite of ‘value for money’. Throughout its UK CAP decision making, according to the RSPB, Defra “wilfully” prioritised cost efficiency over cost effectiveness.²⁵⁸

3.53 Pillar II

During the negotiations, the UK had been in favour of reducing the CAP budget and was thus unable to defend funds under its own Rural Development Pillar from disproportionate cuts (the UK’s Pillar I:II ratio is around 9:1, compared with the European average of 3:1).²⁵⁹ The EU budget 2014-2020 settlement, in fact, leaves the UK facing the largest loss of all Member States in terms of its Rural Development Fund.²⁶⁰ Before the new system even started, £260 million more than the UK’s Pillar II allocation was already committed to existing agri-environment agreements, making it imperative that Defra transfer the maximum (15%) from direct payments into Pillar II, which the then Environment Secretary, Owen Paterson MP, acknowledged “unquestionably represents the better use of taxpayers’ money”.²⁶¹ The NFU wanted the minimum transfer of 9%, and lobbied over Paterson’s head to Prime Minister David Cameron, leading to a compromise of 12% (a loss of £224 million for the rural development programme).²⁶²

“I am delighted that Owen Paterson has decided to keep the rate of modulation below the maximum for the next four years ... I appreciate this was not any easy decision for the Secretary of State to make but we are pleased that he has listened to our arguments.”

-Meurig Raymond, NFU President²⁶³

254 <http://www.nfuonline.com/news/press-centre/kendall-outlines-cap-priorities-to-house-of-lords>

255 <http://webcache.googleusercontent.com/search?q=cache:o7jge8fvWBCJ:www.nfuonline.com/nfu-cap-submission-to-defra-consultation-november-2013/+&cd=4&hl=en&ct=clnk&gl=uk>

256 <http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm130716/text/130716w0003.htm>

257 www.bbc.co.uk/news/science-environment-27764658

258 https://www.rspb.org.uk/Images/capreform_nov2013_tcm9-358508.pdf

259 www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

260 www.nfuonline.com/2013_ps93-consultation-response-business-taskforce

261 <http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm140707/debtext/140707-0004.htm>

262 <http://www.rspb.org.uk/community/ourwork/b/martinharper/archive/2013/12/19/cap-response.aspx>

263 www.nfuonline.com/news/press-centre/nfu-statement-on-cap-reform

The old agri-environment schemes, entry and higher level stewardship (ELS and HLS), have been replaced in England by the Countryside Stewardship Scheme.²⁶⁴ This has three main elements:

- Higher tier (similar to HLS)
- Mid-tier (replacing ELS)
- Capital grants worth up to £5,000 per farm, replacing the Catchment Sensitive Farming programme. These will “mainly be available for small-scale restoration of hedges and stone walls, but grants of up to £10,000 per holding will also be available for schemes that will reduce water pollution from agriculture”.

Farmers will have to join NELMS (New Environmental Land Management Systems) and will have to do more than was the case with ELS. It will be a competitive process, with farmers showing how they would help towards environmental targets which are specific to their locality. For example, in one area, farmers might be reimbursed for enhancing habitats for rare farmland birds while, in another, funding might be on offer to reduce soil erosion and run-off into watercourses. Higher level NELMS schemes will be by invitation only.

The NFU believes the NELMS are “not fit for purpose” since it thinks any farmer should be able to join, not be “penalised by their location”. NFU vice-president Guy Smith said, “Our worry is that as agri-environment schemes come to an end over the next few years many agreement holders will struggle to get into NELMS”. This, according to Smith, is “primarily about design rather than about budget”.²⁶⁵ In reality, it very much is about budget – it is an attempt to maximise the benefit for nature despite a budget rendered inadequate largely thanks to the NFU’s lobbying and the UK Government’s acquiescence. With the start of NELMS in January 2016, payments are to continue to farmers who are already in environmental stewardship (around 11,000 ELS agreements will expire during 2015) but no new agri-environment agreements will be signed, potentially creating problems of continuity for farmers who are trying to do the right thing. NGOs share the NFU’s concern that many farmers may not qualify for the new Countryside Stewardship arrangements and that conservation gains made under the former agri-environment schemes may be lost.

Another Defra decision in line with NFU demands was to exempt those farming less than 5 ha – 16,000 claimants under the old system – from the BPS. A study Defra had itself commissioned concluded that very small farm holdings were the ones most at risk of breaching environmental standards and that Pillar I payments played an important role in gaining compliance from smallholders.²⁶⁶ “This change may save the Rural Payments Agency (RPA) time and money in terms of processing small claims, but the environmental and wider costs could very well be significantly more costly to address”, said the RSPB.²⁶⁷ During the CAP reform process, Defra had put its name to a Commission document stating that “an acceptable justification for increased cost might include better targeting of funding towards the provision of public goods”.²⁶⁸

Thus, the majority of the 362.7 billion Euro budget was thus recommitted to industrial farming. Soil erosion is almost ignored by the final deal and efforts by environmental NGOs to increase the support for High Nature Value Farming were unsuccessful. A 2014 research paper published in the journal *Science* showed that the new rules are almost as bad as the old and, in the words of Birdlife’s EU Policy Head Ariel Brunner, “dramatically inadequate to save nature”.²⁶⁹ Prioritising intensification, says the paper, “clearly provides some short-term economic gains for farmers and the food industry. But these have to be weighed against the loss of public goods such as climate stability, landscape quality and biodiversity”.²⁷⁰ It had been estimated that using CAP funds in a way that prioritised “access to attractive countryside”,

264 <http://www.fwi.co.uk/business/payments-schemes/defra+outlines-details-of-new-countryside-stewardship-scheme.htm>

265 <http://www.fwi.co.uk/news/agri-environment-scheme-aims-to-boost-farmland-birds.htm>

266 https://www.rspb.org.uk/Images/capreform_nov2013_tcm9-358508.pdf

267 https://www.rspb.org.uk/Images/capreform_nov2013_tcm9-358508.pdf

268 <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmenvfru/170/170we09.htm>

269 <http://www.birdlife.org/europe-and-central-asia/news/scientists-confirm-worst-fears-new-eu-policy-agriculture-bad-nature>

270 [http://mta.hu/data/cikk/13/44/.../peer-et_al_2014_Science_06-06-14_\(2\).pdf](http://mta.hu/data/cikk/13/44/.../peer-et_al_2014_Science_06-06-14_(2).pdf)

wildlife protection and cuts in greenhouse gas emissions would have produced annual benefits of over £18 billion for the UK, for a loss of less than £0.5 billion in agricultural production.²⁷¹

“The CAP takes almost 40% of the EU budget and affects half of the EU’s land area. For many years now, scientists and environmental NGOs have been warning EU institutions that intensive agricultural practices were destroying habitats, altering ecosystems and causing large declines in wildlife numbers, ultimately endangering future EU food security and the health of its citizens.”

– Birdlife International²⁷²

Thanks to the dominance of the NFU and its industrial farming partners and allies in Europe, and the narrow economic priorities of most EU governments, very little by way of nature conservation or restoration is expected in return for the £11 billion (£400 a year per household) which is given to the farming industry.²⁷³

271 www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

272 <http://www.birdlife.org/europe-and-central-asia/news/scientists-confirm-worst-fears-new-eu-policy-agriculture-bad-nature>

273 www.bbc.co.uk/news/science-environment-27764658

3.6 NFU and climate change – a mixed response

3.61 What's the issue?

Agriculture is the third biggest contributor to greenhouse gas (GHG) emissions after heating and transport.²⁷⁴ The Committee on Climate Change says agricultural emissions will account for an unsustainable share of allowed emissions in 2050 without further abatement beyond current ambitions.²⁷⁵

A 2012 Defra review of progress in reducing GHG emissions from English agriculture saw that the industry-led Greenhouse Gas Action Plan “failed to recognise the pressing need for a robust, transparent monitoring framework or clear measurable objectives”.²⁷⁶ According to Wildlife and Countryside Link, it also “lacks strategic oversight and pays insufficient attention to protecting existing carbon stores, the importance of sensitive land management, avoiding negative co-effects and trade-offs or aiding adaptation to climate change”.²⁷⁷ Link expressed concern at the lack of specific mitigation measures and the fact that one the “principles of engagement” of the Action Plan is that “production efficiency gains should be the focus of activity, and that domestic production should not be compromised in the face of food security concerns on imports”.²⁷⁸ Rather than being aligned with an ecosystems framework, the Action Plan takes a “productivity approach” – a phrase which immediately brings the NFU to mind.

In 2008, the UK Climate Change Act set targets to reduce greenhouse gas emissions by at least 80% by 2050 compared with 1990 levels. No specific targets were set for agriculture, even though it generates methane, carbon dioxide and nitrous oxide from a variety of sources, such as cow and sheep digestion and the decomposition of manure. UK agricultural GHG emissions decreased between 1990 and 2007, mainly due to a reduction in livestock numbers and fertilizer use, rather than mitigation strategies.²⁷⁹ Fewer, more productive animals reduce emission per unit of meat or milk produced.²⁸⁰

3.62 What's the NFU position?

The Environment Committee has adopted a revised National Emissions Ceilings Directive which requires the UK to reduce ammonia emissions by 21% by 2030 and to reduce methane emissions by 41% by 2030 and to give progress reports in 2025 and 2030.

The NFU was lobbying to stop this being ratified by the European Parliament in October 2015, since they would much rather farmers were given “realistic”, “affordable”, “achievable” targets which “allow for growth”.²⁸¹ According to the NFU, farmers are already making more sparing use of pesticides and fertilisers than in the past, so trends are in the “right direction”.²⁸²

The NFU see their support for production of oilseeds and starchy crops for energy and transport fuel as part of their role in GHG emissions compliance.²⁸³ However, this is a controversial strategy which, for reasons explained below, cannot be justified on environmental terms.

274 <http://www.worldwatch.org/agriculture-and-livestock-remain-major-sources-greenhouse-gas-emissions-0>

275 https://www.theccc.org.uk/archive/aws2/4th%20Budget/4th-Budget_Chapter7.pdf

276 http://www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

277 http://www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

278 http://www.wcl.org.uk/docs/Link_Nature_Check_Report_November_2013.pdf

279 <https://www.gov.uk/government/publications/2010-to-2015-government-policy-greenhouse-gas-emissions/2010-to-2015-government-policy-greenhouse-gas-emissions>

280 <https://www.theguardian.com/environment/2014/jul/21/giving-up-beef-reduce-carbon-footprint-more-than-cars>

281 <http://www.nfuonline.com/cross-sector/environment/ippc/nfus-bitter-disappointment-at-european-emissions-vote/>

282 <http://www.nfuonline.com/cross-sector/environment/ippc/nfus-bitter-disappointment-at-european-emissions-vote/>

283 <https://www.cfeonline.org.uk/ghgap-framework-for-action>

The NFU has lobbied for voluntary approaches to tackling climate change. The leadership is increasingly hostile to any statutory climate change mitigation policy impacting on agriculture.

In April 2015, the NFU urged UK MEPs to reject a draft law limiting the amount of crops involved in biofuel production which was presented to the European Parliament on 29th April after extensive debates on Indirect Land Use Change (ILUC) within the European Council, Parliament and Commission and in the Environment Committee.²⁸⁴ The NFU said that reducing from 10 to 7% the volume of crops allowed to be used for biofuel processing would depress the market for wheat, oilseed rape and sugar beet and expose farmers to unacceptable market volatility. Because high-protein animal feed is a co-product of biofuel crops, the NFU argue ‘food vs. fuel’ is an invalid argument, whilst ILUC is “scientifically questionable.”²⁸⁵ The NFU’s main concern is that countries like Germany, the main buyer of UK grown oilseed rape, would reduce its imports. The NFU has continued to reiterate the benefits of sustainable biofuels for the environment. Brett Askew, the NFU Crops Board Chairman for the North East of England and the organisation’s biofuels expert, said: “Legislators have clearly been bullied into this U-turn by a series of environmental and social pressure groups that, until recently, stood shoulder to shoulder with industry and praised the potential contribution of biofuels in decarbonising the transport sector”.²⁸⁶

The Committee on Climate Change issued a report on 30th June 2015 saying that early action was needed to keep the UK’s emissions reductions on track and to adapt to climate change. It called on the government to put in place policies such as funding for low-carbon electricity and heat, measures to encourage low-emission vehicle use and energy efficiency, in order to reduce emissions after 2020. It also said the country should act to preserve the fertility and organic content of soils and counter the decline in productive farmland.²⁸⁷

NFU Vice President Guy Smith said²⁸⁸:

“The Committee’s view on renewable energy is pretty clear – we need stable policies to incentivise land-based clean technologies such as wind, solar and biogas, otherwise Britain will not achieve its future climate change targets. We respect the government’s mandate to constrain onshore wind power, but we are concerned that perhaps inadvertently this will catch out every single farm turbine, no matter what the scale or setting. Small-scale renewables don’t just produce energy, they’re an essential way for Britain’s farmers to earn a reliable income in a time of volatile food prices, and so keep farming and the wider rural economy afloat.

“The challenge facing farmers is how to simultaneously increase production to feed the growing population while also protecting soils for future generations. Through a combination of regulation (CAP), Countryside Stewardships and voluntary initiatives, the proportion of soil protected through measures such as cover crops, minimum tillage, direct drilling and longer rotations continues to increase. This report, highlighting how productive land is at risk, demonstrates the need to retain funding in voluntary initiatives such as the Campaign for the Farmed Environment to incentivise and support farmers who want to be leaders in protecting soils.

“The CFE has also proved invaluable in reinforcing the message of the agricultural industry’s Greenhouse Gas Action Plan which supports farmers to improve productivity and so reduce emissions. The advantages of flexibility enabled by the GHGAP’s voluntary activity has provided farmers with site-specific and business-relevant mitigation using tried and trusted routes of influence, so keeping the industry on track to deliver its emissions reduction target.”

284 <http://www.nfuonline.com/news/press-centre/future-of-biofuels-in-meps-hands/>

285 <http://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/future-of-biofuels-in-meps-hands/>

286 <http://www.biofuelsdigest.com/bdigest/2015/04/16/eu-reshapes-its-biofuels-policy/>

287 https://documents.theccc.org.uk/wp-content/uploads/2015/06/6.738_CCC_ExecSummary_2015_FINAL_WEB_250615.pdf

288 <https://www.nfuonline.com/cross-sector/farm-business/energy-and-renewables/energy-and-renewables-news/committee-on-climate-change-report-nfu-response/>

In July 2015, the NFU called on the government to do all they can to unlock the huge potential of land-based renewables. Solar, wind, mini-hydro, anaerobic digestion and other forms of sustainable bioenergy all have a role in UK energy security, and provide substantial diversification incomes in support of profitable agricultural production.²⁸⁹

Moreover, in the run up to the 2015 international climate talks in Paris, the unions (NFU, NFUS, UFU and NFU Cymru) said it was vital that governments acknowledge the unique capacity within the agricultural sector for tackling climate change.

To help realise the industry's full potential the unions are asking their respective governments to:

- Deliver a transparent and consistent planning framework for new renewable energy installations.
- Make a clear distinction between 'farm wind' and 'wind farms', in order to help our members continue diversifying and supporting their businesses with locally generated renewable electricity.
- Ensure that each and every farm can become a net energy exporter, by finding smart ways to reduce the need for additional network capacity and offering more flexible connection terms.²⁹⁰

As in other sectors, it would not make sense to drive down emissions from UK agriculture by relying more on the import of products that are at least as GHG intensive: this would effectively export the emission effect of food consumption, causing 'carbon leakage'.

The Greenhouse Gas Action Plan is one of several industry-led initiatives now incorporated into the Campaign for the Farmed Environment's goals. It "intends to convey coherent messages covering good farming practices which include resource use efficiency and nutrient management as well as farmland biodiversity and resource protection" in order to reduce agricultural production emissions by 3 Mt CO₂ equivalent by 2020 compared to a 2007 baseline.²⁹¹

It does this by encouraging farmers to take up best practice by:

- improving the efficiency and effectiveness of nitrogen use in cropping systems,
- improving the efficiency of feed conversion in livestock systems,
- storing manures in ways that reduce emissions, and
- protecting and enhancing carbon stores in soils and trees.

Defra, which supports the strategy being led by industry, and states that while it is important that farmers recognise and understand the environmental issues, this is "not a pre-requisite for adoption of mitigation methods; research suggests that business sustainability and financial implications are important drivers for change".²⁹²

The most common actions farmers are taking so far are recycling, improving nitrogen fertiliser application and improving energy efficiency. Defra has been measuring progress against different indicators each year since 2010, which has revealed that the grazing livestock sector (beef cattle and sheep) is lagging behind the others: while overall, 61% of farmers were taking some form of action to reduce GHG emissions in 2015, only 44% of LFA (Less Favoured Area) and lowland grazing livestock farms were doing so. Larger farms were more likely than smaller ones to be taking action. 40% of the total did not believe any action was necessary in 2014.²⁹³

289 <https://www.nfuonline.com/cross-sector/farm-business/energy-and-renewables/energy-and-renewables-news/unions-seek-recognition-on-land-based-renewables/>

290 <http://www.nfuonline.com/cross-sector/farm-business/energy-and-renewables/energy-and-renewables-news/unions-seek-recognition-on-land-based-renewables/>

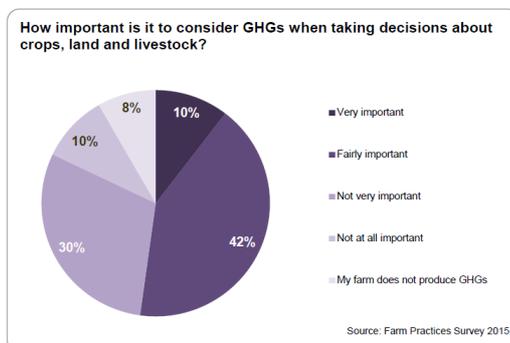
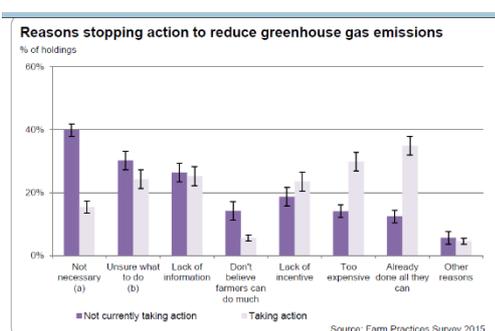
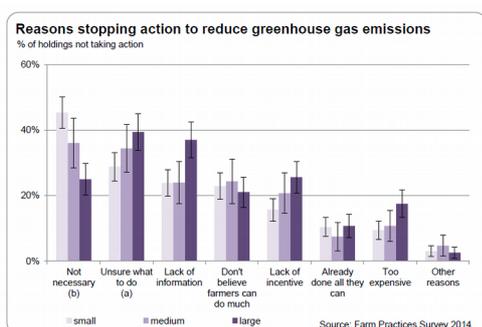
291 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/476879/agriclimate-6edition-13nov15.pdf

292 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/476879/agriclim

Most of the measures involve minimal or no extra cost and would be positive from a farm business case, but barriers to uptake include a lack of willingness due to limited trust in what is being asked, and a lack of understanding, skills, time or capital. For those farmers taking no action, 26% cited lack of information, 30% lack of clarity on what to do, and the numbers weren't much different even among those who were taking action (25% and 24% respectively).²⁹⁴

By early 2015, a 1.1 Mt CO₂ equivalent reduction in GHG emission had been achieved, around 31% of the estimated potential maximum had all relevant farms implemented these methods. 40% of farmers thought it was not important to consider GHGs when making farm business decisions and 8% still believed that their farm did not produce GHGs – five years after the GHG Action Plan was started.²⁹⁵

Defra points out that reducing the GHG intensity of UK production would increase its competitiveness internationally and could encourage an increase in the numbers of livestock or area under crops and potentially result in an overall increase in UK agricultural emissions.²⁹⁶



293 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/476879/agriclimate-6edition-13nov15.pdf

294 http://randd.defra.gov.uk/Document.aspx?Document=WQ0102_9790_FRP.pdf

295 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544518/agriclimate-7edition-9aug16.pdf

296 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/544518/agriclimate-7edition-9aug16.pdf

3.7. NFU and flooding – not listening to the experts?

The EU Water Framework Directive requires England's waterbodies to be in good health by the end of 2015, a goal that will be missed by a wide margin. Agriculture accounts for one third of all reasons for the failure of our water bodies to meet 'good ecological status', but only picks up 0.1% of the costs associated with mitigation.²⁹⁷ 95% is borne by water companies and the Environment Agency, in other words by tax payers and water consumers. The NFU line is that agriculture's contribution "can only be tackled through advice that helps farmers place the right management in the right location" not through any compulsory measures: "A standard set of rules for farming will not produce the intended result."²⁹⁸

For several years, Natural England and the Environment Agency have been pioneering ways of reducing the impact of farming on the whole catchment of a river, not just the floodplain. Ponds and bogs are created on high ground, often by felling trees into streams to make them overflow. The ponds trap silt which farmers can then spread on their land, or it can be a way of stopping pollution entering streams. The aim is to undo years of work by farmers to create drains and straighten streams to speed up the removal of water from their land. Catchment Area Farming techniques and water focused actions, funded through Countryside Stewardship, have the backing of the NFU, which recently said it would "welcome guidance and environmental stewardship options that facilitated farmers to use natural processes to help control flows in, over and around farms and where appropriate store water."²⁹⁹ However, the Environment Agency has talked about such measures needing to be implemented right across certain areas if they are to be effective, and the WWF, which has successfully trialled systems for capturing water in developing countries as well as the UK, believes farmers should have obligations, not options, to "farm in a way that's sensitive to river catchments and which contributes to managing water in a way that reduces flooding and silting downstream". In 2014, NFU president Peter Kendall called this "ludicrous", saying farmland was "far too valuable" to be used in this way.³⁰⁰

The NFU sees dredging as the main solution to flooding in places like the Somerset levels, alongside flood defences.³⁰¹ However, both are just dealing with the symptoms, and tend just to shift the floods elsewhere.³⁰² Dredging is also very expensive and has to be done repeatedly.³⁰³

297 <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7246>

298 <http://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/blog-how-can-agriculture-improve-water-quality/>

299 <http://www.bbc.co.uk/news/science-environment-25931847>

300 <http://www.bbc.co.uk/news/uk-26335155>

301 <http://www.bbc.co.uk/news/uk-25911391>

302 <http://www.bbc.co.uk/news/magazine-35199963>

303 <http://fcerm.net/Thorne-Dredging>

Section 4

Animal Interventions

keeping protection to a minimum

4.1 Farm animal welfare – favouring the megafarm

4.11 Superdairies

a) What's the issue?

In 2011, Nocton Dairies Ltd lost a bid to site a 3,770-cow unit³⁰⁴ (scaled back from 8,100 initially) at Nocton Heath in Lincolnshire. It was refused by the Environment Agency because of the threat posed to ground water quality. However, a more modest superdairy with 1,000 cows was recently greenlighted in Powys. The Welsh Planning Minister said he agreed with the planning inquiry inspector that the scheme at Leighton Farm had implications for animal welfare, the character and appearance of the area; the impact on residents of odour, noise and flies; impacts on residents' health, including that of pupils at the next-door school; and potential problems with slurry spreading and disposal of waste water.³⁰⁵ He nevertheless decided that these were outweighed by economic benefits.

The Campaign for the Protection of Rural England (CPRE) has expressed concern about the economic consequences of consolidating milk production into intensive, indoor units in a few locations, saying it could have serious consequences for traffic, landscape character, and the viability of small- to medium-sized producers.³⁰⁶ The CPRE has also warned of the “danger that our food supplies may become less secure with a reduced diversity of supply, because of increased risks from disease, extreme weather events, etc.”, especially if clustered in a few geographical areas where the associated feed crops can be grown.

Indoor cows cannot exercise or express their natural behaviours and have much higher rates of laminitis and mastitis.³⁰⁷ Zero-grazing is also linked to increased lameness.³⁰⁸ The ‘supercow’ Holsteins bred for intensive systems produce up to five times more milk than a traditional breed and are milked three times a day during their short lives. Their milk is lower in vitamins and trace elements than if they were out eating grass. Antibiotics and other chemicals are deployed to keep disease at bay.³⁰⁹

The superdairy is seen by many as a symptom, not a solution to the problems of the UK dairy sector. The reason the model is being considered is the ludicrous farm gate prices – since price controls ended, supermarkets have quintupled their profit margin on milk while farmers who once made 4p a litre now make less than 1p.³¹⁰ Over half of dairy farms have gone to the wall in the same period, yet Britain is still self-sufficient in liquid milk due to the endless pursuit of efficiency.³¹¹

Most of the UK's dairy trade deficit is in cheese, which consists of types unique to other countries plus ‘generic’ cheese, largely cheddar for catering. Ironically, most of the cheap cheddar comes from Ireland and New Zealand where cows are generally pasture grazed, not kept inside. Farmer Peter Lungdren calls it “naïve and damaging” to believe, as the government appears to, that UK dairy producers should have to compete with the world's low-cost producers.³¹²

During the Nocton consultation period, the London-based World Society for the Protection of Animals realised that no one had looked at whether the mega-dairy was an economically viable model for the British dairy industry. They

304 <http://www.dairyreporter.com/Regulation-Safety/Farmers-withdraw-amended-plan-for-UK-mega-dairy>

305 <http://www.bbc.co.uk/news/uk-wales-mid-wales-23257418>

306 <https://www.theguardian.com/environment/blog/2012/jun/07/super-farms-environment-livestock-climate>

307 <https://www.ciwf.org.uk/media/3818638/efsa-dairy-report-summary.pdf>

308 <http://www.ciwf.com/farm-animals/cows/dairy-cows/welfare-issues/>

309 <https://www.theguardian.com/lifeandstyle/wordofmouth/2010/mar/02/milk-production-factory-farming>

310 <https://www.theguardian.com/lifeandstyle/wordofmouth/2010/mar/02/milk-production-factory-farming>

311 <http://www.telegraph.co.uk/news/earth/agriculture/farming/11381554/Dairy-farming-No-milk-of-human-kindness-left.html>

312 <http://www.peterlungdren.co.uk/2011/05/20/156/>

commissioned analysis which indicated that an 8000-cow system could produce milk at around 2 p per litre below that of a traditional family dairy farm, but could not better world market efficiencies. The operation would need to sell into the UK liquid milk market, displacing an estimated 60 to 100 small farms. According to the authors,

“The superdairy’s lower production costs will have the effect of driving down the benchmarked price for existing premium contracts thus putting the vast majority of existing producers in financial jeopardy. Ultimately, with the exception of those producers supplying organic and niche markets, all 11,000 traditional UK dairy farms will be replaced by around 120 superdairies and the sight of cows grazing in fields will become a thing of the past.”³¹³

The idea of the ‘battery cow’ does not sit well with UK consumers and the superdairy looks unlikely to find favour with a public increasingly concerned about the industrialisation of the livestock sector.

b) What’s the NFU position?

There are around 10,000 dairy farmers left in England and Wales, half the number they were in 2002.³¹⁴ The NFU has ‘warned’ that the number could halve again over the next ten years. “It’s part of a process of continuing evolution in the agricultural industry,” said Phil Bicknell, head of food and farming at the NFU. “The trend is for farms to get bigger. If you want to make more you have got to farm a bigger area.”

The NFU talks about super farms as high welfare establishments, able to adjust and fine tune every aspect and to have their own vets and nutritionists on site. In a letter to The Independent in 2013, Martin Haworth, NFU director of policy, said: “While it may seem self-evident that larger farms are more of a disease risk and have a worse environmental and welfare record ... the truth is that this is a lazy assumption with no basis in fact. There is any amount of evidence that it is the quality of management which is the decisive factor and larger farms commonly have the resource and ability to do a first-class job”.³¹⁵

The NFU and government line is that UK producers must be able to compete on the world market. Yet the production costs of British superdairy would not be low enough to outcompete the cheapest competitors overseas, and certainly not without further lowering of animal welfare standards and environmental protections. It is therefore a nonsense for them to claim that superdairies and small family farms will be able to happily co-exist, and that we need to “experiment” with getting a good mix of big and small dairy farms.

According to Peter Kendall, president of the NFU, "There are people living in rural areas, often on good incomes, who want the countryside to be protected in some rural idyll. If we want to make sure people can afford to feed their families, we have to invest in smart technology." Yet huge milk production units are not about either securing adequate supply or making milk cheaper for UK consumers – the price of milk is already at rock bottom, and the UK is already self-sufficient in liquid milk. The beneficiaries will be the businessmen and investors entering the market to exploit economies of scale.

313 <http://www.peterlundgren.co.uk/2011/01/09/superdairy-the-legacy/>

314 <http://www.telegraph.co.uk/news/earth/agriculture/11516294/Small-farmers-under-threat-from-collapse-in-food-prices.html>

315 <http://www.independent.co.uk/voices/letters/letters-why-ae-units-are-struggling-8625557.html>

4.12 Pig Megafarms

a) What's the issue?

The average UK pig herd size is 75 sows, but the average large-scale intensive pig farm in the UK has 500 to 900 sows.³¹⁶ In 2011 the Midland Pig Company proposed a 2,500 sow (20,000 pig) mega farm in Derbyshire. However, the proposal attracted more than 20,000 objections from people concerned about animal welfare, health risks and the environment. It was eventually turned down due to potential risks to health from bio-aerosols (airborne particles containing living organisms, fragments and toxins) and ammonia; odour problems; and contamination of watercourses.³¹⁷

Keeping pigs in sheds inhibits the natural behaviour of these highly sociable, intelligent creatures. Apart from the difficulty of spotting health problems when so many animals are together, the crowded conditions are highly susceptible to disease epidemics unless antibiotics are in routine use. Pig farming accounts for around 60% of all UK farm antibiotics, and is leading to new antibiotic-resistant strains which can be transferred to local wildlife and to humans.³¹⁸ UK supermarkets were recently found to be selling pork contaminated with a livestock strain of the antibiotic-resistant superbug MRSA (CC398), most of it from Denmark which has specialised in large-scale farms, two thirds of which are currently infected with CC398.³¹⁹

Unlike extensive livestock systems which can maintain the landscape and support wildlife habitats, super farms will hardly help to preserve or restore the countryside. Keeping thousands of pigs in one space concentrates wastes and the risk to locals and the environment of ammonia, bio-aerosols, slurry, effluent discharges, ground water pollution, dust, smell and noise.

The Derbyshire proposal included an Anaerobic Digester (AD) for recycling slurry yet, like most plants on this scale, it would also have had to burn fuel crops such as maize to work well.³²⁰ Already, vast acreages of maize would be needed to feed the animals in the sheds, alongside imported soy and all the associated problems with that.

According to Ben Stafford of CPRE:

“Consolidation of production in ‘super farms’ is likely to place even more pressure on the environment and struggling small producers. It may suit supermarkets, with their centralised supply and distribution models, but it is likely to lead to a poorer and less diverse countryside.”³²¹

While they may be good for jobs in the short term, mega pig farms are a threat to traditional family farmers who incur higher costs when rearing their pigs humanely and cannot compete on price with cheap, low-welfare pork.

b) What's the NFU position?

In 2012, NFU president Peter Kendall spoke about the need for the UK to start building large scale, US-style livestock units, as part of the response to the “challenge of feeding everybody with the constraints of climate change and weather shocks “. The fact that the UK was only 40% self-sufficient with regard to pork meant there was “plenty of scope” to

316 <https://www.soilassociation.org/organic-living/why-organic/better-for-animals/pigs/>

317 <https://www.theguardian.com/environment/2011/nov/02/mega-pig-farm-council>

318 <http://www.viva.org.uk/what-we-do/about-us/media-centre/media-releases/major-investigation-uk-pig-farming-reveals-90-are>

319 <https://www.theguardian.com/society/2015/jun/18/mrsa-superbug-in-supermarket-pork-raises-alarm-farming-risks>

320 <http://www.fwi.co.uk/business/benefit-of-ad-units-called-into-question.htm>

321 <https://www.theguardian.com/environment/2012/jun/10/bigger-is-not-better-in-farming>

have big producers alongside smaller ones, although he did not think mega farms would become the norm because of the difficulty in finding locations far enough from population centres.³²²

Kendall and the NFU also insisted that without such mega farms UK farmers would be being driven out of the market by pork imports from countries with lower welfare standards. Yet large scale units would themselves compound the pressure on smaller UK producers. As the CIWF has pointed out, “the NFU’s promotion of US-style factory units over traditional British farms puts them on a collision course with the UK’s more conscientious consumers, and jeopardises the smaller-scale farmers who make up the fabric of the countryside”. Campaigner Tracy Worcester diagnoses, rather, that “building ever bigger pig farms in the UK, like Foston in Derbyshire, to compete with cheap imports, as suggested by the president of the National Farmers Union, Peter Kendall is to please corporate investors who want the profits once earned by high-welfare UK pig farmers”.³²³

According farmer and writer Chris Smaje, the NFU’s call for super farms is the “perfect recipe for remaking the world as big business wishes”:

“First, create property bubbles and job insecurity, forcing people to look for savings on their household budgets. Then extol the corporate food system’s delivery of ‘affordable’ food. Next, close small abattoirs serving local and regional farm economies in the name of health and economic rationalisation. Then propose new abattoirs near “super farms”, emphasising the benefits to livestock in not having to travel far to slaughter. Finally, wrap it all up in specious greenwash about climate change and animal welfare.”³²⁴

Opponents of this strategy believe that while global demand for meat is indeed set to increase, the assumption that public policy must service the pursuit of cheap meat is outdated because it “relies on cheap ingredients just when ingredients are no longer cheap – water, land, oil, feedstuffs”.³²⁵ Reduced consumption of higher quality, sustainably produced meat should be the goal, rather than feeding half of the world’s cereals to animals and getting back just 30 calories in milk and meat from every 100 calories of edible crops fed to livestock. According to food policy expert Tim Lang:

“If nothing else, 20th century food systems have taught us that we mine eco-systems and public health at our peril. In short, ‘superfarms’ are an irrelevancy to the pursuit of a better long-lasting food system based on plants (growing things) not plant (as in factories and dead things).”³²⁶

For now, the NFU is sold on the ‘bigger is best’ model of farming, and may well have financial investments in pig mega plants in other countries as well.

“Due to corporate-sponsored neoliberal policies, factory farm corporations are free to comb the globe for the lowest wages and standards at work, and the laxest enforcement of environmental and animal welfare regulations. Small-scale traditional mixed farms in the former eastern bloc countries, along with the high-welfare UK farmers, are – in the name of competition – all being destroyed by taxpayer-subsidised giant corporate factory farms.”
- Tracy Worcester, pig welfare campaigner³²⁷

322 <https://www.theguardian.com/environment/2012/jun/05/uk-needs-super-farms-says-nfu>

323 <https://www.theguardian.com/environment/2012/jun/10/bigger-is-not-better-in-farming>

324 <https://www.theguardian.com/environment/2012/jun/10/bigger-is-not-better-in-farming>

325 <https://www.theguardian.com/environment/blog/2012/jun/07/super-farms-environment-livestock-climate>

326 <https://www.theguardian.com/environment/blog/2012/jun/07/super-farms-environment-livestock-climate>

327 <https://www.theguardian.com/environment/2012/jun/10/bigger-is-not-better-in-farming>

4.13 Live exports

a) What's the issue?

Thousands of animals are exported from the UK to continental Europe through the ports of Dover, Ramsgate, Ipswich and Newhaven. The majority of the trade is in sheep, though calves (sometimes as young as two weeks old) are also transported. Breeding stock, being of higher value, is generally well cared for in transit, so concern focuses on those going abroad for fattening slaughter. Critics believe that the regulations governing the trade (EU Council Regulation 1/2005), are too lax. Maximum journey times are 19 hours for calves and 29 hours for sheep before a 24-hour rest is required, after which travel can be resumed. Exhaustion, dehydration and stress can set in and some may sustain injuries during the journey. According to the RSPCA: "Animals have often been crammed into trucks on UK roads for hours before facing a gruelling channel crossing of up to another six hours before heading for conditions that could be illegal in this country".³²⁸ The regulations allow animals to be transported in temperatures up to 35 degrees Celsius.

Welfare problems can include:

- **Mental distress** due to the unusual and potentially frightening sights, movements, noises, smells, unfamiliar animals and stockpersons they will encounter.
- **Injuries**, if the animals are not handled appropriately and carefully during loading and unloading, and transported in well-designed, comfortable vehicles.
- **Hunger and dehydration**, if animals are not provided with appropriate food, water and plenty of rest breaks.
- **Heat stress**, caused by lack of good ventilation and long periods without water or if animals are transported for long periods in hot weather.³²⁹

The RSPCA, while wanting an end to live exports, campaigns for better enforcement of the rules while the practice continues. The EU Commission has itself acknowledged that breaches of Regulation 1/2005 are widespread in animal transportation as a whole and that effective enforcement is a challenge.³³⁰ In the UK, Animal and Plant Health Agency (APHA) officials inspect lorries at loading, but at Dover, the main port used, only one in three are inspected. This ignores the fact that problems can develop in transit. Of eleven statutory notices issued in 2013, three were issued at port, despite only 39 of the 100 lorries receiving additional checks.

In 2012 Thanet District Council banned live exports from Ramsgate after two sheep drowned when a loading area floor collapsed, and after 43 sheep, in a separate incident, had to be put down because they were not fit to travel. The ban was overturned by the High Court in 2015. Live exports from Dover were suspended in 2011 due to damage to the ship used, but resumed in May 2013. However, in March 2015, Dover District Council announced that RSPCA inspectors should be allowed to monitor the wellbeing of animals going through the port, in order to identify and remove any injured animals. Criticisms of the boat at Dover continue.

An e-petition calling for the export of meat or germ plasm rather than livestock received 60,519 signatures in support and was submitted to Defra in 2013. In 2014, a YouGov poll found that seven out of ten British people want a carcass-only trade, which accounts for 80% of the trade already.³³¹ Animal welfare and animal rights advocates have been

328<http://moderngov.dover.gov.uk/documents/b5932/Supplementary%20Paper%20-%20Scrutiny%20Report%20on%20the%20Motion%20on%20Live%20Animal%20Exports%2004th-Mar-2015%2018.00%20Cou.pdf?T=9>

329<http://moderngov.dover.gov.uk/documents/b5932/Supplementary%20Paper%20-%20Scrutiny%20Report%20on%20the%20Motion%20on%20Live%20Animal%20Exports%2004th-Mar-2015%2018.00%20Cou.pdf?T=9>

330http://ec.europa.eu/food/animal/welfare/transport/index_en.htm

331 YouGov Plc. Total sample size was 1,936 adults. Fieldwork undertaken 26th-27th June 2014.

campaigning on the issue for decades and several councils, including that of Dover, would like to end the trade but do not have the authority to do so without amendments to EU law.³³²

b) What's the NFU position?

The NFU was involved in the legal action to re-open Ramsgate to live exports.³³³ The RSPCA said at the time that the NFU "should respect the views of the people of Ramsgate, Ipswich and this country that there is no place in a civilised and compassionate society for this vile trade that causes so much suffering to animals".³³⁴ The response of the NFU when Dover was reopened to farmers in 2013 was that the issue of animal transport "must be put into perspective. There is demand from Europe for both UK breeding livestock and animals destined for the food chain. This is a perfectly legal, legitimate and valuable trade for English farmers".³³⁵

The vessel currently used for the export of live farm animals for slaughter – the Latvian-registered MV Joline at Dover, is considered by many as not fit for purpose. As an ex-river ferry, it is not allowed to sail in certain weather conditions, and is thus sometimes forced to wait or turn back, increasing journey time. In 2013 the NFU commented "If these people were serious about animal welfare, they would be lobbying for them to be carried on the ferries out of Dover as they are quicker at crossing the Channel and larger and more stable."³³⁶ However, a spokesperson for P&O Ferries said: "We and the other ferry companies in Dover made a decision not to carry live animal exports and we have not changed our position."³³⁷

4.14 Egg-laying hens

a) What's the issue?

The UK is the sixth largest egg producer in the EU, with 33 million laying hens. Free range, barn and organic eggs now account for over half of the fresh egg market in the UK.³³⁸ The rest are kept in 'enriched' cages – wire mesh cages which are just slightly better than the conventional battery cages which prevailed until banned under the EU Laying Hens Directive in 2012.

Enriched cages house 50 to 80 birds and give them a third more space (750 cm²) than in a battery system, along with perches, litter and darkened laying areas. However, they do not allow birds to move around freely, exercise or rest undisturbed and do not permit dustbathing and foraging. As a consequence, pecking and pulling at the feathers of other birds remains common: "Creatures whose nature is to move around almost ceaselessly during daylight hours must, when restricted like this, somehow substitute their desire to peck and scratch in the ground. The only source of interest left to them is the feathers and flesh of their cage mates which they frequently peck – sometimes to death".³³⁹

The solution used is to remove part of a newly-hatched chick's beak with a red-hot blade or infra-red beam – known as beak 'tipping'. The practice was due to be outlawed in the UK in January 2011, but has been delayed until 2016 due to industry lobbying.³⁴⁰ The RSPCA have expressed regret that the problems of injurious pecking "cannot yet be fully and confidently avoided" without beak tipping and are collaborating with rearing, breeding and research scientists to help achieve the 2016 goal.

332 <http://www.parliament.uk/briefing-papers/SN06504.pdf>

333 <http://www.itv.com/news/meridian/story/2012-10-10/ramsgateanimalexportsban/>

334 <http://www.kentonline.co.uk/kent/news/fight-to-re-open-ramsgate-to-liv-a60177>

335 <http://www.itv.com/news/meridian/update/2013-05-02/farmers-union-live-exports-legal-and-legitimate>

336 http://www.kentnews.co.uk/news/nfu_calls_for_live_animal_exports_to_switch_back_to_dover_1_1019742

337 http://www.kentnews.co.uk/news/nfu_calls_for_live_animal_exports_to_switch_back_to_dover_1_1019742

338 <http://www.animalaid.org.uk/images/pdf/factfiles/BattleoftheBatteryCage.pdf>

339 <http://www.viva.org.uk/resources/campaign-materials/murder-she-wrote>

340 <http://www.rspca.org.uk/adviceandwelfare/farm/layinghens/keyissues>

b) What's the NFU position?

Meanwhile the NFU is lobbying to prevent a 2016 ban on beak tipping. According to its Poultry Board Chairman, “Significant genetic progress has been made, however, it’s a bigger challenge than breeding for other traits, and we are still not in a place to maintain welfare without beak tipping. The breed companies are now looking at selecting for beak shape. Breed companies estimate that it could be over ten years before a bird is available commercially.”³⁴¹ Rather than try to move towards egg production systems which do not pressure hens into pecking one another, the goal is to try to breed birds with floppy or blunt beaks, however long this might take to achieve.

In 2002, when the EU Commission began discussing the need to improve regulations governing egg production amid strong consumer pressure to end battery farms, the UK government came out in favour of significant change. Animal Welfare Minister, Elliot Morley said he was “not convinced enriched cages have any real advantages” and called for a three-month public consultation on whether all cages should be banned. At this point, according to Animal Aid, the NFU went on the offensive, claiming that there was as yet no conclusive evidence available on hen welfare and that a ban on enriched cages would “devastate the [UK poultry] industry”.³⁴² As a result, Mr Morley passed the buck and announced that the country should wait for a decision from the EU Agriculture Council in 2005.

In 2008, CIWF produced a report showing that Defra’s analysis of the costs of an outright cage ban had been flawed – the extra production costs of moving to a barn system would be £4 million (the same as for moving from one cage type to the other), not the £50 million claimed by Defra.³⁴³ The RSPCA also called for an end to all cages, saying the enriched system offered too little improvement from a hen’s point of view. The NFU said such a move would be “worse than useless” if the same standards were not applied to imported eggs, and called the RSPCA “short-sighted and irresponsible”.³⁴⁴

Hen welfare in the UK has thus been held back, while other countries have decided to advance beyond EU minimum standards. Switzerland banned battery cages in 2002 and is considering a ban on enriched cages. Germany ended battery egg production in 2010, all caging in 2012, and has committed to ending beak tipping in 2016.³⁴⁵

None of this is to say that non-cage systems are necessarily good for egg laying hens, however. While free-range birds must have access to an outdoor range, those at the back of the barn in large-scale units may never manage to make it outside.³⁴⁶ The barn-egg system is worse, with hens confined to a crowded shed with no natural daylight or fresh air. Across the board, male chicks are dispatched at birth and laying hens which would naturally live up to seven years are killed at 18 months.³⁴⁷

341 <https://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/poultry-industry-centre-stage-at-parliament-event/>

342 <http://www.animalaid.org.uk/images/pdf/factfiles/BattleoftheBatteryCage.pdf>

343

http://www.ciwf.org.uk/includes/documents/cm_docs/2008/c/comment_to_defra_consultation_on_enriched_cage_ban.pdf

344 <http://www.thejournal.co.uk/business/business-news/rspca-irresponsible-over-eggs-4498822>

345 <http://www.animalaid.org.uk/images/pdf/factfiles/BattleoftheBatteryCage.pdf>

346 <http://www.mirror.co.uk/news/uk-news/horrifying-truth-brutal-life-free-7634201>

347 <https://www.theguardian.com/world/2014/sep/19/sp-inside-the-battery-hen-shed>

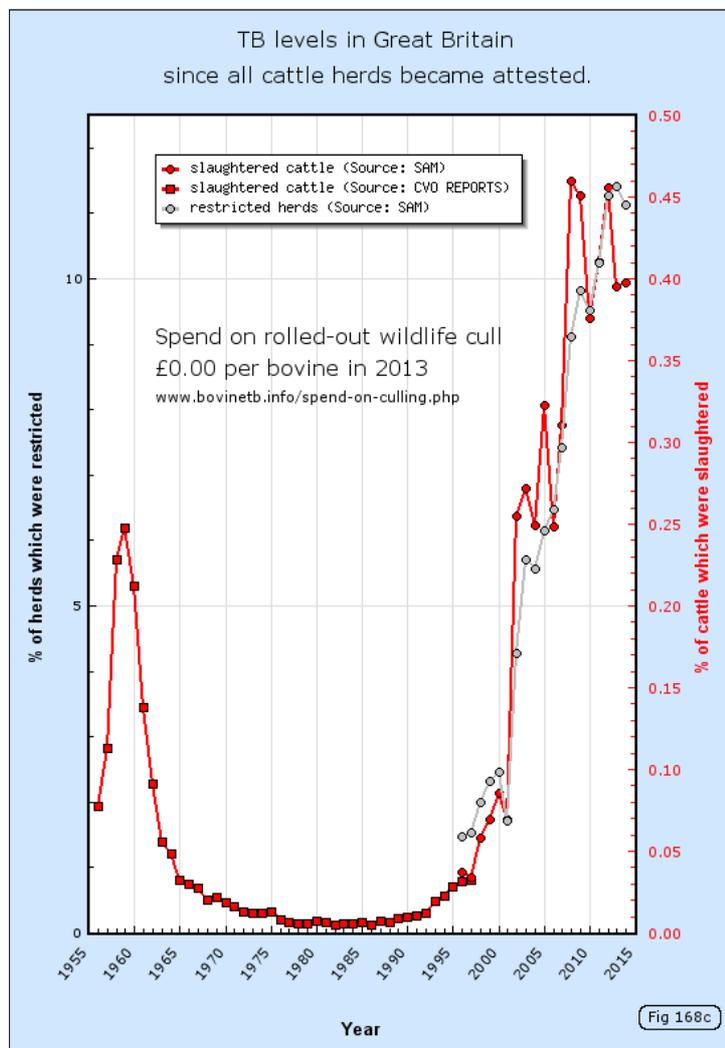
4.2 NFU badgers and bovine TB – driving a cull in the face of scientific evidence

4.2.1 What's the issue?

Bovine tuberculosis (bTB), caused by *Mycobacterium bovis* (*M.bovis*), presents a tiny health risk to humans now that milk is pasteurised, but causes problems for other mammals, including cows, deer and badgers. At least 40% of cows in dairy herds were infected with *M. bovis* by the 1930s, but after a compulsory test and slaughter programme begun in 1950, levels had dropped very low by the 1970s. However, they have been rising slowly since then, with a sharp jump in 2001 because bTB testing was halted during the foot and mouth epidemic, after which farms were allowed to restock their herds without prior testing. The increase in bTB rates has also coincided with the growing intensification of dairy farms and a trend towards larger herds over-wintered in sheds. More frequent testing and more sensitive diagnostics have also contributed to the greater detection of 'reactors' – cows testing positive for the virus – over the last decade.

Graph showing bTB surge following Foot & Mouth epidemic in 2001

(source: www.bovinetb.info)



A few areas of the county were never quite free of bTB, and in 1971 the suspicion took root that badgers were acting as a wildlife reservoir for the disease and passing it back into herds. A series of evolving response strategies ensued: gassing with cyanide (1975-1982); the 'clean ring policy' whereby badgers were cage trapped and shot, moving outwards from suspected setts until uninfected groups were left (1982-1986); and then culling restricted to the farm on

which an outbreak occurred (1986-1997). In 1997 New Labour commissioned a report into the usefulness and cost effectiveness of a mass cull, which led to a nine-year field study, the Randomised Badger Culling Trial (RBCT), which cost £50 million of public money.

Despite all the years of research, transmission routes between cattle and badgers (in both directions) are still poorly understood. Infected badgers and TB-free badgers often share the same setts, which could be the result of acquired immunity in a proportion of badgers, or because badgers do not easily infect each other. Both the RBCT and a 2013 European Food Safety Authority (EFSA) road kill study concluded that in bTB hotspots around 15% of badgers are infected.³⁴⁸ Of these, just 1.67% have the disease at a level which would make them contagious, according to the RBCT.³⁴⁹ Generally, infected badgers do not show signs of illness; it is only in the advanced stages of TB (which many never reach) that badgers become sick and emaciated and can potentially shed live bacilli in their urine, spreading it to fields or feed where cattle can come into contact with it. Allowing wildlife access to cattle food and water troughs, and not cleaning out water troughs over winter, are thought likely to be significant sources of bTB transmission. Equally, spreading untreated slurry from cow sheds is thought to pass on *M.bovis* to badgers and other wildlife.

Defra Chief Scientist Ian Boyd has confirmed that fewer than 6% of cattle TB outbreaks in high-incidence areas are due directly to badgers.³⁵⁰ By counting badger-to-cattle and subsequent cattle-to-cattle spread together, this is framed as part of a pro-cull argument as badgers being responsible for 50% of cases in cattle, but the vast number of new herd 'breakdowns' are due to previously undetected 'reactors' failing the (notoriously unreliable) test.³⁵¹ Around one in five infected cattle are missed during routing skin testing using the single intradermal comparative cervical tuberculin (SICCT) test, so cows are routinely moved from apparently bTB-free herds to others.³⁵² The other problem with the skin test is that it picks up any antibody response to bTB, so that cows are automatically destroyed which might never have developed TB symptoms and might have had immunity to help strengthen herd resistance.

4.22 Vaccination

Cattle controls have been effective in clearing infection from parts of the UK where TB in wildlife is not a significant problem. Where it is a problem, repeated badger vaccination has been shown to help build up immunity to TB within the given area. The Bacille Calmette– Guérin (BCG) vaccine reduces the severity of the disease, so that fewer individuals progress to the final stages of the TB during which they start excreting *M. bovis* in their urine and start presenting a danger to cattle.

Badgers currently have to be trapped and injected with the BCG vaccine, but research is underway to create a cheaper and easier to use oral vaccine. Defra funding is available for badger vaccination schemes and, for the last few years, wildlife groups have been training volunteers to carry it out. Anti-cull activists complain that they would much rather spend their time vaccinating badgers than tramping fields by night defending them from attack and destroying Defra's expensive traps which are also needed for the vaccination programmes. A four-year field study in Gloucestershire with a naturally infected population of 800 badgers found that vaccination resulted in a 74% reduction in the proportion testing positive for TB, the same percentage reduction as a National Trust-run vaccination project at its Killerton Estate in Devon^{353,354} (figures, disputed, as always, by cull proponents^{355,356}). One recent study suggested that across a 300 km²

348 <https://thmcf.wordpress.com/2015/03/05/badger-trust-updates-meeting-with-liz-truss-call-on-nfu-to-stop-misleading-the-public-over-the-impact-of-badger-culling/>

349 <http://www.farmingmonthly.co.uk/livestock/animal-health/7947-claims-that-high-number-of-badgers-are-sick-undermined-by-welsh-research/>

350 <http://badgertrust.org.uk/news/posts/2014/evidence-stacks-up-against-badger-cull.aspx>

351 <http://currents.plos.org/outbreaks/article/the-contribution-of-badger-to-cattle-tb-incidence-in-high-cattle-incidence-areas/>

352 <http://www.sciencemediacentre.org/expert-reaction-to-princess-annes-comments-on-gassing-badgers/>

353 <https://www.gov.uk/government/news/research-reports-on-bovine-tb-in-badgers-published>

354 <http://www.bbc.co.uk/news/science-environment-13121520>

355 <http://bovinetb.blogspot.co.uk/2013/10/the-national-trust-and-its-badgers.html>

356 <http://bovinetb.blogspot.co.uk/2010/12/more-on-that-74-percent.html>

area, over ten years, the difference in outcome between culling and vaccination is less than one herd breakdown per year.³⁵⁷

Development of a TB vaccine for cattle, meanwhile, appears to be plagued with problems. One was ten years away twenty years ago, and still the most optimistic projection is that it could be ready by 2023.³⁵⁸ It would not give 100% immunity to individual cows, but on a herd level would provide enough protection to prevent epidemics from occurring. The existing BCG jab is illegal under EU law because the bTB skin test cannot distinguish between infected and vaccinated animals. An experimental ‘differentiating infected from vaccinated animals’ (DIVA) vaccine which avoids this problem is being field tested in Ethiopia and there is a ten-year timetable for its approved use for meat and dairy exports to the EU, but campaigners believe the UK should seek a derogation from the EU Commission to be able to use it within the UK-only supply chain.³⁵⁹ British cattle could not be exported, but the live export market is only worth £3.3 million, while dealing with bTB ‘reactors’ costs £100 million each year.³⁶⁰ Giving slightly different figures, an interviewee from the Landworkers’ Alliance, a horticulturalist, told us:

“There is a ban on the export of vaccinated cattle so badgers are being culled rather than vaccinating cows. It’s just to protect export market, even though the beef live export trade is only worth £3.6 million and it will cost £60 million to do the cull programme and ongoing disposal of ‘reactor’ cows. Vaccination has been proved to work. It’s a shame the Badger Trust concentrate on the killing aspect and not the exports issue.”

4.23 UK Anti-bTB policy

Defra’s 25-year bTB eradication strategy for England involves testing herds and controlling them when TB is detected; improving [biosecurity and husbandry](#) on farms; cattle vaccine research; and vaccinating badgers in the TB hotspot ‘edge zones’.³⁶¹ In areas where the disease is rife, herds are tested annually, and again if they are to be moved anywhere. Cattle which fail the test are slaughtered and the remainder tested every 60 days until two tests run clear. It also includes a four-year Autumn badger culling programme, which began in 2013 in Somerset and Gloucestershire and is now in its third year, with a third zone in Dorset added in 2015.

The badger is the UK’s largest native carnivore which still exists in the wild, and the British Isles are one of the species’ European strongholds. This is despite centuries of persecution, including the barbaric practice of baiting with dogs. Badgers are now protected by law (though many exemptions are granted and illegal persecution continues) and they inspire widespread popular affection. With most environmental and wildlife organisations, as well as respected public figures like Sir David Attenborough, saying culling is both unnecessary and, worse, scientifically illiterate, there has been significant public opposition to the cull pilots. The badger cull was the fifth most common topic of letters sent to MPs in 2014,³⁶² and 90% of respondents to a recent ComRes poll wanted to the cull to be cancelled.³⁶³ Many oppose it on an objective assessment of the pros and cons with regard to solving farmers’ problems with bTB, while others believe that, regardless of the outcome, wildlife should not have to suffer so that people can farm other animals.

Farming organisations accuse anti-cull activists of caring more about badgers than the suffering and slaughter of cows which succumb to bTB, but this argument holds little water with animal rights and animal welfare activists who believe that farmed cattle suffer unacceptably anyway. bTB is a minor problem compared to the mastitis and lameness which

357 <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0039250>

358 <http://www.westerndailynews.co.uk/Vaccine-halt-spread-bovine-TB-available-2023/story-17959161-detail/story.html>

359 http://www.bovinetb.co.uk/article.php?article_id=23

360 <http://www.bluebadger.org/page5.html>

361 <https://www.gov.uk/search?q=bovine+tb+eradication>

362 <http://www.westernmorningnews.co.uk/Cull-critics-target-MPs-Labour-pledges-scrap/story-22932968-detail/story.html>

363 <http://www.comres.co.uk/polls/care-for-the-wild-and-the-badger-trust-perceptions-of-the-badger-cull-survey/>

are endemic in dairy cows thanks to generations of selective breeding to increase their milk yield. Infertility is another genetic side effect which contributes to the spread of bTB by requiring herds to be constantly restocked from outside.³⁶⁴ Beef and dairy production has been under extreme economic pressure due to falling farm gate prices, resulting in a free fall in the number of dairy farms along with their amalgamation into bigger, more intensive units. This is accompanied by increasing use of indoor systems which create stress and susceptibility to disease.³⁶⁵

Ecologists at Queen Mary University of London recently published the results of its pioneering large-scale computer modelling of TB in cattle and badgers. Taking the role of badger culling, cattle testing and cattle movement as variables, it concluded that more frequent cattle testing and whether or not cattle were overwintered indoors had the biggest impacts. Culling was seen as having the potential to reduce the number of cows with bTB by 12 out of 15,000, whilst shortening the bTB testing interval by one month reduced the number by 193 in 15,000.³⁶⁶ The NFU dismissed the findings, saying that they “fly in the face of the experiences of most farmers who say that the biggest risk to their cattle isn't being housed in winter but when they are turned out into the fields in the spring”.³⁶⁷ Many farmers would probably also share the NFU spokesperson's view that a more frequent testing regime “would simply not be practical”.³⁶⁸

There has been pressure on Defra from wildlife groups as well as vet, farm and landowning organisations to introduce annual testing for all English herds, as happens in Wales, and the assertion of Defra's Bovine TB Eradication Advisory Group that it would not be cost-effective³⁶⁹ looks less valid in the light of the costly cull trials. However, farmers are understandably not keen on the ‘test and cull’ regime, which is itself stressful for cattle and their handlers.³⁷⁰ Although they receive compensation for any animals slaughtered, this does not always cover the value of the individual animal and it is galling for farmers to know that many of them would never have developed bTB. One farmer we spoke had been particularly upset to realise that, once driven miles to be dispatched at one of the designated TB abattoirs, his reactor cows had entered the food chain as normal.

Many farmers in South West England are convinced that the badger population there is “out of control”³⁷¹. A sett survey published in January 2014 showed that the number of badger social groups in England as a whole had doubled since the completion of the first national survey in 1988, though accompanying data on sett size, due in 2014, is still awaited.³⁷² Badger supporters counter that “numbers are simply recovering after centuries of persecution by farmers and baiters, which threatened to wipe out the species prior to their legal protection in 1992”.³⁷³ They also point out that pro-cull lobbyists have never given a density of badgers per square kilometre that they would be happy with, and that even if numbers are higher than in the past, the impact on bTB transmission will be marginal given the tiny percentage (1.67%) which have the TB and are infectious.

The complexity of the science around bTB means both sides can find data to support their case. They interpret it differently, focusing on different sections of the same reports, or just cite different studies.

The Independent Scientific Group (ISG) which oversaw the RBCT concluded in 2007 that “Given its high costs and low benefits, badger culling is unlikely to contribute usefully to the control of cattle TB in Britain” and that “the rising incidence of disease can be reversed and geographical spread contained, by the rigid application of cattle-based control measures alone”.³⁷⁴ It found that nine continuous years of badger culling had reduced the incidence of TB in cattle in the

364 <https://www.opendemocracy.net/ourkingdom/steve-jones/hypocrisy-of-badger-cull>

365 <https://www.opendemocracy.net/ourkingdom/steve-jones/hypocrisy-of-badger-cull>

366 <http://www.qmul.ac.uk/media/news/items/se/145991.html>

367 <http://www.bbc.co.uk/news/science-environment-30820579>

368 <http://www.bbc.co.uk/news/science-environment-30820579>

369 <http://www.tbfreeengland.co.uk/draft-strategy-for-achieving-officially-bovine-t/>

370 <http://www.bluebadger.org/page5.html>

371 <http://www.westerndailyexpress.co.uk/better-ways-control-badgers-Defra-won-t-listen/story-26642860-detail/story.html>

372 <http://www.nature.com/srep/2014/140123/srep03809/full/srep03809.html>

373 <http://www.badgertrust.org.uk/news/posts/2015/badger-trust-response-to-hrh-prince-charles%27s-letters.aspx>

374 <https://books.google.co.uk/books?isbn=0215513789>

area by 12-16% at best, while by the fourth year of culling, the prevalence of infection within the badger population had doubled.³⁷⁵

Defra's chief vet and other veterinary experts, on the other hand, have said TB "cannot be controlled without a cull of infected wildlife".³⁷⁶ Their view was that the ISG's report on the RBC and Government Chief Scientific Adviser Sir David King's review of that report, both agreed that culling in areas where the disease is endemic can help reduce bTB levels in cattle in those areas³⁷⁷ but differed "in how significant the benefit would be and the economic and practical feasibility of carrying out culling on a scale necessary to gain these beneficial effects".³⁷⁸

So, culling badgers in TB hotspots can be helpful; the question is, is it worth doing? The ISG panel said it was not. However, one of its members, Professor Christl Donnelly, has undertaken some further analysis of the long-term impact of the cull and, "based on data downloaded in July 2013, shows that a reduction in TB incidence in cattle due to culling persists for at least 6.5 years after the last cull", whilst the "initial negative results around the cull area disappeared within 12 to 18 months".³⁷⁹

It is the ability of both sides to produce convincing sounding evidence for their position that makes the debate so hotly contested. The fact that Wales and Ireland justify their choice of opposite solutions is an illustration:

.The Welsh government's strategy, begun in 2008, involves stricter cattle controls than in England, including annual testing for all herds. The number of new bTB incidents has dropped steadily each year, from 1,198 in 2008 to 851 in 2014, so it has been successful without badger killing.³⁸⁰ In 2010, an Intensive Action Area (IAA) was established in the area of West Wales which accounted for a high proportion of TB incidents. The aim is to try to rid the area of bTB through even tighter cattle controls and obligatory biosecurity measures, alongside (as of 2012) a five-year badger vaccination project. In 2013, a road kill survey in the IAA found that 19% of badgers had early stage TB; the figure was 7% (two out of 30 badgers) in 2014.³⁸¹ By the end of 2014, 4,092 badgers in the IAA had been vaccinated and released back into the wild.³⁸² However, this farmer's post on The Farmer's Forum message board hints that vaccination might not be exclusively responsible for the success of the Welsh strategy: "Without an announced Cull, and an influx of Bunny Huggers watching every move, the Badger population in West Wales is being reduced, and they are not dying of TB... The ability to legally trap Badgers is the important element. 'What happens to the trapped Badgers under the Cover of Darkness?' is another question. Who knows. Some will no doubt be inoculated, but many will simply disappear. Trap 150, inoculate 50. On paper, you are playing the game. The other hundred simply never existed..."³⁸³

375 <https://books.google.co.uk/books?isbn=0215513789>

376 <http://www.westernmorningnews.co.uk/WMN-OPINION-Tiny-hope-softening-divisions-bovine/story-25894791-detail/story.html>

377 http://www.theecologist.org/campaigning/2816974/the_scientific_case_for_badger_culling_an_organic_farmer_writes.html

378 http://www.theecologist.org/campaigning/2816974/the_scientific_case_for_badger_culling_an_organic_farmer_writes.html

379 http://www.theecologist.org/campaigning/2816974/the_scientific_case_for_badger_culling_an_organic_farmer_writes.html

380 <http://gov.wales/topics/environmentcountryside/ahw/disease/bovinetuberculosis/intensive-action-area/badger-vaccination-iaa/?lang=en>

381 <http://gov.wales/topics/environmentcountryside/ahw/disease/bovinetuberculosis/intensive-action-area/badger-found-dead-survey/report-2013-2014/?lang=en>

382 <http://gov.wales/topics/environmentcountryside/ahw/disease/bovinetuberculosis/intensive-action-area/badger-vaccination-iaa/intensive-action-area-badger-vaccination-report-year-3/?lang=en>

383 <http://thefarmingforum.co.uk/index.php?threads/guy-smith-for-nfu-president.13091/page-21>

.In Ireland, which has had a badger killing policy since the mid-1990s, bTB is at a record low and has fallen by 40% since 2008.³⁸⁴ Irish studies have shown that badgers and cattle share localised TB strains and that risk to herds is 14 times greater in areas where badgers have not been removed.³⁸⁵ On the other hand, Northern Ireland has achieved comparable results just with cattle-based measures and badger vaccination³⁸⁶ (albeit the starting point was a lot higher). Over 1000,000 badgers have been killed in the last decade in Ireland, by gassing, snaring and shooting.³⁸⁷ Irish Agriculture Minister Simon Coveney acknowledged in May 2014 that “It would be dishonest of me to say that I do not think that the badger targeted cull programme is being done in as humane a way as we can do it”.³⁸⁸ Yet bTB outbreaks continue to occur in areas where there are no badgers, and despite the cull, the number of reactors was up 3% in 2014.³⁸⁹

4.24 The pilot culls in England

Pilot badger culls got underway in September 2013 in two areas, one in Gloucestershire and one in Somerset. The exercise was repeated in 2014. A third zone in Dorset was “ready to go” in 2014 but is thought to have been held back by Liberal Democrats within the government who were unhappy at the lack of independent monitoring planned for 2014.³⁹⁰ In 2015, Dorset has been included.

Humane Society International (HSI) pointed out ahead of the 2013 culls in Gloucestershire and Dorset that badger populations were “revised dramatically up and down three times in the twelve months before culling began”.³⁹¹ The level of guesswork involved in population estimation runs the risk of causing badger extinction within the zones, something the cull policy is committed to avoiding. In 2014, HSI Director Mark Jones warned that the Government was in breach of its own policy obligations by failing to establish how badly badger numbers had been depleted by the severe floods in both zones during winter 2013-14.³⁹² The fact that kill targets were revised down in Gloucestershire and, even then, not met, is not consistent with a density of badgers that is “out of control”.

In each zone, a company has been set up to organise the cull: Gloscon Ltd in Gloucestershire, HNV Associates Ltd in Somerset and Fru Serv in North Dorset. Registered to the NFU's headquarters in Stoneleigh, they are managed by a small board of directors and are responsible for everything from hiring contractors to disposing of the badger carcasses. Farmers pay upfront to become members for the full four years of the cull. To gain a license from Natural England (NE) there has to be a period of public consultation during which locals can register objections. Cull zone applications must cover at least 150 km², at least 70% of which must be accessible to the shooters.

The culls are designed to occur during the Autumn harvest season for four successive years – any less is thought to risk spreading bTB more widely through the disruption and dispersal of badger social groups (the ‘perturbation effect’). However, strict rules govern the cull and companies are supposed to have their licenses withdrawn if they fail to meet the conditions. The pilots are not designed to measure whether bTB levels in cattle is reduced in the zones or, as predicted by the RBCT, increased in surrounding areas. The dead badgers are not monitored to see whether they had

384 <http://www.fginsight.com/news/irish-badger-cull-has-been-a-huge-success---coveney-3497>

385 <http://www.fginsight.com/news/irish-badger-cull-has-been-a-huge-success---coveney-3497>

386 <http://blogs.channel4.com/factcheck/factcheck-irish-badger-cull-worked/17887>

387 www.banbloodsports.com/badgersnaring.htm

388 <http://www.fginsight.com/news/irish-badger-cull-has-been-a-huge-success---coveney-3497>

389

<http://www.agriculture.gov.ie/media/migration/animalhealthwelfare/diseasecontrols/tuberculosisandbrucellosis/tbstats/TB2014180515.xls>

390 http://www.libdems.org.uk/iberal_democrats_halt_the_spread_of_badger_culling_kate_parminter

391 <http://www.farming.co.uk/news/article/9981>

392

http://www.theecologist.org/News/news_round_up/2421028/cull_could_put_floodstruck_badgers_at_risk_of_local_extinction.html

TB. Rather, the stated aim was to test whether free shooting could be a “humane, effective and safe” way of culling badgers.³⁹³ The cost was to be met largely by the farmers involved. Has it been successful so far, on its own terms?

- The Chief Scientific Advisor to NE deemed the 2013 cull an “epic failure” – neither effective nor humane.³⁹⁴ Defra then disbanded the Independent Monitoring Panel (IEP) and did the monitoring itself in 2014.
- Cull licenses stipulate that 70% of badgers must be removed in a maximum of six weeks, to minimise the perturbation effect whilst avoiding local extinction. In 2013 both culls had to be extended for several weeks and still did not meet these targets. In 2014 estimates of the badger population size were rounded down several times yet only Somerset met the target, killing 341 badgers (just over the minimum of 316). Gloucestershire’s minimum was 615, but only 274 badgers were killed.
- Cage trapping had to be used both years because contractors were not able to kill the numbers required by free shooting. This added hugely to the cost.
- The requirement that no badger take more than five minutes to die (the government’s own measure of ‘humaneness’) was not met and many shots were not in the target area of the body.³⁹⁵ Only 63 of the 615 badgers shot at in 2014 were monitored by NE; of these, six could not be found and 26 had been hit in the abdomen/pelvis area instead of the heart/lung area.³⁹⁶

The UK’s Chief Vet, Anthony Gibbens concluded that, in Gloucestershire, due to the low cull rate, “the benefits of reducing disease in cattle over the planned four-year cull may not be realised”, and that it might be necessary to extend the cull there beyond 2017 to achieve a valuable badger population reduction.³⁹⁷ He cautioned that this should happen only if “there are reasonable grounds for confidence that it can be carried out more effectively”.³⁹⁸ Gloscon has been criticised for its contractor training, operational planning, monitoring and delivery and several of its contractors were banned from future culls due to breaches of safety or firearms protocols.³⁹⁹ Gibbens gave the go-ahead for third year of culling on the basis that: “the likelihood of suffering in badgers culled by controlled shooting remains comparable with the range of outcomes reported when other culling activities, currently accepted by society, have been assessed, such as deer shooting”.⁴⁰⁰ However, the British Veterinary Association (BVA) has called for free shooting to be abandoned in favour of more cage trapping, this being more humane and more effective. “By removing support for free shooting of badgers on humaneness grounds,” the Badger Trust has pointed out, “BVA have removed the key justification for the pilot cull trials, i.e. to prove the effectiveness and humaneness of free shooting as a culling method”.⁴⁰¹

Farming Minister George Eustice nevertheless declared his intention to press ahead with the Somerset and Gloucestershire culls in 2015, despite all of these failures and policy incoherence, and the three-zone cull duly started on 3rd September 2015.⁴⁰² Plans are also said to have been “well advanced”⁴⁰³ in Devon and Cornwall, but they have not joined the pilot this year. The minimum target set for Gloucestershire in 2015 is insufficient to make up for it not

393 <http://badgertrust.org.uk/threats/bovine-tb/the-cull-key-facts.aspx>

394 http://www.thesundaytimes.co.uk/sto/news/uk_news/Science/article1430947.ece

395 <http://badger-killers.co.uk/2014-badger-cull-figures>

396 <http://badger-killers.co.uk/category/news/>

397 www.gov.uk/government/uploads/system/uploads/attachment_data/file/388699/cvo-advice.pdf

398 www.gov.uk/government/uploads/system/uploads/attachment_data/file/388699/cvo-advice.pdf

399 <http://www.badgertrust.org.uk/news/posts/2015/gloucestershire-badger-group-say-gloscon-failed-to-achieve-even-half-their-target-in-2014-cull.aspx>

400 <http://www.theguardian.com/environment/2015/apr/19/vets-call-for-end-to-shooting-badgers>

401 <http://www.westernmorningnews.co.uk/Vets-changes-badger-cull-insist-remains-vital/story-26350141-detail/story.html>

402 <http://www.westernmorningnews.co.uk/Farming-minister-rejects-vets-end-shooting-free/story-26568952-detail/story.html>

403 <http://www.westernmorningnews.co.uk/Farmers-Devon-Cornwall-told-prepare-badger-cull/story-23287744-detail/story.html>

making its minimum target last year, and equates to a 1 in 40 chance of reducing badger numbers in the zone by 70%.⁴⁰⁴ According to the Zoological Society of London (ZSL) blog:

“The government described the choice of such low minimum numbers as ‘realistic’ since earlier, higher targets were not met. They also described it as ‘precautionary’. It is important to stress that this choice is by no means precautionary in the context of disease control because, as the previous Secretary of State agreed, killing too few badgers risks increasing TB risks for cattle.”⁴⁰⁵

Defra is also considering a request from the NFU to simplify the cull license conditions “to make it more viable for farmers in new areas”.⁴⁰⁶ It has opened a public consultation process on whether restrictions on the maximum cull duration, minimum cull area size and minimum percentage of accessible land can all be relaxed. All were put in place to avoid making the cattle TB problem worse, yet Defra now considers them “unduly inflexible”. As ZSL put it in their consultation response: “All three proposed changes are likely to make it easier for farming groups to obtain and retain badger culling licences, but in so doing they undermine the likely benefits of such culls to bTB control”.⁴⁰⁷ This can only reinforce the theory that the badger cull is designed largely to keep farmers happy to see that ‘something is being done’.

The cost of the first two years of culling in just two areas was put at £5 million, roughly £5000 per badger.⁴⁰⁸ Many of the cage traps, which were on loan from Defra, were destroyed by activists, who have estimated that 143 were used per badger caught. The economics of badger culling has to factor in the efforts of protestors – £3.5 million was spent on extra policing in the two zones in 2013 alone.⁴⁰⁹ Action camps were set up, and activists from all round the country worked shifts to observe, disrupt the cull and defend local badgers. The presence of people in the fields during night shooting presents a serious safety hazard, though so far no-one has been hurt. In January 2015, a NFU spokesman accused anti-cull protestors of “civil trespass, people walking on private land, harassment, intimidation, badger sett sitting, interference with livestock” during the 2014 cull.⁴¹⁰ In 2013, NFU representatives were shown to have been present in the police control room in the Somerset cull zone, and a badger cull protester took the police to court for handing his personal details over to the NFU.⁴¹¹

The purpose of the four-year pilot was to see if expensive cage-trapping could be replaced with cheaper “controlled shooting” using high-powered rifles and shotguns. Defra said in 2013 “If monitoring of the humaneness, effectiveness and safety indicates that controlled shooting is an acceptable culling technique, then and only then would this policy be rolled out more widely”. It has now been rolled out to Dorset but in the absence of such indications. Shotguns, which were disallowed in 2014 after the IEP said they had too little data to be able to assess the humaneness of these weapons in 2013, have also been reinstated despite no new evidence being provided.

NFU President Meurig Raymond praised the success of the first two years, citing a drop in TB rates in herds in the Somerset zone from 34 to 11% and a Gloucestershire farm getting the all-clear for the first time in 11 years (based on anecdotes from local vets).⁴¹² However, similar falls have been seen across many counties and “cannot be attributed

404 <https://www.zsl.org/blogs/wild-science/badger-culling-2015-where-are-we-now>

405 <https://www.zsl.org/blogs/wild-science/badger-culling-2015-where-are-we-now>

406 <http://www.fginsight.com/news/government-to-push-on-with-badger-culling-using-controlled-shooting---eustice-3621>

407 <https://www.zsl.org/sites/default/files/media/2015-09/ZSL%20bTB%20consultation%20response%20final%20Sep2015.pdf>

408 <http://www.westernmorningnews.co.uk/Badger-cull-Somerset-Gloucestershire-cost-5-200/story-24534305-detail/story.html>

409 <http://www.gloucestershireecho.co.uk/Badger-cull-Gloucestershire-Somerset-2013-cost/story-24535225-detail/story.html>

410 <http://www.nfuonline.com/news/latest-news/nfu-response-to-badger-cull-incident-figures/>

411 <http://www.theguardian.com/environment/2014/may/25/badger-cull-company-avon-somerset-police>

412 <http://badger.org.uk/news/posts/2015/badger-trust-calls-on-nfu-to-stop-misleading-the-public-over-the-impact-of-badger-culling.aspx>

either to the pilot culls or in Wales to their badger vaccination programme – it is to do with continued strengthening of the cattle measures", as the Chief Vet has made clear.⁴¹³ It is understandable that the NFU would want to make such claims, despite having designed its cull in such a way that the impacts on bTB levels can't be evaluated. There is no control group and no monitoring of the what is happening outside the perimeter as badgers, made more disease-prone through fear and stress, relocate.

On the 11th September 2105, the [Save Me Trust](#) launched a Judicial Review in the High Court, challenging the legality of NE's decision to reauthorize the cull. The Protection of Badgers Act 1992 justifies the provision of licences to cull badgers only on the grounds of preventing the spread of bTB in cattle, and the evidence from the last two years that it is not being carried out "professionally and thoroughly" enough for this to be the case. Save Me is also alleging breaches of the law in relation to prior consultation in the cull zones.

4.25 Unintended consequences

According to the Badger Trust, the pilot badger culls have caused a huge increase in illegal killing and badger sett destruction, something Defra predicted in its Risk and Issues Logs (RILs).⁴¹⁴ The Trust's Incidents Report, which compiles annual records from its supporters, general public, police and the RSPCA showed a 116% increase from 323 persecution incidents in 2012 to 697 in 2013.⁴¹⁵

The NFU disputes this and has dug into the report to query the data. It has highlighted that the figure of 697 includes 24 reported incidents of badger poisoning of which only five were confirmed; 26 reports of badgers being shot of which only seven were confirmed as illegal actions; 13 incidents of traps being found that had been set to catch foxes, and 140 suspicious deaths which the report admits were "likely to have been the result of a collision with a vehicle or the outcome of territorial behaviour".⁴¹⁶ According to the NFU, the House of Commons was told in July 2014 that the number of prosecutions carried out for badger persecution under the Protection of Badgers Act 1992 had fallen from 43 in the 2011/12 financial year to 31 in 2013/14, while the number of people charged with wilfully killing a badger fell from nine to zero over the same period.⁴¹⁷ Whichever organisation's story represents the truth of the matter, this is an illustration of the way pro- and anti-cull factions indignantly trade opposing 'facts' between them.

4.26 What's the NFU position?

The NFU endorses Defra's eradication strategy – they were involved in formulating the policy and have a key role in organising and promoting the cull strategy. In 2011, the European Commission threatened to withdraw the £32 million given annually to the UK to combat bTB, due to the poor record of biosecurity on farms. Farming minister Jim Paice promised that controls would be stepped up, and it has been suggested that a badger cull policy was adopted due to "the need to win co-operation with farmers on introducing movement testing and compensation, and the wider objective of industry, over time, bearing a progressively greater share of the costs of bTB controls". The NFU's refusal to co-operate with Defra on pre-movement testing until a cull had been announced, and Defra's subsequent delay in introducing annual testing, tend to back this hypothesis.

In 2013, in a move reminiscent of the old corporatist days of MAFF, Defra refused an information request relating to the cull on the grounds that communications with the NFU constituted "internal communications" (but this was ruled

413 <http://badger.org.uk/news/posts/2015/badger-trust-calls-on-nfu-to-stop-misleading-the-public-over-the-impact-of-badger-culling.aspx>

414 <http://www.badgertrust.org.uk/news/posts/2015/letter-to-elizabeth-truss-secretary-of-state.aspx>

415 <http://www.badgertrust.org.uk/news/posts/2015/letter-to-elizabeth-truss-secretary-of-state.aspx>

416 <http://www.nfuonline.com/science-environment/bovine-tb/our-letter-to-dominic-dyer/>

417 <http://www.nfuonline.com/science-environment/bovine-tb/our-letter-to-dominic-dyer/>

against by the Information Commissioner).⁴¹⁸ Some believe Defra has deliberately devolved control and responsibility for the culls to the NFU in order to distance itself from the controversy. According to one interviewee:

“Defra barks to the NFU’s tune. Farmers have always had a strong sway over government. The badger cull is an exception – they have been slower to respond, probably due to the high degree of awareness and public interest.”
– Organic dairy farmer, Somerset

The NFU has been hosting meetings in different counties to help farmers form cull companies and understand how to apply for a license. The Gloucestershire County Chairman is also the head of Gloscon.

EC spoke to farmers who had fundamental disagreements with the NFU in many areas, but thought the badger cull was one thing they had got right, and we saw similar opinions were expressed on The Farming Forum (TFF) online message board:

“Every now and then the NFU are right about something, such as the badger cull. The media makes it seem unpopular but it’s not unpopular with farmers – the public are 180 degrees wrong about this. Small family farms like mine are the ones that are suffering. The RSPCA’s opposition is driven either by sentimentality or ignorance.”
– Organic dairy farmer, Wales

“I do have some differences with current policy, particularly in our approach to the CAP and on internal Governance, but on things like the badger cull I am in full agreement with current NFU policy.”
– Farmer comment on TFF

“I recently re-joined the NFU after several years of resistance, the huge effort put in to get the badger cull off the ground, and obvious influence within Defra, made it a good deal for me.”
– Farmer comment on TFF

One talked of badgers being the victim of a shared demonising ‘folklore’ among farmers that over-implicates them not just in bTB but in relation to hedgehogs, birds and other issues, as in this statement from another farmer we interviewed:

“The badger cull is needed as they have no natural predators and the population is out of control. There are untold badger numbers here in the south west – they steal the eggs of ground nesting birds, enter buildings, they are everywhere and they’re not well. Vaccination is £600 per badger and comes out in their poo and it has to be redone every year and you don’t know what strain of it they have anyway. It’s a huge thing to lose all your animals. If you cut the badger population density, you’ll cut the incidence of the disease.”
– Organic dairy farmer, Somerset

Some expressed frustration at the NFU’s complicity with the ever-increasing cattle regulations they have to abide by, as well as the unfairness of the compensation regime. For some this meant that annual testing was a necessary evil:

“A way has somehow to be found to change this pathetic 60-day rule on buying in cattle for new outbreak farms as it is an utter nonsense and won’t stop the spread of the disease in cattle one iota, all of UK has to be put on yearly testing and until Tb is all but extinct in cattle/the wildlife population then there should be no change to the compensation rules even if that means the NFU taking legal action in the UK/ EU courts.”
– Farmer comment on TFF

“TB testing cattle on and off farms will cause many problems ... and I think will mean most farmers won’t bother to graze them. For starters, it will be totally un-practical from a handling point of view to test them before they come

418 <http://www.theguardian.com/environment/2013/sep/24/police-accused-bias-culling-badgers>

off the moors ... it will finish cattle grazing the commons as it just won't be worth the hassle/risk/cost of doing so. Wouldn't be so bad but the badgers can come and go from each and every farm/common with no need to prmt test them ... which makes a mockery of all these new and totally un-workable cattle movement rules being bought in!!!!!"

– Farmer comment on TFF

"Wales has annual testing, we should too. The NFU reject it because it costs £12 million a year, but the Executive Committee shows that in Wales it is a price worth paying. In the interim we do need intervention to humanely dispatch them."

– Tenant Farmers Association representative, from interview

The majority of dairy and beef farmers we spoke to felt that the culls were poorly designed. They were unhappy about free shooting, which they saw as an inefficient method of population control, and about the lack of scientific framing, so that it will not be possible to show whether or not there has been an impact on levels of TB in either badgers or cattle in or around the cull zones:

"The Labour Government stopped roadside collections where they used to test the roadkill animals for TB – this was short-sighted as it was a good source of data. They should be testing them during this cull as well – it has played right into the hands of the pro-badger lobby not to do so. The deer population is also out of control and needs culling."

– Organic dairy farmer, Somerset, from interview

"...the fiasco that is the badger cull and the ever-increasing cattle movement rules that the NFU can't bend over fast enough to agree to in exchange for a totally unworkable cull (which they were told long ago what they were proposing wouldn't work but they refused to listen as they knew best) ..."

– Farmer comment on TFF

"NFU haven't listened to science or to people who know what they're talking about. You can't just shoot badgers willy nilly, its bad public relations. It almost looks like the pilots were set up for it not to work! They should have done it in Cornwall where there is only one border into Devon – then they could have seen if there was a real benefit or not. They're not even looking at what is happening on the ground – bTB at the edge could be getting worse as free shooting leaves them to roam around and spread it. If you frighten a badger it goes to earth so you can't shoot them. One thing we know is if you don't kill the whole lot its useless – it needed to be a targeted cull, done by specialists."

– Mixed farmer, Devon, from interview

While they acknowledged that the old cyanide gas method was not humane, two were aware that carbon monoxide could be an alternative and were convinced that this was the tool they needed:

"The most humane way to dispatch them is to gas the infected setts with carbon monoxide. A guy in Devon is pioneering it but there is little data on carbon monoxide so they couldn't use it. The best way to protect a herd is to have a clean sett on your farm, that's why the clean ring policy was good. Indiscriminate killing of badgers causes a problem and perturbation – it makes no sense. The Badger Trust's Judicial Review is what forced this not-good strategy."

– Small conventional dairy farmer, from interview

"The NFU were forced into the cull strategy by the Badger Trust's high court action. The most humane way to dispatch them would be to gas just the infected setts with carbon monoxide – having a clean sett on your farm is actually the best way to protect a herd. Indiscriminate killing of badgers just causes problems and perturbation. Cattle measures are also needed. Wales has annual testing and we should too – it's expensive but a price worth

paying. In the interim we do need intervention to humanely dispatch them. A more targeted approach with carbon monoxide that keeps the clean setts going is better than what they're doing."

– Tenant Farmers Association representative, from interview

"It was more effective in the old days, MAFF identified which setts were affected and gassed them. When they first said how they were going to do it this time, with free shooting, it was obviously not sensible. The NFU shouldn't have said something. They have been stupid about it, they should have used the 'clean ring' policy."

– Small conventional dairy farmer, Cornwall, from interview

However, given that badgers with and without the disease cohabit, dispatching "just the sick animals" by gassing the sett might not be entirely realistic.

The NFU is not taken to balloting its members on policy matters, but anecdotally it does appear that culling, in principle, has widespread support within the farming community, even if many are unhappy with the specifics. It is understandably hardwired into most agriculturalists to accord a higher priority to animals which have a monetary value, than to the wild ones also resident on their land:

"Standing up and shouting for a badger cull will probably attract unpleasant interest from the nutters. Telling people about your cows and their personal links to your family will get you sympathy and understanding... Forget the badger cull; it is the dairy cull that needs telling about."

– Farmer comment on TFF

"My personal view is that badgers should be fair game for being shot lawfully, I completely disagree with the level of protection they have now. Nothing to do with TB or badger baiting (which is why they are so protected now)."

– Farmer comment on TFF

"The fact is, prior to 1971 badgers were considered pests that were likely to spread TB. As such, they were kept under control by those who chose to do so, and TB was very nearly halted. Sadly, emotion got the better of some (as it does today) and badgers were given protection at a level not known before or since. The result of that is that badgers are now seriously over populated and continue to wipe out much rarer species whilst spreading TB."

– Farmer letter to North Devon Journal, April 2014

"Remove the current status of badgers as a protected species thus allowing individual farmers to control badger numbers on their farms as they have done for centuries. The population is out of control and poses a threat to all other wildlife they prey on. Let's get back to the halcyon days of Lewis Carroll when the balance of badger numbers compared with other creatures in our landscape and were held in balance through human(e) control."

– Farmer letter to the Western Morning News, September 8th 2015

Stop the Cull activists estimate that 80-90% of cattle farmers are in favour.⁴¹⁹ However, they mentioned that they can only assume it was through a sense of solidarity that several sheep farmers, themselves unaffected by bTB, have signed up to the cull in Gloucestershire (only 20% of the zone is actually grazed by cattle). NFU propaganda will have helped as well – farmers are by no means provided with neutral information and a range of viewpoints. Those farmers who do speak out against the cull find themselves very unpopular. Sources told us that at an NFU dinner in Gloucestershire after the 2013 cull a number of farmers expressed regret at having signed up, due to the cost and the extent of the disruption to their businesses, including tourist activities. However, none wanted to be the first one to pull out and cause the programme to fail.

In April 2015, the NFU backed and funded a farmer's legal challenge to a change in guidance for vets which had been made "without any consultation with, or explanation to, the industry" and had "left some farm businesses unable to

419 Phone conversation, May 2015

operate”.⁴²⁰ The change had made it a requirement for Approved Finishing Units (AFUs) – demarcated areas where infected herds can be located prior to slaughter – to “either contain a building or border a land parcel containing a building”.⁴²¹ To a small farmer, this is an example of the NFU sticking up for farmers and making itself useful. To an animal welfare campaigner, this would be an example of the NFU lobbying to lower standards of livestock care. Also in April, the NFU successfully lobbied Defra for a small change to bTB testing rules, “to help those cattle keepers who are doing their best to meet their statutory obligations”. Rather than having to have their cattle injected and the test read within a short ‘testing window’ to avoid a cross compliance fine, only the injection has to take place within the window specified by the Animal and Plant Health Agency (APHA). The test still has to take place within 72 hours of the injection, as per EU legislation.⁴²²

In May 2015, industry stakeholders including the British Cattle Veterinary Association, British Veterinary Association, Country Land and Business Association, Farmers For Action, Livestock Auctioneers’ Association, National Beef Association, NFU, Royal Association of British Dairy Farmers and Tenant Farmers Association announced “broad agreement between the farming industry and the veterinary profession on the approach the next government should take on bovine TB and other cattle diseases”. They called for:

- The creation of a TB Eradication Board for England – comprising suitably qualified representatives from the farming industry, the veterinary profession and government – charged with strategic leadership, communication, technical capability and oversight of delivery, reporting directly to the Defra Secretary of State.
- A nationwide TB Advisory Service as part of the Rural Development Programme, giving advice and training to farmers on how to deal with the consequences of the disease or help them remain disease free.
- The creation of an industry-led non-government body – Animal Health England – with the mission of improving the cattle health status of the country by tackling non-statutory diseases, such as bovine viral diarrhoea, Johne’s disease and infectious bovine rhinotracheitis.⁴²³

420 <http://www.nfuonline.com/news/press-centre/nfu-success-as-afu-guidance-change-scrapped>

421 <http://www.nfuonline.com/news/press-centre/nfu-success-as-afu-guidance-change-scrapped>

422 <http://www.nfuonline.com/news/latest-news/nfu-lobbying-key-to-change-in-rules-for-btb-tests>

423 <http://www.nfuonline.com/news/latest-news/our-industry-sets-cattle-disease-priorities>

4.3 The Red Tractor Label – keeping standards low

Red Tractor (RT) is the UK's biggest food assurance scheme. Created in 1999 to unite an array of different labels, it now covers between 65 and 95% of UK production, depending on the sector. When used alongside the union flag, the logo denotes British origin, but foreign producers can also join the scheme if they meet the requirements.⁴²⁴ Around £12 billion worth of RT produce is sold each year, including pies and ready meals in which a main ingredient (at least 65% of the total) has been certified, and 'Made With' ready meals in which 100% of the meat used is produced to RT standards.

Funded by producer fees, Red Tractor is run by Assured Food Standards (AFS), a not-for-profit company owned by the NFU, NFUS, UFU, the Agriculture and Horticulture Development Board (AHDB), Dairy UK, the British Retail Consortium (BRC) and the Food and Drink Federation (FDF). AFS assesses member farms roughly every 18 months, and its inspection and certification process is overseen by the United Kingdom Accreditation Service (UKAS).

At its official launch in 2000, the NFU president, Ben Gill, declared that the logo represented a promise that food bearing it was "produced to the highest possible standards of food safety, animal welfare and environmental care".⁴²⁵ Currently, the RT website claims that it guarantees "food safety and hygiene, animal health and welfare, environmental protection and traceability" throughout the supply chain – "from farm to fork".

More accurately, RT is a marketing device aiming to link 'UK-grown' and 'good quality' in the minds of consumers. The big supermarkets can, and do, stock imported goods produced at lower cost, and RT helps UK lines to stand apart from these. The NFU plays a key role in the RT mission to maximise market share for UK producers (including those with overseas operations) whilst keeping the practical and financial implications to a minimum.

The NFU is often accused by its members of being in the pockets of the UK's monopoly retailers and processors. Its involvement in AFS certainly does necessitate close collaboration with manufacturers and buyers, which puts it in a tricky position *vis a vis* some sceptical producers. The fact that assurance schemes must also engage with Defra and the Food Standards Authority (FSA) adds to farmer mistrust – on the farmer message boards RT is derided both as a "quango" and a supermarket-led "racket".

"Having signed up to Farm Assurance, you have no say over what conditions are imposed on you by that scheme, you become a puppet dancing to their tune and you pay for the privilege!"

– Farmer on TFF (15 March 2015)⁴²⁶

RT straddles awkward territory. It wants to persuade consumers to see it as a mark of quality whilst trying not to antagonise farmers by holding them to high standards. The contempt of those farmers who feel they are not adequately compensated for the extra hassle and cost entailed in being RT-certified, and of those who believe RT is merely a way for supermarkets to control their supply chains, is compounded by their knowledge that the process actually adds very little 'quality' from a consumer perspective. It particularly frustrates them that most supermarkets will *only* buy from RT assured UK farms, whilst happily continuing to sell non-assured produce from abroad.⁴²⁷

In 2012, advertisements falsely claiming that RT pork was "high welfare" were banned following several complaints.⁴²⁸ That year, Compassion in World Farming ranked RT lowest in its overview of the major meat assurance schemes, finding that it offered little beyond compliance with statutory obligations, which themselves allowed for "some of the

424 <http://www.redtractor.org.uk/who-we-are>

425 <http://www.telegraph.co.uk/gardening/4792252/Labels-without-a-cause.html>

426 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-23#post-1054834>

427 <http://www.fwi.co.uk/community/topic/farm-assurance-schemes/>

428 http://www.theecologist.org/campaigning/2686525/pork_at_christmas_make_sure_its_from_a_happy_pig.html

worst factory farm systems and practices”.⁴²⁹ While RT goes beyond minimum legislation in a few areas, such as prohibiting the castration of meat pigs and requiring a slightly reduced stocking density for meat chickens, others of its permitted practices “inadequately reflect the legislation”.⁴³⁰ Examples being the use of sow farrowing crates, the tethering of dairy cows and allowing pigs to be kept indoors on bare concrete slats.⁴³¹

Marks and Spencer and Sainsbury’s have rejected the RT logo because of its low bar to entry – their suppliers are required to adhere to much more stringent regulations. Sainsbury’s CEO Justin King told NFU members in 2014: “I understand why the NFU wants to promote Red Tractor because they want to promote higher standards across the sector – a rising tide floating all boats. But we do a lot more”.⁴³²

The NFU and the rest of the RT board, not least those from the BRC, are conscious that to remain credible they do have to progressively raise standards, and the FSA expects them to do so. This results in friction with farmers, whether the changes force them to abandon established ways of doing things or just introduce more time-consuming bureaucracy that generates little apparent benefit to the environment, animals or consumers.

Recent attempts to reform the beef cattle market, for example, caused a roar of objections from livestock farmers. The National Beef Association was led to ask, damningly, “whether the RT is the right symbol, over and above the Union Jack” given that so many shoppers see it “not as a quality mark, but simply as a mark of Britishness”⁴³³. Other beef farmers, however, accepted RT’s proposition: that without a promise of quality to go alongside the indication of origin, consumers might increasingly question their motives for choosing British produce over imports. They understood the need to “close any loop holes in the system”, since:

“If you don’t have your RT standard, that beef is commodity beef and worth a whole lot less than RT price. Yes, ours is British, but that alone is not enough, we need to show that our beef is finished to a higher standard.”
– Farmer on TFF (5 February 2015)⁴³⁴

“The Great British consumer gives us fantastic support for Farm assured British Beef and the RT with the union flag tells them it is from a British farm, what a fantastic marketing tool. The three supermarkets that are growing market share at present are all huge supporters of the RT, Aldi, Lidl and Waitrose.”
– Farmer on TFF (14 March 2015)⁴³⁵

The particular loophole being closed was the fact that cows need only to have spent 90 days on an assured farm to qualify for the RT stamp, unlike pigs and poultry which have to be ‘whole lifetime assured’ (WLA). The 90 days originated as a food safety measure, to ensure animals were free from veterinary medicines before slaughter, but, according to AFS, “consumer expectations have moved on substantially since and are a driving factor in the proposed changes”. Market research shows that shoppers “believe” the scheme means the animals’ welfare is well cared for, and will feel “misled” if they discover it only applies to their last three months of life.⁴³⁶

Following the outcry from calf breeders and owners of suckler herds, RT came up with a “lighter touch” system costing £150 per farm, which would merely check their operations were legal. However, farmers continued to object to being compelled to join what supposedly a voluntary scheme:

429 <http://www.ciwf.org.uk/philip-lymbery/blog/2015/06/why-george-monbiot-is-right-about-red-tractor>

430 <http://www.ciwf.org.uk/your-food/know-your-labels/>

431 <https://www.ciwf.org.uk/media/3818623/eu-law-on-the-welfare-of-farm-animals.pdf>

432 <http://www.thegrocer.co.uk/channels/supermarkets/sainsburys/justin-king-on-red-tractor-it-doesnt-add-value-for-our-customers/354891.article>

433 <http://www.nationalbeefassociation.com/news/594/farmers-question-whether-red-tractor-is-right-vehicle-to-promote-beef/>

434 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-19>

435 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-21>

436 <https://thefarmingforum.co.uk/index.php?threads/rt-assurance-poll-producers-only.46930/>

“I don't want to be part of any integrated supply chain controlled by the Supermarkets. That is why I don't farm pigs or poultry.”

– Farmer on TFF (16 Mar 2015)⁴³⁷

Resistance was strongest among small producers, and RT is certainly more convenient for bigger farms as the fees and time required are proportionately easier to find. The NFU is not famed for being on the side of micro-business and is unlikely to have been distressed by warnings that the new rules would discourage aspiring young farmers from buying four or five calves to start out with.

The anger of some farmers at the way the NFU colludes with RT rather than using its power to defend farmers from the whims of retailers may indicate a degree of naiveté about the marketplace in 2015. While a lot of consumers do buy purely on price, enough people's decisions are influenced by their values for there to have to be feedback mechanisms reaching back to producers. Only in the second of his two questions does this farmer have a point:

“Does it really matter what standards were like on the farm where a calf was born, when the animal comes to be eaten two and a half years later? And aren't those standards pretty much guaranteed by all the other inspections and controls to which all farms are subject?”⁴³⁸

The NFU acknowledges that farmers often see regulation as “intrusive, time-consuming, heavy-handed, burdensome, unsympathetic, uninformed about farm-business practice, and intended to catch them out”, and acknowledges their concern at “the time taken up by ... of overlapping inspections by central Government inspectors, local authority inspectors and private sector audits”.⁴³⁹ They have in fact been lobbying hard to convince Defra and other agencies to use the principle of ‘earned recognition’ – since the (heavily NFU-influenced) Farm Regulation Task Force in 2011 they have argued that membership of assurance schemes like RT “should serve as an indicator that the participant has a good level of understanding and competence” when it comes to other inspection regimes.⁴⁴⁰ The FSA has already agreed to give RT dairy scheme members an official Dairy Hygiene Inspection every 10 years instead of every three; and “large but low-risk/high-performing pig and poultry farms” are now checked by AFS instead of by the Environment Agency (EA) – the EA will come every three years instead of twice-yearly.⁴⁴¹ Defra has also adopted earned recognition for risk-based animal welfare inspections under cross-compliance. Research by FERA shows a correlation between RT membership and lower levels of non-compliance for certain mandatory environmental requirements, but not for all of them.⁴⁴² For this reason, Wildlife Link has warned Defra it must not apply the ‘read across’ principle (whereby compliance in one area is assumed to correspond to a lower risk of non-compliance in another) where it is not justified.

When it assessed RT in 2008, the FSA said ASF had significantly improved its inspection and monitoring since 2002, but called for further improvements (which have recently been launched) and an edging up of quality specifications.⁴⁴³ RT has also been obliged to create “a team of ‘superauditors’ to check the work of assessors through spot checks”. This seems reasonable given farmers’ opinions of the system as it stands:

“The last thing the RTA inspector wants to see, particularly if it's raining, is the condition and quality of the stock he's supposed to 'assuring'. It's a paper exercise and not an assurance of anything, other than the ability to create a file of paper accumulated since the last visit.”

437 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-24>

438 <http://www.westernmorningnews.co.uk/opinion-anthony-gibson-says-time-red-tractor/story-25974197-detail/story.html>

439 <https://www.gov.uk/government/news/last-chance-for-farmers-to-have-their-say-on-cutting-red-tape>

440 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69201/pb13527-farm-reg-task-report.pdf

441 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69201/pb13527-farm-reg-task-report.pdf

442 [http://randd.defra.gov.uk/Document.aspx?](http://randd.defra.gov.uk/Document.aspx?Document=11271_ProjectBR0114Studyonfarmassurancemembershipandregulatorycompliance.pdf)

[Document=11271_ProjectBR0114Studyonfarmassurancemembershipandregulatorycompliance.pdf](http://randd.defra.gov.uk/Document.aspx?Document=11271_ProjectBR0114Studyonfarmassurancemembershipandregulatorycompliance.pdf)

443 Food Standards Agency Report on Assurance schemes, 2008 (no longer online).

– Farmer on TFF (3 February 2015)⁴⁴⁴

“I suppose that the only Farm Assurance needed is for an assessor to spend 10 minutes on farm to assess the welfare of the stock. It's the only authentic aspect. Much of the rest can be fabricated on the day of inspection.”

– Farmer on TFF (2 February 2015)⁴⁴⁵

“If farm assurance was to mean anything beyond being a paperwork trail then it would have to be a) considerably more intrusive, and b) more expensive to run. As it is its pointless. It just annoys the producer and provides no real added value to the consumer.”

– Farmer on TFF (13 November 2013)⁴⁴⁶

The NFU's assertion that “livestock businesses were subject to a variety of visits over five years, with an average of 5.6 visits over a five-year period” does not necessarily strike the reader as a burden beyond all reasonable proportion, and there are farmers who agree:

“Please, please could somebody tell me what all the red tape is? Am a dairy farmer with 280 cows at peak. I do passports, VAT. A consultant charges us £150 to do the subsidy form, I pay bills and farm assurance come once every 18 months. Compared with my wife's industry its feck all.”⁴⁴⁷

– Farmer on TFF (4 February 2015)

This farmer's assessment of RT may be a good summary to end on:

“I would rather the RT scheme than one made by supermarkets or worse one by a government with all greens, veggies & RSPCA putting their bit in.”

– Farmer on TFF (4 February 2015)⁴⁴⁸

444 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-9>

445 <http://farmingforum.co.uk/forums/showthread.php?21006-Whole-life-beef-assurance>

446 <https://thefarmingforum.co.uk/index.php?threads/guy-smith-for-nfu-president.13091/page-4>

447 <https://thefarmingforum.co.uk/index.php?threads/today%E2%80%99s-farming-generation-%E2%80%98sad-disappointment.35083/page-7>

448 <https://thefarmingforum.co.uk/index.php?threads/red-tractor-beef-lifetime-assurance.44406/page-17>

Section 5

Social Lobbying

passing costs onto the rest of us

5.1 NFU and Organophosphates in sheep dip – failing to protect farmers' health

5.11 What's the issue?

By the late 1970s, it was compulsory for sheep to be treated with organophosphate pesticide (OP) every six months, to prevent sheep scab. A by-product of WW2 nerve gas development, OPs had replaced the notorious organochloride pesticides, such as DDT. But farmers were not made aware that OPs too presented a risk. A 1951 report commissioned by MAFF found that OP exposure could cause “more than 30 symptoms, including giddiness, tinnitus, loss of memory, restlessness, depression and schizophrenia” and recommended that containers “be required to show the words ‘Deadly Poison’ in large, clear type; a concise statement of the dangers and precautions to be taken; antidotes where known; and a minimum indication of the purposes for which the product is to be used. The labels should be of a permanent kind...” The report, by the highly influential Lord Zuckerman, later a government chief scientist, also stressed that “OPs cause chronic health damage, those who use them must have weekly medical examinations and doctors must be educated in the symptoms and treatment of OP exposure”.⁴⁴⁹ However, OP products did not have to be labelled as potentially hazardous until 1976. Even then, no information on suitable precautions was provided.⁴⁵⁰

“We never gave it a second thought. You’d dip your own sheep and then go and help your mates... there was plenty of dip splashing around everywhere”, says shepherd Paul Wright, who has been disabled by OP poisoning.⁴⁵¹ Farmer David Layton, who also suffered serious health impacts, suspects that, as the one preparing the chemicals, he was “doing the most dangerous part of the job. Breathing it for weeks on end but I was never given any instructions about using protective clothing”.⁴⁵²

In 1981 the Health and Safety Executive (HSE) did produce guidance on “the dangers of repeated low-level exposure, explaining how toxicity could slowly accumulate in the bodies of farmers if they did not take precautions and use protective clothing”.⁴⁵³ However, the leaflet was not passed on to doctors, farmers or vets – it was shredded.⁴⁵⁴

Hundreds of farm workers in the 1980s and 1990s began to report symptoms including fatigue, memory loss, weakness, joint and muscle pain and depression, which they put down to low-level exposure to OP over time.⁴⁵⁵ Although the majority of farmers showed no ill effects, it has been estimated that 3-5,000 farmers were left “dead, disabled, life-shortened” by OP sheep dips, with maybe twice as many less seriously affected.⁴⁵⁶ The support group for victims of OP poisoning, PEGS, estimates that 2,500 of its 6,000 members were poisoned through sheep dipping.⁴⁵⁷ Some have neurological disorders such as motor neurone disease, Parkinson’s disease, Alzheimer’s disease and dementia.⁴⁵⁸ Others have been left with multiple chemical sensitivity.

A 1990 report on sheep dips proves that chronic OP poisoning had been officially recognised by the Conservative government by then.⁴⁵⁹ The HSE claimed in February 2015 that all copies of the report had been destroyed, but a well-wisher passed one to campaigners. It also pinpoints particular chemicals which have been ignored in all subsequent government research.⁴⁶⁰ Former agriculture minister John Gummer admitted that he feared being sued by OP manufacturers if he ended compulsory twice-yearly dipping without proof of a causal link to ill-health. He did end it in

449 <http://www.warmwell.com/zuckerman.html>

450 www.warmwell.com/oppage.html

451 <http://www.fwi.co.uk/news/crucial-sheep-dip-poisoning-document-destroyed.htm>

452 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

453 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

454 <http://www.sheepdipsufferers.uk/campaigning.htm>

455 <http://www.politics.co.uk/reference/organophosphates>

456 www.warmwell.com/rigbynfu2011.html

457 <http://www.pan-uk.org/archive/Publications/Briefing/sheepdip.htm>

458 <http://www.southeastfarmer.net/section/news/farmer-wants-data-on-sheep-dip>

459 www.warmwell.com/HSEOP.pdf

460 <http://www.warmwell.com/TR2015feb22.htm>

1992, but by arguing that dipping was 'not effective' in tackling sheep scab.⁴⁶¹ What this reveals about corporate power is quite disturbing.

The government has always denied that there is a link between OP dips and the problems reported by many sheep farmers. In 2000 and 2001 it funded some research which supported the hypothesis. However, the foot and mouth outbreak of 2001 caused the research process to be shelved for six years.⁴⁶² In 1999 the Committee of Toxicity (COT) concluded that the “balance of evidence” did not support the theory that prolonged or repeated low-level exposure to OPs can cause nerve damage or significant neuropsychological effects.⁴⁶³ COT’s findings were viewed sceptically by the All-Party OP Group, whose chair, Paul Taylor MP, pointed out that “the people who have been studied carefully are those who are still working and who are very fit. The people who are not fit, who have had to give up work because of exposure to OPs, have not been properly studied. In that sense, this report is still inconclusive”.⁴⁶⁴ Many suspect a deliberate attempt by successive governments to 'string out' the research programme long enough to allow the pesticide manufacturers to find alternatives and for compensation to be avoided as victims die.⁴⁶⁵ Former Defra farming minister Lord Rooker, in a 2009 House of Lords debate remarked on his sense of a “reluctance of the centre to investigate...Why? ‘Oh, because there are no new cases; because of the issue of compensation; because the science is not quite clear...’”.⁴⁶⁶

COT reported again in May 2014, following a second, drawn-out review of “relevant papers”.⁴⁶⁷ Any toxic effects from low level OP exposure were declared “minor and subtle”, which is not surprising given that they defined ‘low level’ as being the dose level below which any affects are noticed. They described their findings – that “overall, there is no consistent evidence that low-level exposure to organophosphates has adverse effects on any specific aspect of cognitive function” – as “reassuring”.⁴⁶⁸ Dr Sarah Mackenzie-Ross, whose own meta-analysis of 16 studies found the reverse, claimed that COT’s “narrative review” amounted to little more than the “ramblings of one or two authors” rather than the “systematic review” of evidence it should have been. “I have no confidence in their conclusions”.⁴⁶⁹

There are close parallels with the Ministry of Defence’s (MOD) response to the Gulf War veterans, whose symptoms are also thought to be due to organophosphates (which defence minister Nicholas Soames has confirmed they were exposed to).⁴⁷⁰ Just as the MOD refutes the existence of Gulf War Syndrome, Defra’s denial makes it hard for farmers to get diagnosis or treatment for their problems. What’s more, the Poisons Unit at Guy’s Hospital lost all the records of OP sufferers sent for diagnosis.⁴⁷¹

MP Andy Burnham, in December 2014, called for a Hillsborough-style independent enquiry into the evident cover-up, given sheep farmers were effectively ordered to use OPs between 1976 and 1992.⁴⁷² Campaigners strongly doubt that compensation will ever be forthcoming. What they want is official recognition that “chronic low level exposure to OPs did cause genuine illness, that the farmers and farm-workers concerned have been made ill through no fault of their own, and that the Government failed in its duty and then connived at a cover-up”.⁴⁷³

461 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

462 <http://www.politics.co.uk/reference/organophosphates>

463 <http://news.bbc.co.uk/2/hi/health/537549.stm>

464 <http://news.bbc.co.uk/2/hi/health/537549.stm>

465

http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

466 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

467 <http://www.farmersguardian.com/home/livestock/organophosphate-poisoning-back-on-politicalagenda>

468 <http://www.farmersguardian.com/home/livestock/organophosphate-poisoning-back-on-politicalagenda>

469 <http://www.farmersguardian.com/home/livestock/organophosphate-poisoning-back-on-politicalagenda>

470 <http://www.politics.co.uk/reference/organophosphates>

471 www.sheepdipsufferers.uk/campaigning.htm

472 <http://www.farmersguardian.com/home/livestock/organophosphate-poisoning-back-on-politicalagenda>

473 <http://www.westernmorningnews.co.uk/Anthony-Gibson-Justice-comes-step-closer-victims/story-25452798-detail/story.html>

Use of OP sheep dips continues, but is no longer compulsory. Farmers are required to take a safety course before they can administer the chemicals, and the HSE recommends "rubber gloves, coverall, and a face shield when handling the concentrate; and rubber boots, rubber gloves and waterproof coat or bib apron when handling the diluted liquid and freshly dipped sheep".⁴⁷⁴

5.12 What is the NFU position?

How did the NFU react as concerns about OP safety came to light? It certainly does not appear to have spoken out about any concerns. Sheep farmer Tom Rigby, a former NFU Council member and Lancashire County Chairman, has long campaigned on behalf of the poisoning victims, and believes the NFU's loyalty was to the government, not to farmers. "While unions representing professions like teaching and mining looked after the health of their members, these farmers had not had the same support from their union", he said in 2011.⁴⁷⁵ Anthony Gibson, an NFU employee for over 30 years, told a journalist the NFU must take its share of blame for its inaction. In 2012 he told the Ecologist:

*"A lot of sheep farmers were not affected and it was for the greater good of the sheep industry that diseases like sheep scab were kept under control. The NFU high command saw it as a South West problem and one of 'Southern softies'. Sir Ben Gill, NFU president at the time, didn't want me to 'rock the boat' on it and go against their pro-government line."*⁴⁷⁶

The same article continues: "Some go as far as suggesting it was 'sheer snobbery' on the part of the NFU as hill farmers didn't contribute as much to the organisation's coffers".⁴⁷⁷

A letter in Farmers' Weekly in 1991 suggests that neither was the NFU on top of the issue of safe disposal and the dangers posed by OP release into the environment: "After spending an entire day some years ago telephoning MAFF, ADAS, the water boards, NFU, etc. to ask for advice on safe disposal, we had numerous instructions about how not to dispose of it, but not one practical piece of advice as to what we should actually do to get rid of it".⁴⁷⁸

In 1992, when moves to make sheep dipping non-mandatory were afoot, the NFU, along with the Sheep Veterinary Society and the National Office of Animal Health (NOAH) (trade body for animal medicine manufacturers) all issued warnings about the dangers of ending compulsory dipping.⁴⁷⁹

In 1999, the NFU welcomed Paul Taylor MP's call for new research in to alternative, while maintaining that:

*"OP based dips have a vital animal welfare role to play in the control of diseases like sheep scab for which there are currently no alternatives available which are equally effective and do not have an environmental impact. This is a serious problem for the farmers who are affected and the NFU is committed to raising farmer awareness about the potential dangers."*⁴⁸⁰

474 <http://www.pan-uk.org/archive/Publications/Briefing/sheepdip.htm>

475 www.warmwell.com/rigbynfu2011.html

476 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

477 http://www.theecologist.org/News/news_analysis/1299471/ghosts_of_farming_britains_forgotten_sheep_farmers_poisoned_by_pesticides.html

478 <http://www.pan-uk.org/archive/Publications/Briefing/sheepdip.htm>

479 <http://www.pan-uk.org/archive/Publications/Briefing/sheepdip.htm>

480 <http://news.bbc.co.uk/2/hi/health/537549.stm>

Ten years later, the departing NFU director general, Richard Macdonald, commented:

*“What we have got to do is press the Veterinary Medicines Directorate, researchers and Government to speed up all available scientific evidence so we can make proper decisions. There also needs to be pressure on finding alternatives. At the moment, we are in the position of not having many, if any, suitable alternatives, while, at the same time, there is this worry about the impact of OPs on human health.”*⁴⁸¹

Another five years later, in June 2014, the NFU Policy Board approved a new statement on the use of OP sheep dips. While it is “involved in industry initiatives working towards the eradication of sheep scab in the national flock”, the existence of “few effective alternative treatments or diagnostics” and the fact that sheep scab is on the increase, mean that the NFU sees OPs, used “responsibly and effectively” as still vital.⁴⁸² Its guidance now emphasises the importance of operator safety.

With the continued lack of official acknowledgement that any problems associated with organophosphates actually exist, the NFU as a whole has not taken it upon itself to demand recognition and compensation for their members who were affected. According to Tom Rigby, when BBC presenter John Humphrys mentioned sheep dip poisoning in his speech to the 2015 NFU Conference, it was the first time someone had mentioned it from the platform in all his years of attendance.⁴⁸³

At an NFU Council meeting in January 2010, Rigby was, however, successful in persuading the organisation to open its archives as part of an investigation into what the Government knew, when, about the dangers of OPs. He pointed out that a government seminar on OP safety scheduled to take place in 2002 had still not happened: “If we are an organisation that prides ourselves in being guided by the science rather than hampered by the politicians, we should have stood up at some time in the past eight years and said this is simply not good enough”.⁴⁸⁴ NFU President Peter Kendall commented at the time that the NFU had an obligation to members past and present to show it had nothing to hide, saying “There is no indication that the NFU was ever involved in any sort of cover up”.⁴⁸⁵

Rigby has now organised two meetings hosted by Labour MP Andy Burnham, in May and December 2014. The first reviewed the science behind OP poisoning and the second invited sufferers to describe their experiences. He told the press that the NFU were “keener on doing something than they were a while back... I think we have made more progress in the last six months than we did in the previous six years”.⁴⁸⁶

481 www.farmersguardian.com/news/one-last-push-on.../28382.article

482 <http://www.nfuonline.com/science-environment/animal-and-plant-health/op-sheep-dips-and-implications-for-operator-safety>

483 <http://www.warmwell.com/TR2015feb22.htm>

484 <http://www.fwi.co.uk/arable/nfu-to-probe-history-of-op-poisoning.htm>

485 <http://www.fwi.co.uk/arable/nfu-to-probe-history-of-op-poisoning.htm>

486 <http://www.southeastfarmer.net/section/news/farmer-wants-data-on-sheep-dip>

5.2 NFU and road safety – opposing regulation again

5.2.1 What's the issue?

Farming is the UK's most dangerous industry, with a high incidence of accidents at work.⁴⁸⁷ Tractors are especially hazardous and are involved in a high proportion of farm injuries and fatalities.⁴⁸⁸ However, the drivers of tractors and other agricultural vehicles (AV) are more likely to be injured on farms than when driving on public roads, where AVs are relatively safe for their own drivers but deadly for other road users.⁴⁸⁹ According to Dutch research published in 2013:

“The role of AVs in the total road safety problem is somewhat hidden because most national statistics do not explicitly report AV accidents but include them within a general category of “other vehicles”. In addition, vehicle kilometres travelled by AVs are unknown. That said, the specific data on AV crashes that do exist indicate that AVs are overrepresented in reported traffic accidents in proportion to their vehicle kilometres travelled on public roads” (Costello et al. 2009; Robinson and Chislett 2010).⁴⁹⁰

In the UK, from 2002 to 2007, the recorded yearly average for AV road accidents was 761, involving 1685 vehicles, 31 fatalities, 175 serious injuries and 848 slight injuries.⁴⁹¹ In the UK, there were around 85 deaths in accidents involving tractors between 2010 and 2015. When a crash with an AV occurs, it is five times more likely to result in a fatality than a crash with a non-farm vehicle.⁴⁹² In the UK, the laws around using tractors on roads is confusing, seemingly relying on the financial disincentive of it not being permitted to use tax-free “red diesel” when on public roads. Yet modern agricultural machinery continues to increase in size, and miles travelled on roads is also growing in line with expansion of farm businesses with land parcels only accessible to one another by public road, so traffic safety problems related to AV are thus expected to keep rising.⁴⁹³

This is the context in which, in March 2015, the Road Vehicles (Construction and Use) regulations were amended to allow the maximum combination weight limit for tractors and trailers to increase from 24.39 tonnes to 31 tonnes, and to raise the speed limit for tractors from 20 to 25mph.⁴⁹⁴ Following consultation, the Department for Transport (DfT) had decided that the previous regulations, dating from 1986, did not account for developments in machinery design. The farming industry's further request for the maximum laden weight of trailers to increase from 18.29 to 21 tonnes, and for higher maximum trailer axle weights, alongside a new roadworthiness test, was held off pending further consideration, but the DfT again sounded supportive.

It is too early to know whether or how these changes will affect road safety. The DfT's assessment was that the higher combination weight would encourage more balanced tractor-trailer combinations by removing the incentive to pull bigger trailers with small tractors, and thus potentially reduce overturning. It could also encourage use of larger trailers,

487 <http://www.farming.co.uk/news/article/6791>

488 Abubakar et al (2010). A Review of Farm Tractor Overturning Accidents and Safety. Science & Technology 18 (2) <https://core.ac.uk/download/files/452/12229202.pdf>

489 Jaarsma, C. F., & Vries, J. R. (2013). Agricultural Vehicles and Rural Road Safety: Tackling a Persistent Problem. Traffic Injury Prevention, 15(1), 94-101. doi:10.1080/15389588.2013.789135

490 Costello, T.M., Schulman, M.D. & Mitchell, R.E. (2009). Risk factors for a farm vehicle public road crash. Accident Analysis and Prevention, 41, 42-47. doi:10.1016/j.aap.2008.08.029

Robinson, T. L. and W. Chislett (2010). Commercial vehicle safety priorities-ranking of future priorities in the UK. London, Transport Research Laboratory.

491 Jaarsma, C. F., & Vries, J. R. (2013). Agricultural Vehicles and Rural Road Safety: Tackling a Persistent Problem. Traffic Injury Prevention, 15(1), 94-101. doi:10.1080/15389588.2013.789135

492 Costello, T.M., Schulman, M.D. & Mitchell, R.E. (2009). Risk factors for a farm vehicle public road crash. Accident Analysis and Prevention, 41, 42-47. doi:10.1016/j.aap.2008.08.029

493 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/255974/consultation-document.pdf

494 <https://www.gov.uk/government/speeches/agricultural-tractor-and-trailer-weight-and-speed-limit-regulations>

cutting down on the number of 'overloaded or poorly loaded' AVs, which are a contributory factor in some accidents involving tractors. The new weight limit enables farmers using 16 tonne trailers to make 11% fewer trips over the course of the year – a reduction in mileage which would work in favour of fewer crashes. DfT noted that increased weight of vehicles tends to increase the severity of “some crashes” but that in the only research it could find, a review of AV accidents between 1996 and 2001, “Of the 39 fatal accidents involving agricultural tractors... it is likely that, in only 11 would the weight of the tractor and trailer have been a factor”. The DfT also surmised that increased tractor speed could in theory lead to a greater number and greater severity of collisions due to higher impact speed, but had no evidence to go on. Conversely, having fewer tractors ‘travelling too slow for conditions’ (thus tempting other motorists to overtake unsafely) might work to reduce the number of accidents. Overall the DfT was quite relaxed about the speed change, because their consultation had revealed that the behaviour change had preceded it. 92% of respondents believed that non-compliance with the speed limit was widespread; 13% of them saying tractors are generally driven at their maximum capable speed. The report cited two Scottish police studies of tractors on roads which had each found 100% non-compliance with the speed limit, and an estimate by Somerset police that around 80% of tractors travel at 30mph or more. The fact that drivers who obey the law are at a competitive disadvantage was seen as a further factor in support of the change. A small minority of consultees had expressed concern about the negative impact of a higher speed limit on road safety but “none were able to provide quantitative evidence to support this”. In theory, the 25 mph limit could reduce congestion on narrow roads and allow other road users to experience time savings – but this assumes some tractors were moving more slowly prior to June. Actual tractor speeds on the roads have not been studied so there will be no data on whether upping the speed limit encourages drivers to go even faster than they did previously. When the new rules were announced, not all farmers were happy. A Sussex newspaper interviewed two local farmers:

“I think it depends how careful you are at that speed. My tractor goes 20mph, but if you go any faster than that with a big load of hay on the back, there's no chance you can stop for something quickly. Imagine trying to stop a 30-tonne vehicle whether you have got good brakes or not. It's a big weight and I think it's quite fast to be honest. Some of these young boys around here have massive tractors and they come down the country lanes at some speed. The problem is there are a lot of elderly drivers on these roads, as well as cyclists, horse riders and other road users. I think it's all relative to what you are doing and you have got to be a responsible driver.”

“It's ok if you have the right person behind the wheel, but it's so easy to drive a tractor that you have a lot of young people driving them now. My 16-year-old son has just passed his test and is now allowed to carry a trailer, based on driving around a little housing estate in Uckfield. He has been driving for about eight years so I know he's a competent driver, but some kids go to college and can be on the roads in a tractor within a matter of months.”

According to Dutch research from 2013, the most frequent cause of accidents involving AVs is driver error, and the most frequent citation among drivers of AVs is lack of safe movement, followed by driving speed. One of its conclusions was that AV drivers should be better aware of the risks of improper maintenance of their vehicles, including seat belts, headlights, turn signals, reflective markings, mirrors, windshields, side windows, steering, brakes, wheels, tyres and hydraulic systems. Vehicle width related to road width was a recurring problem; some form of obstruction to the driver's view played a role in 24% of AV accidents investigated, and sharp protruding parts in 12% of them. It found that “Few key requirements have been stipulated for AVs to ensure vehicle safety and therefore AVs do not comply with the safety requirements applicable to use on public roads”.

The DfT assessed the impact on road-wear as a result of the changes and calculated additional maintenance costs of around £7.5 million (at 2015 prices), to be borne by the taxpayer. The annual net benefit to farmers, as a result of being able to do fewer trips in a shorter time, was put at £57.13 million (at 2009 prices).

Given that roughly half of all traffic accidents occur on minor rural roads, it will be important to assess the number of road casualties and deaths following the rule changes which have gone through and those which are expected to follow next year. The precautionary approach seems to have played a subordinate role in the DfT's decision making.

b) What's the NFU position?

The changes in March 2015 followed years of NFU lobbying for amendments to the rules on tractor/trailer weights and speeds, demands that were also captured in the 2011 Farm Regulation Task Force (FRTF) report.⁴⁹⁵ The NFU wanted the rules brought up to date “so that farmers can be more productive, more efficient and competitive with Europe.”⁴⁹⁶ In some other EU countries, all tractors can operate at 25 mph (40 km/h), so it is seen as an issue of international competitiveness.

Following the announcement of the first stage of the reforms, NFU transport spokesperson John Collen said: "We are pleased to see that DfT recognises that the current limits are outdated and they are considering further increases, and we welcome the opportunity for continued negotiation of enhanced limits for harvest in 2016." NFU vice-president Guy Smith presented it as an issue of safety:

“While an increase to 31t is a step in the right direction, keeping the specific limit of 18.29t on the trailer will continue to restrict many trailers from being used at anywhere near their safe engineered design capacity. To achieve a change which fully reflects improvements in technology, including those that improve safety, it is essential that weight limits are increased further to the level suggested by the industry.”

A few years earlier, in 2012, the EU Commission made proposals to harmonise road safety rules across Europe in a bid to slash the number of injuries and deaths on Europe's roads. The Resolution on Road Safety 2011-20 included a proposal to make all tractors with a design speed of greater than 25 mph undergo an annual MOT-style test, along with all trailers weighing above 750kg. The NFU called this “over the top” and after concerted lobbying in Brussels persuaded MEPs to exempt trailers weighing less than two tonnes, and to only require testing for tractors used ‘mainly’ on public roads.⁴⁹⁷ The NFU's regulatory affairs adviser Ben Ellis said he was pleased, but that “more must be done before we are satisfied ... we still believe the regulations would be unnecessarily onerous, costly and based on little hard evidence to show that mandatory tests would improve road safety”.⁴⁹⁸ The NFU then continued lobbying the UK Department of Transport “to further improve the Commission's proposals”. According to the NFU, tractors should not have been within the scope of the EU's ‘Road Worthiness Package’ in the first place, and were only there because “tractors in some countries are being used for transport and haulage”. They proposed that farmers who wanted to go “faster and heavier” on the road – in high speed ‘T5’ tractors – should undergo voluntary MOT tests to enable them to do so. They cited evidence that accidents involving large trailers are largely caused by inappropriate driving behaviour or how the trailer has been connected, neither of which a test could check.⁴⁹⁹

Farm workers can automatically use tractors with agricultural trailers off-road, up to a maximum weight of 18.29 tonnes, but must take a special test to be able to tow trailers heavier than 750 kg on public roads. The FRTF, which can be considered synonymous with NFU opinion, said this was “expensive and burdensome for micro-businesses which must cover the costs of mandatory training, test and non-productive working hours”, and requested the requirement be scrapped by the Driver and Vehicle Licensing Agency (DVLA), given farmer and farm workers' experience of towing trailers off-road.⁵⁰⁰ At the time, the test requirement applied to those who passed their standard driving test after 1997, but the cut-off date is now 2009 (presumably adjusted to focus on younger drivers, who are disproportionately involved in traffic incidents). However, no further mention of this occurs in follow-up discussions of the FRTF recommendations,

495 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69201/pb13527-farm-reg-task-report.pdf

496 <http://www.nfuonline.com/archived-content/archived-news-content/news/archived-news-content-pre-nov-2015/election-2015-what-might-swing-the-farming-vote/>

497 <http://www.nfuonline.com/archived-content/more-news/nfu-to-continue-fight-on-tractor-mot-rules/>

498 <http://www.nfuonline.com/cross-sector/farm-business/transport/transport-news/nfu-to-continue-fight-on-tractor-mot-rules/>

499 <http://www.nfuonline.com/cross-sector/farm-business/transport/transport-news/have-your-say-on-tractor-and-trailer-consultations/>

500 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69201/pb13527-farm-reg-task-report.pdf

so it appears it was not accepted. It does draw attention, however, to the fact that tractors defined as ‘agricultural’ can be driven on public roads with no special training or license.

The NFU also successfully lobbied the Health and Safety Executive (HSE) to cancel the need for forklift drivers to take a basic training retest within three years, feeling the onus should be on employers to decide if and when refresher training was necessary, and to ensure employees can use equipment safely.⁵⁰¹ The HSE agreed to amend its L117 guidance accordingly, and also announced that farmers need no longer use an accredited provider for forklift training. Defra did however throw in the observation that “using an accredited training provider provides some assurance that the training provided will be at least to the standard described L117”.⁵⁰²

501 <http://www.hse.gov.uk/workplacetransport/lift-trucks/accreditation.htm>

502 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/301979/pb14156-farming-reg-task-force-final-assessment.pdf

5.3 Abolition of the Agricultural Wages Board

5.31 What's the issue?

In 2013, the Coalition Government abolished the Agricultural Wages Board (AWB) for England and Wales. It was the last surviving wage council, which once existed in all sectors where workers were considered at high risk of exploitation. Polly Toynbee described the role of the AWB, just before its demise:

*“Isolated, under-unionised, with little choice of other work, a third of agricultural workers live in tied housing, exceptionally vulnerable to the whims of employers. Their current minimum pay, which is legally enforced, is just 2p an hour above the national minimum. But the board also sets sick pay, holiday pay and a graded pay progression, important when so many work on small farms with little chance of promotion. The board sets fair rents for tied housing – £28 a week for a caravan – but there will be no rent limits from now on.”*⁵⁰³

Scotland and Northern Ireland kept their AWBs and in 2014 the Welsh Assembly in 2014 won the right in the Supreme Court to reinstate a board for Wales. The 14,000 Welsh agricultural workers who had stood to lose an estimated £1 million a year in falling pay also retained their statutory protections such as a wage structure, holiday and sick pay, compulsory training, and rest breaks.

With pay negotiated between farmers' representatives, government officials and union delegates, the AWB helped minimise wage disputes in an industry in which many workers are provided by gangmasters. It also ensured better enforcement than HMRC provides in overseeing the national minimum wage (NMW) regime, HMRC is far more lax, especially since its capacity to carry out inspections was halved in 2012.⁵⁰⁴

The government was accused of deliberately creating a narrow consultation period prior to the AWB decision, and of not publicising it well, to limit the ability of workers and their representatives to respond.⁵⁰⁵ 61% of respondees to the consultation were in favour the board's retention (although the number of 'yes' and 'nos' was almost equal after Change.org petition responses were discounted).

There was concern that the abolition of the AWB would create an increasingly unskilled workforce vulnerable to unscrupulous employers and gangmasters, with “farmers doing away with many of the compulsory terms and conditions, either because they are greedy or because gangmasters can provide workers more cheaply or because the big buyers keep squeezing their margins to get lower prices”. The TUC believed it would “lead to skilled and premium rates in agriculture drifting down over a period of time, which will worsen rural poverty”⁵⁰⁶ while loss of a career structure that had set grades for entrants right through to farm manager was expected to discourage young workers from coming into the industry.

Those in favour of removing the board believed, conversely, that it would “encourage employment, particularly of young workers”, partly by allowing greater flexibility in working hours and the payment of annual salaries. But Defra's claim that getting rid of the AWB would “make it far easier for employees to receive annual salaries, rather than hourly wages” was based on “scant evidence” according to Farming Minister David Heath.⁵⁰⁷

Most of the pro-abolition arguments revolved around putting agricultural and horticultural employers on the same footing as employers in other industries. According to Polly Toynbee, it seemed “outdated and anomalous to make employers offer graded pay rates, provide footwear and clothing to their workers, give them three days' extra holiday,

503 <https://www.theguardian.com/commentisfree/2012/oct/25/withering-assault-wages-race-bottom>

504 <http://forums.digitalspy.co.uk/showthread.php?t=1977824>

505 <http://www.farming.co.uk/news/article/7708>

506 <https://www.tuc.org.uk/sites/default/files/tucfiles/lowpaycommission2011.pdf>

507 <https://www.gov.uk/government/news/outdated-farm-labour-laws-abolished>

better sick leave on full pay”.⁵⁰⁸ For its part, the government predicted that workers would be squeezed in an already low-paid sector, but somehow felt this was compensated for by the “reduction in sick pay paid by farmers, value of labour to farmers of decreased annual leave, reduction in wages paid by farmers.”⁵⁰⁹

Unite general secretary Len McCluskey said in 2013, "This will ill-serve our rural communities, driving already low wages down further still for vulnerable rural workers and swelling even more the profits of the big supermarkets ... Scrapping the board will save the government a paltry £50,000 per year yet it will see millions of pounds that ought to be workers' wages transfer to the wealthy retailers and big employers".⁵¹⁰

Defra conceded that in the absence of the AWB, "Workers and employers will need to spend time on negotiations to agree pay levels and other terms and conditions individually." The last statutory pay increases under the old legislation took place in October 2012. Only 56% of workers surveyed by Unite in 2014 had received a pay rise since the AWB expired. Among those who had, the average increase was smaller than that for the whole economy, which was seen as “significant grounds for concern”.⁵¹¹ Before the 2015 general election Labour promised to set up a task force to “to address the damage done by the abolition of the Agricultural Wages Board and ensure agricultural workers are properly protected at the sector level.”

5.32 What’s the NFU position?

The NFU campaigned long and hard for an end to the AWB and its associated structures, arguing that it was making agriculture uncompetitive with its “unnecessary costs” and bureaucracy. They believed that farmers should have the freedom to reach their own agreements with workers, as in all other sectors, and expressed confidence that ‘market forces’ would ensure that wage rates were maintained. In the NFU’s view the AWB did not take account of the varying fortunes of the different agriculture sectors in the pay rates it set, and encouraged casualisation rather than employment because many employers felt unable to take on workers given the rigid conditions imposed. The TFA agreed with this assessment. Its leader George Dunn told Ethical Consumer:

“We agreed it should be abolished because of the conditions such as what to charge for a cottage, dog, holiday pay or sick pay – it was very restrictive and it could end up that someone was forced to pay a subcontractor more than they were actually earning. Members inadvertently fell foul of the conditions. Given the minimum wage legislation it seemed ok to get rid of it. We don’t want to see a rush to the bottom, obviously, either. But it was an anachronism and creating major problems – it was not that we wanted to pay people silly wages and not about vengeance.”⁵¹²

The NFU president commented in 2013 that “41% of farmworkers earn above the industry minimums set by the AWB” and that competitive rates would needfully continue to be paid in order to attract and retain skills. However, when in 2015 the government used the same argument to defend its decision to introduce a ‘national living wage’ (NLW), saying that many farm workers on piece rate were already earning above the current national minimum wage, the NFU responded with alarm. A compulsory NLW rate of £7.20/hour is to be introduced in April 2016, set to rise to a £9/hour minimum by 2020 for those over 25. The NFU chief horticultural policy adviser, Chris Hartfield, said a NLW would be financial burden on employers and would make it complicated to maintain the differential between minimum and higher wage rates. Its horticulture board vice-chairman, Ali Capper, said an 11% wage rise would be “a significant blow for many growers” and deputy president Minette Batters, warned it “may lead to a shrinking horticulture sector, increased imports and falling self-sufficiency in fresh produce.”⁵¹³

508 <https://www.theguardian.com/commentisfree/2012/oct/25/withering-assault-wages-race-bottom>

509 <http://www.farming.co.uk/news/article/7708>

510 <http://www.unitetheunion.org/news/awbsabolitionanothergovernmentassaultonworkers/>

511 <https://www.tuc.org.uk/sites/default/files/LOW-PAY-COMMISSION-TUC-RESPONSE.docx>

512 Conversation with TFA CEO George Dunn, December 2014

513 <http://www.fwi.co.uk/news/farm-leaders-concerned-about-effect-of-living-wage.htm>

The NFU was also unhappy at the government's decision in 2015 to end the Seasonal Agricultural Workers Scheme (SAWS). Hartfield said: "We still want to access labour from outside the EU. As countries join, their economies improve and you find it harder to employ. Eventually the supply will dry up and crops won't be picked. Let's not wait for that!"⁵¹⁴ The director of horticulture company Concordia said "with the ending of SAWS and other employment opportunities opening up, we are already seeing a drop in the standard of workers. We are still able to supply workers, but we get the impression they are looking at opportunities in other sectors."⁵¹⁵

This is exactly as foreseen by the TUC in its fight to retain the AWB back in 2013:

*"We recall that in the early 1990s farmers were keen to keep the Wage Boards, as they feared that they would otherwise not be able attract and retain sufficient labour. This concern may return quite quickly if, as is feared, the government chooses to impose tighter limits on the Seasonal Agricultural Workers Scheme."*⁵¹⁶

514 <http://www.hortweek.com/minister-defends-living-wage-growers-fruit-focus-express-fear-labour-costs/edibles/article/1358632>

515 <http://www.hortweek.com/minister-defends-living-wage-growers-fruit-focus-express-fear-labour-costs/edibles/article/1358632>

516 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/427046/LPC_consultation_response_TUC_2013-14.pdf

5.4 Biotechnology – Supporting Genetically Modified (GM) crops

5.41 What's the issue?

In the late 1990s, a backlash against the introduction of unlabelled genetically modified (GM) food led to a voluntary ban of GM foodstuffs by most retailers and strong regulation at EU level. GM ingredients in food have to be labelled and few are used, although the range of products containing them is increasing. GM crops can only be imported as biofuel or animal feed (meat and dairy products from animals fed on GM feed are not labelled as such). No GM crops are currently grown commercially in Britain, but there have been several experimental field trials. A five-year evaluation of the farm-scale trials of rape, maize and sugar beet which began in 2000 concluded that “the ultra-powerful weedkillers that the crops are engineered to tolerate would bring about further damage to a countryside already devastated by intensive farming”.⁵¹⁷ This was thought to be the nail in the coffin for GM crops in the UK, with the Conservative then Shadow Environment Secretary, Tim Yeo, pledging in 2005 to prevent any commercial planting of GM crops until science had showed it to be safe for people and the environment and a workable liability regime was in place to deal with cross-contamination.⁵¹⁸

Although neither has happened, the situation looks very different in 2015. In January, the EU adopted a directive aimed at speeding things up for those countries, including the UK, Spain and the Netherlands, which are keen to start planting GM crops that are European Food Safety Authority (EFSA)-approved. This end to the de facto moratorium was achieved by giving anti-biotech countries such as France the right to opt out of GM approval decisions. However, these governments will only be able to justify banning a particular crop in their territory using environmental impact data not previously considered by EFSA. This is a problem because the EFSA itself has been criticised for conflicts of interest and bias, since half the 209 scientists on its panels have direct or indirect ties with the industries they are meant to regulate. It also accepts data provided by the GM companies themselves, who routinely obstruct third party analysis of their results.⁵¹⁹ The companies – powerful multinationals Bayer, Monsanto, Syngenta and BASF – will also be able to challenge a country's decisions in court.

There has been no Government-led public consultation on biotechnology since the ‘GM Dialogue’ run by the Food Standards Authority (FSA), collapsed in 2010. It was abandoned after two members of the steering group resigned, one declaring that the FSA was “actively engaged in trying to use the so-called dialogue to implement the industry's PR strategy”⁵²⁰ and the other accusing it of adopting a “dogmatically entrenched” pro-GM position from the start.⁵²¹ The FSA process was initiated under Gordon Brown and chaired by pro-GM Labour peer Lord Rooker, but Labour's enthusiasm for GM is surpassed by that of the current administration. In June 2012, science minister David Willetts and other senior ministers and civil servants met with Mark Buckingham, Monsanto's PR lead and chair of the lobby group Agricultural Biotechnology Council (ABC), and with members of the biotech research community and two NFU delegates. With an agenda constructed around ABC's ‘*Growing for Growth*’ report, their aim was to draw up a hard-sell strategy for GM crops in the UK. Released documents show there was a consensus at the meeting on the need for more public money to be put into R&D for GM crops and promoting plant biotech in schools, plus efforts to expand GM research and markets in developing countries and to remove regulatory and political barriers Europe. The structure of UK farming was described as a barrier, as it is “made up of a large number of small farms looking at different sectors, which makes commercialisation difficult”.⁵²²

517 <http://www.independent.co.uk/environment/the-end-for-gm-crops-final-british-trial-confirms-threat-to-wildlife-529492.html>

518 <http://www.independent.co.uk/environment/the-end-for-gm-crops-final-british-trial-confirms-threat-to-wildlife-529492.html>

519 <http://corporateeurope.org/efsa/2013/10/unhappy-meal-european-food-safety-authoritys-independence-problem>

520 <http://www.fwi.co.uk/arable/fsa-accused-of-helping-gm-industry.htm>

521 <http://www.spinwatch.org/index.php/issues/science/item/162-food-standards-agency-public-dialogue-on-gm-rocked-by-resignations-and-accusations-of-pro-gm-bias>

522 <http://www.arc2020.eu/2013/01/biotech-payback/>

GM crops were developed for use in large-scale monocultures in the Americas, where farmers are experiencing increasing problems with ‘superweeds’ and ‘superpests’ causing and caused by escalating use of chemicals on GM maize, wheat and cotton, and trapped into using seed controlled by an oligopoly of four (Monsanto, BASF, Syngenta and Bayer) In the US there are 28 million hectares which have become infested with ‘superweeds’ – pigweed, mare’s tail and ryegrass that have mutated and become resistant to glyphosate. The herbicide-tolerant GM systems have fewer weeds and the insects living among them, creating a reduction in food for farmland birds. 970 million monarch butterflies (90% of the total population) have disappeared across the US thanks to Roundup.⁵²³ These companies now have their sights set on Europe and the UK government is assisting them due to win-win of inward investment for science research and possible reduced costs for farmers, especially those at the favoured commodity-exporting agribusiness end of the spectrum.

Correspondence between the GM Unit at Defra and EuropaBio, a Brussels-based industry group, shows that they collaborated closely on tactics to influence negotiations on the ‘opt-out’ proposal, which was adopted in January 2015.⁵²⁴ Since then, in February, the House of Commons Science and Technology Select Committee has reported on its inquiry ‘Advanced genetic techniques for crop improvement: regulation, risk and precaution’. Its conclusion that the Government must “forge ahead”⁵²⁵ with commercial planting came as no surprise, given the inquiry’s terms of reference:

“GM technology potentially offers an array of benefits, but concerns are being expressed that it is being held back by misuse of the precautionary principle ... we will be looking at whether such restrictions are hampering UK scientific competitiveness and whether they are still appropriate in light of the available evidence on the safety of GM.”⁵²⁶

The report also expressed concern that public debate has become dominated by ‘values-based’ objections to GM technology. It quotes Professor Leyser of the Royal Society’s evidence to the inquiry:

“GM has attracted, as a magnet, all the issues that people are concerned about in agriculture. They are real and important issues, but none of them has anything to do with the technique. As a result of the absurd focus on GM, we are ignoring all these broader issues, and the problems that we would like to address are going unaddressed because everybody is banging on about GM.”⁵²⁷

Leyser’s, and the Committee’s, assumption is that genetically manipulated plants pose no greater inherent risk than novel crops produced through conventional breeding, or just never grown in the UK before. While not necessarily incorrect, this opinion rests on the absence of scientific evidence of harm, whereas the precautionary principle which underpins EU decision-making requires that “where practices carry with them an unknown level of risk of catastrophic harm, the burden of proof should lie in demonstrating that they are safe, not that they are harmful”.⁵²⁸ For this reason, the Committee, like the NFU and Defra, want to see the precautionary principle abandoned in the case of GM.

While it might seem unfair to scientists and institutions engaged in biotechnology, it is entirely logical that “all the issues that people are concerned about in agriculture” have become attached to GM. Relaxing controls on the planting of GM would compound all of the problems they are worried about. Intensified corporate control of agriculture, expansion of large-scale industrial monocultures, increased focus on non-food crops, entrenched reliance on agrichemicals and in particular the inevitable glyphosate⁵²⁹ – all of this would turn realisable hopes of slowly recovering sustainable methods of agriculture into an impossible dream. As Liz O’Neill of GM Freeze points out, “the crops

523 <http://newint.org/features/2015/04/01/keynote-monsanto-control/>

524 http://www.genewatch.org/uploads/f03c6d66a9b354535738483c1c3d49e4/FoI_summary_May14.pdf

525 <http://www.theguardian.com/environment/2014/mar/14/scrap-dysfunctional-gm-regulations-uk-government-science-advisers-food>

526 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/science-and-technology-committee/news/140214-gm-foods-and-application-of-the-precautionary-principle-in-europe/>

527 <http://www.publications.parliament.uk/pa/cm201415/cmsselect/cmsctech/328/32809.htm>

528 www.theecologist.org/blogs_and_comments/commentators/2770935/mps_gmo_report_is_a_scandalous_cavein_to_corporate_demands.html

529 <http://newint.org/features/2015/04/01/keynote-monsanto-control/>

waiting in line for approval in the EU all share the GM traits that are associated with declining wildlife and flourishing superweeds in the USA”⁵³⁰ Syngenta's GA21 maize (tolerant to RoundUp, a glyphosate weedkiller) is the only remaining GM crop in the commercial pipeline that would be suitable for growing in England. Dupont's herbicide-resistant GM Maize (59122), which has also been deemed “quite appropriate for UK”, is at an advanced stage of its regulatory passage.⁵³¹ GM Freeze wants the moratorium to hold until, and unless, something comes on line which would benefit small farmers and the environment, not the coffers of agribusiness. This is not a luddite response to the science of gene manipulation – conventionally-bred herbicide resistant crops are seen no more favourably. Yet channelling an increasing share of the UK and EU R&D budgets to GM crop and ‘bioeconomy’ research “neglects cheaper, less risky, viable alternatives, such as agroecology and organics”.⁵³²

Due to cross-pollination, the ability of organic farmers to grow GM-free crops in the UK would be erased over time. The Scottish and Welsh governments have announced an intention to opt out of GM cultivation, but could be forced to approve it in future due to contamination.⁵³³ There is no liability regime to protect farmers affected or to make biotech companies accountable for contamination. In a letter to the FSA in 2009, the ABC wrote, “It is important that when consumers are thinking about GM, they are considering the future as much as the present”.⁵³⁴ Its strategy, in partnership with the UK Government, is to seed excitement about future possibilities whilst hastening the irreversible advance across Europe of its current generation of products – mainly glyphosate-tolerant animal feed and fuel crops.

5.42 What's the NFU position?

The NFU shares the government's enthusiasm for GM. It's 2015 General Election ‘manifesto’ calls for a “strong UK voice in the EU to enable effective approval of genetically modified (GM) products, and support for research and commercialisation of crop biotechnology to meet the needs of UK food production, with the aim of UK growers having the choice to access GM technology”.⁵³⁵

The government/NFU line is that GM is “an indispensable tool in the fight against global hunger”⁵³⁶ and needed “to meet the huge challenge of feeding burgeoning global population”.⁵³⁷ The EU's chief scientific adviser, Ann Glover, also said, in 2014, that it would be “unethical” not to use biotech in farming because of the role it could play in alleviating global hunger.⁵³⁸ Section X considers the validity of this claim in the light of several research reports on global food futures.

On a visit to biotech research institutes in Norfolk in November 2014, NFU Deputy President Minette Batters told the press that she worried about Europe getting left behind in terms of bioscience investment. However, she was heartened at the “more pro-active view on GM” taken by the new EU agriculture commissioner, Phil Hogan. “If we are going to care for the environment and if we are going to produce more from less, then GM is the future”, she said.⁵³⁹

In a 2012 speech to the NFU conference, former Environment Secretary Owen Paterson said his big fear was that “innovative companies make decisions to invest and develop new technologies in other markets”.⁵⁴⁰ A Defra

530 <http://www.gmfreeze.org/news-releases/260/>

531 <http://www.theguardian.com/environment/2015/jan/19/gm-crop-vote-was-just-the-beginning-of-europes-biotech-battle>

532 <http://www.gmfreeze.org/why-freeze/>

533 <http://www.genewatch.org/sub-568547>

534 <http://www.cfgn.org.uk/2012/10/agri-industry-meets-ministers-to-push-for-return-of-gm-crops-to-britain/>

535 <http://www.nfuonline.com/news/latest-news/election-asks-gm-and-fly-tipping/>

536 <http://www.theguardian.com/environment/2015/feb/26/uk-should-be-given-power-to-regulate-gm-crops-mps-say>

537 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/science-and-technology-committee/news/report-gm-precautionary-principle/>

538 <http://www.theguardian.com/environment/2015/jan/19/gm-crop-vote-was-just-the-beginning-of-europes-biotech-battle>

539 http://www.edp24.co.uk/business/farming-news/nfu_deputy_president_minette_batters_outlines_future_challenges_for_norfolk_farmers_1_3839082

540 http://www.theecologist.org/News/news_analysis/2227326/owen_paterson_europe_must_embrace_gm.html

spokesperson said in 2015: “We are supportive of the opportunities GM could bring for British businesses, consumers and our environment and we want our farmers to have access to the best technology available so they can compete in the world market”.⁵⁴¹ In January, the government’s chief scientific advisor, Professor Sir Mark Walport, said GM crops are needed “to help keep farms profitable and stop the UK falling behind in a growing global industry”.⁵⁴² The economic and business motive is unequivocal, and like all current and recent Westminster governments focused on growth and GDP as a measure of success, inward investment from high-tech global business is the holy grail.

The NFU wants UK farming to be globally competitive, and sees GM crops as part of the solution due to increased profit margins for farmers. Many UK farmers are undecided about whether they would want to go down the GM route, but do not have balanced information provided to them. Many would agree with the NFU that GM crops should be grown forthwith in the UK. However, as Christopher Pollock, chairman of the scientific steering committee that oversaw the farm-scale trials, acknowledged: "What's good for the farmer is not always good for the natural populations of weeds, insects, birds and butterflies that share that space".⁵⁴³

541 <http://www.westernmorningnews.co.uk/MPs-urge-reform-GM-crop-rules/story-26084135-detail/story.html>

542 <http://www.theguardian.com/news/reality-check/2014/mar/14/gm-crops-safe-grow-eat-science->

543

Section 6

NFU in context

6.1. History of the NFU

6.11 Early days of the NFU

Histories of the NFU usually begin with the creation of the Lincolnshire Farmers Union (LFU) in 1904, since the vision of its founders was to seed a network of similar local groups which could band together at national level. There were a wealth of farmer social clubs in existence, and several national agricultural organisations had already come and gone, but none till then had been explicitly concerned with the political interests of farmers (as opposed to those of landowners or farm workers, or of all three together).

The ‘Golden Age’ of British ‘high’ farming, which had begun with the enclosures, was long gone by 1904. The 18th century wave of scientific innovation which swept through agriculture as well as manufacturing had brought new and better implements, improved cultivation techniques and higher meat and milk yields through selective breeding. Increasing mechanisation had both precipitated and compensated for the exodus of agrarian workers to the cities, whose growing populations in turn provided vigorous demand for farmed produce. This soaring home market had been insulated from external competition by import restrictions, most notably the Corn Laws of 1815. However, under pressure from free trade advocates and public concern about artificially high food prices, the Corn Laws were repealed in 1846, and although the effects weren’t felt straight away, by the 1870s they were severe. A series of poor harvests in the UK coincided with an escalation in commodity imports from the Americas and Australia where, aided by the railways and refrigerated shipping, skilled émigré farmers and ranchers were now reaping the rewards of their vast appropriated acreages. The capital value of British agricultural land halved between 1875 and 1894, farm bankruptcy was rife, and by 1904 four million arable acres had been converted to grass or abandoned⁵⁴⁴.

Most farmers at the time were tenants - nearly 90 per cent (compared to less than 18 per cent today). They faced an additional insecurity in that estates they farmed were being broken up and sold off, due to measures aimed at reducing the wealth of the landed gentry. These included the introduction of death duties in 1896, which were being pursued by the new mercantile and manufacturing class. These were some of the issues spurring the Lincolnshire farmers to action in 1904.

LFU leaders toured the country to rouse other farmers, “suffering much ridicule because we were cranks in trying to organise the one class of men who would never combine”, according to chairman Colin Campbell⁵⁴⁵. One obstacle they had to overcome was resistance to the name ‘Union’, which, for many farmers, “smacked of radical politics and left-wing agitation”⁵⁴⁶ (more typically the refuge of their underpaid farm workers). However, the LFU achieved a coup when the editor of the national weekly farming journal *Mark Lane Express* more or less made over his publication to them, so strongly did he approve of the cause. Farmers Unions sprang up in many towns and parishes, until in 1908 a gathering of representatives from 20 branches decided it was time for a national body. They agreed a constitution and rules for the NFU, appointing Campbell as chair of a provisional committee. At the first General Meeting, on 23rd June 1909, this was converted into a 15-member Executive Committee, representing the different counties. Fees were set at 1s per member. The NFU’s first (and all too familiar) resolution declared: “That in the interests of agriculture, as well as the community at large, the time has come when the Government should make an attempt to stamp out TB”⁵⁴⁷. The Union’s first motto, *Defence not Defiance*, conjured, in one view, a “picture of a tenant farmer, rather in awe of the gentry and in particular of his landlord”. It was later changed to *Labore agricolae floreat civitas* - ‘may the State prosper through the farmer’s toil’⁵⁴⁸.

544 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p12

545 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p18

546 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p18

547 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p21

548 Hallam, O. (1971). *The National Farmers Union in Somerset: A history of the country branch 1912-1962*. Taunton: Somerset NFU p.174

Within two years, NFU had a membership of more than 11,000, across 26 counties. It offered services to members, such as helping resolve disputes with landlords. It continued building a “cell-like structure of parish organisers reporting to branch, who in turn reported to county”⁵⁴⁹ and began to target seats on county councils. At national level, in 2013 the NFU established a permanent HQ in London and took on more full-time staff, including a full-time Parliamentary Lobbyist. By 1913 it was making regular deputations to the Board of Trade and the Board of Agriculture, with an invitation to 10 Downing Street marking the start of the relationship with government that we have seen through this report. All of the English and Welsh counties had joined by 1918, but despite the ambition to create a national union, the Scottish Farming Union, formed in 1913, decided not to affiliate, and never has.

A founding principle of the NFU was that it would “lift agriculture out of the mire of party politics”⁵⁵⁰. Guy Smith reasonably asserts that the NFU has always “sought to negotiate constructively with the government of the day, no matter what the colour”, but his idea that, “whilst the NFU’s neutrality was occasionally tested” it has remained “apolitical”, is questionable⁵⁵¹. As Michael Woods notes, in the context of rural England, ‘apolitical’ means stable, conservative and unsympathetic to left-wing activity⁵⁵².

6.12 The First World War

At the start of WW1 around 60 per cent of the UK food supply was imported, after a succession of free trade-orientated administrations. During the first two years of hostilities this was not considered a problem; in fact up to a third of the agricultural labour force, and hundred of thousands of farm horses, were conscripted into the services. However, in 1916 German U-boats began disrupting the food supply, and a new coalition led by Lloyd George decided drastic intervention was needed to raise domestic production. A ‘plough up’ campaign was accompanied by the introduction of the Agricultural Wages Board and the creation of County Agricultural Executive Committees to enforce cultivation orders. Guaranteed prices were set for wheat and other crops. When the government formed the National Agricultural Committee (NAC) in 1917 to oversee agricultural strategy, the NFU demanded, and was given, five places. The overlap between the NFU’s county structure, the CAECs and the new AWBs also helped the NFU achieve a good foothold in local government committees. After the war, 60 per cent of the land lost to tillage since 1875 had been reinstated and farming was in much better health.

6.13 1920s

Faced with rumours about farmers profiteering during the war, the NFU took on two new roles: public relations (mainly, as now, involving letters to the press) and a free bookkeeping and accounts service for members, since most had previously not kept farm accounts, making it hard to refute claims of racketeering. A key development in 1919 was the launch (through incorporation of Midland Farmers Mutual) of the NFU Mutual. Many counties had already developed franchise relationships with insurers (it was common for the branch secretary to double as a salesman, offering discounts to union members), and they could choose whether or not to cut these county ties and come into the Mutual (the last, Cornwall, doing so in 1976). A plan to move the insurance arm to the NFU’s London HQ never happened – the NFU Mutual remains based in Stratford.

As estates were dismantled, many farmers bought their farms. The result was that by the 1920s the proportion of owner-occupiers had increased markedly. It is also worth noting that from the beginning, the NFU saw itself as the champion of full-time farmers of ‘commercial’ farms, and was not much interested in small ‘hobby’ farms, or smallholdings.

549 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p25

550 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p23

551 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p24

552 ‘Elites in the rural local state’, Michael Woods (1997). Thesis submitted to the University of Bristol. p21

The Post-war Agricultural Act (1920) granted farmers better security of tenure and guaranteed the extension of deficiency payments for wheat and oats for four years. The NFU saw it as a victory and a reward. However, an exceptional world harvest in 1921 triggered fear of surplus, and with industrial output declining and unemployment rising, the government reneged on its promises. This, the ‘great betrayal’ triggered a decade of farming decline, during which the entire wartime expansion in arable acres was lost. Those who had borrowed to buy their farm in the expectation of four years of guaranteed wheat prices were hit especially hard. And since Act’s repeal had also meant scrapping the AWB and guaranteed wages for farm workers, a period of unrest ensued.

At the 1922 election, seven NFU-sponsored candidates were fielded, of whom four (those who ran as Conservative Unionists, but not the three Independent Agriculturalists) succeeded. However, the Conservative government disappointed the NFU by failing to bring back either subsidies or protective duties, and from then on the NFU focussed its strategies largely on Whitehall, rather than Westminster. In 1922 the NFU added a department of statistics, which was in regular contact with the Ministry of Agriculture and Fisheries (MAF), and got involved in joint projects with agricultural colleges. It also created a legal department, offering legal assistance to members at both county and national levels, and *The Record*, a monthly membership magazine (forerunner of today’s *Farmer & Grower*) was launched.

6.15 1930s

Huge drops in farm gate prices following the 1929 Wall Street Crash took UK farming even further into depression. Agriculture was a low priority for the Labour government, but a balance of payments crisis saw it gradually abandon its free trade mantra and agree to protect more and more agricultural products as the decade went on. The Milk Marketing Board was set up in 1933, apparently initially against the wishes of the NFU hierarchy who saw it as a socialist measure. However, they bowed to pressure from members, and other marketing boards followed. The flowering of the marketing boards, in which the NFU was closely involved, further established its partnership with the MAF, although apparently they did not always go down well in the local branches, where “*it was felt that HQ was getting too close to government and there was not enough lobbying for protection from imports*”.⁵⁵³

In 1935, according to Smith’s history, the NFU embarked on a campaign to top 200,000 members. Having a monopoly and appearing responsible (for example by deterring political protest) was its twin strategy for positioning itself a preferred partner in the policy process. During the 1930s, although the NFU had close relations with the MAF and the government was prepared to accept some responsibility for the condition of agriculture, until war began to loom, there was no thought of price guarantees or boosting production on the part of the Treasury or politicians. The 1930s had nevertheless seen the start of industrial chemical inputs in farming.

6.16 The Second World War

In the run-up to WW2, the marketing boards (apart from Milk and Hops) were disbanded, and a network of War Executive Agricultural Committees (‘War Ags’ or WAEC) were created - their members mainly drawn from the NFU. The government’s war strategy was to increase production of home-grown food, but many farmers were nearly bankrupt, so a big injection of money into the industry was required. The Minister of Agriculture at the start of the war was Reginald Dorman-Smith, who, until he resigned to take up the ministerial appointment, had been President of the NFU, to the clear advantage of the Union. In 1940, a commitment was made that the system of fixed prices and assured markets would last until the end of hostilities and for at least another year, reassuring farmers that there would be no repeat of the ‘betrayal’ of 1921. The NFU, now being seen as farmers’ sole representative, was at the forefront of discussions on the shapes of post-war policy.

553 ‘From Cambell to Kendall: A History of the NFU’, Guy Smith (2008), Halsgrove. p.80

6.17 Post-war years

The period from WW2 to Britain's entry into the Common Market in 1972 is considered the heyday of the NFU. In 1945, the Labour government committed to continued agricultural expansion "to provide food in conditions of shortage, a deteriorating trade deficit, and in the context of continuing government controls over both wholesaling and retailing"⁵⁵⁴. The 1947 Agricultural Act enshrined guaranteed prices for most major products, determined by an Annual Review in which "such bodies of persons who appear to them to represent the interests of producers in the agricultural industry"⁵⁵⁵ - in practice, the NFU - had a statutory right of consultation. Representatives of the CLA and National Union of Agricultural and Allied Workers (NAAAW) could submit comments in advance of the Annual Review, but the NFU was the Ministry's only partner in the process itself, a situation which the CLA, the Royal Agricultural Society and others were apparently content with. Once MAF and the NFU had reached an agreement, MAF argued for the agreement with the Treasury. According to Winter, the NFU-MAF (later MAFF) axis became so strong that relations between civil servants and NFU officers could be closer than between the civil servants and government ministers⁵⁵⁶. It has been described as a 'neo-corporatist' relationship and as a classic 'policy community', being "characterised by stability of relationships, continuity of highly restrictive membership, vertical independence based on shared service delivery responsibilities, and insulated from other networks and invariably from the public, including Parliament"⁵⁵⁷. All parties to the Annual Review shared the same priorities and the same technocratic approach to food production. "The main arguments were over how much the price of milk should go up, not over the direction of agricultural policy"⁵⁵⁸.

In addition to its monopoly of representation, the NFU worked closely with the marketing boards and provided farmers with technical information, insurance, legal advice and a ready-made social world via branch meetings. Membership came to seem almost 'compulsory' (peaking at over 80 per cent), while the NFU's insider status in turn rested on its ability to keep the farming community, in all its diversity, relatively unified and co-operative. Its branch network ensured it was "closely in touch with, and a major determinant of, local farming opinion"⁵⁵⁹. This is not to say that there was never disagreement with the government, or among farmers and growers. Conflict was in fact frequent - showing that many of today's disputes had their precedents. The NFU's response was typically to avoid condoning or condemning the farmers, while continuing a dialogue with government.

With the support of market mechanisms, investment grants and improved technology, including increasing quantities of agrichemicals, UK wheat production rose from three to 8.5 million tonnes in twenty years, and other sectors saw similar gains.

Several features from this period are worth noting for their bearing on the current character of the NFU:

- **Political influence in rural areas.** From WW1, farmers had been entering local power structures, mainly via the Conservative Party, which the NFU helped open up to farming candidates as England's 'gentry' diminished. Already by 1930, for example, 25 per cent of Somerset County Council were farmers. MAFF teams were also close partners of the NFU at local level. Consequently, agriculture was placed at the heart of rural policymaking, barely constrained by planning law in part because of a sense that farmers were the natural custodians of the landscape. The restructuring that occurred - hedges felled, marshes drained, meadows

554 Winter, M. (2003). *Rural politics: Policies for agriculture, forestry and the environment*. London, United Kingdom: Routledge. p.106.

555 'Farmers and the state: A crisis for corporatism', Cox, Lowe & Winter, (1987). p74

556 Winter, M. (2003). *Rural politics: Policies for agriculture, forestry and the environment*. London, United Kingdom: Routledge.

557 Winter, M. (2003). *Rural politics: Policies for agriculture, forestry and the environment*. London, United Kingdom: Routledge. p84

558 'The Annual Review: The Emergence of a Corporatist Institution?', Martin J Smith (1989) *Political Studies* XXXVII, p94

559 'Farmers and the state: A crisis for corporatism', Cox, Lowe & Winter, (1987). p75

ploughed up, roads widened, buildings modernised, workers edged out by technology – was glossed with an anti-urban discourse of a stable and ‘a-political’ agrarian community⁵⁶⁰.

- **Shrewd awareness of the potential for accumulation.** The industrialisation of agriculture was part of a deliberate economic strategy (the creation of a consumer economy) that included the development and promotion of ‘value-added’ food. In the food processing sector, regulatory functions were devolved to business associations, just as in farming. Despite opposing interests (manufacturers wanting cheap raw materials; primary producers wanting good prices), big farming interests within the NFU (as well as huge numbers of MPs and peers) forged early links to other industries in the food system (including the agrichemicals sector)⁵⁶¹.
- **Promotion of economies of scale.** The consolidation of land holdings was an important plank of the NFU-MAFF efficiency drive, post-1950. According to Cox et al, real aggregate farm income barely altered between 1951 and 1981; what changed was farm sizes and land values as farmers maintained incomes by growing their businesses. The number of holdings halved and “a massive proportion of agricultural support”⁵⁶² went into boosting land prices. The use of deficiency payments encouraged concentration of production, since they created financial security on a sector basis, rather than for the individual farmer.
- **Knowing what’s best for the countryside.** NFU, MAFF, the research and advisory establishment and the farming press formed an ideological block, united in a belief that farming was in the national interest, good for rural communities and at its best when competitive, entrepreneurial and technologically advanced.

6.17 Coming up to date

After 1972, the Annual Review was retained for a time as a statistical exercise for determining the prices Britain should argue for in Europe, but gradually it lost importance. However, the NFU and other European farm organisations were guaranteed discussion with the officials and the Agricultural Ministers who made the final decisions at EEC level, a privileged position they have never lost.

Initially, the UK and the other member states continued with their expansionist policies, but as headlines about European ‘butter mountains’ and ‘wine lakes’ coincided with reports of famine in Africa, disquiet mounted at the vast sums of taxpayer’s money being channelled into the Common Agricultural Policy (CAP). In fact, the issue of overproduction compounded a host of new challenges for the NFU which had been emerging for a while, including:

- **Greater environmental awareness**
The damage caused by intensive farming - pollution, habitat destruction, wildlife eradication etc. – was increasingly recognised, especially after the publication of *Silent Spring*, Rachel Carson’s widely read book on the impact of pesticides. Conservation as a campaigning cause gathered momentum, at a time when British society was generally opening to new ideas and movements. One factor was the professional middle class which from the 1960s had begun settling in rural areas. Being typically more orientated towards preservation than modernisation, they had a different relationship with the countryside, and disturbed the status quo as they occupied niches in local political life.
- **Emerging consumer movement**
Growing awareness of health, nutrition and animal welfare issues – questioning the safety and morality of modern farming practices – also obliged the NFU to become more sensitive to external opinion.
- **Compartmentalisation of farming**

560 ‘Elites in the rural local state’, Michael Woods (1997). Thesis submitted to the University of Bristol.

561 ‘An introduction to the ‘new’ politics of agriculture and food’, C Daugbjerg (Nov 2012). *Policy and Society* 31(4)

562 ‘Farmers and the state: A crisis for corporatism’, Cox, Lowe & Winter, (1987). *The Political Quarterly* 58(1)

Over decades, efficiency-focussed policies had favoured specialisation over traditional mixed farming. This had sharpened competition between the commodity groups, who often made opposing demands on the NFU. The organisation was now representing a far less cohesive community.

- Increasing market power of food manufacturing and retailing

Processes of concentration and vertical integration in food manufacturing and retailing was gradually shifting power to these sectors, reducing the ability of farming leaders to set the agenda.

Due to the urgent need to curb production excesses, by the 1980s the European regime was favouring bureaucratic controls, such as quotas, over the permissive mechanisms (grants, advice, price signals etc.) which had characterised the period of expansion. UK law shifted to reflect a new emphasis on conservation and diversification, with the 1981 Wildlife and Countryside Act and later the Agriculture Act 1986 putting a duty on MAFF to balance the needs of agriculture, conservation and public enjoyment of the countryside. Some of MAFF's privileges were removed from planning law, and measures were brought in to encourage alternative forms of income generation - field sports, forestry, B&Bs, farm tourism etc.

While it was obliged to adopt some of the arguments of its critics and present the case for continued support for farming in social and environmental terms, the NFU can be seen to have tried as far as possible to hold to its usual mode of operation, that of mediating policy and promoting farmer self-regulation. As excluded groups made more noise, the agricultural policy community was forced to diversify, but only a few of the more 'responsible' conservation groups, such as the Royal Society for the protection of Birds (RSPB) and Campaign for the Protection of Rural England (CPRE) were actually admitted to the MAFF inner circle. The NFU encouraged the creation of, and dominated, various initiatives and umbrella organisations for the countryside, such as the Farming and Wildlife Advisory Group (FWAG), allowing it to contain the agenda to some extent, and to be able to point to to show what farmers were doing for conservation. It always pushed for voluntary opt-in schemes rather than regulation.

During the last 30 years, the basic objectives of the previous 30 years of agricultural policy-making have come under scrutiny. The NFU's external authority has been reduced, and its internal authority too, due to long-term decline in farm incomes, fragmentation of interests through specialisation and polarisation in terms of scale. A big farm elite has pulled away from the small and medium sized majority, the one swallowing the other as it becomes uneconomic for families to continue in farming. The NFU's leadership has always been drawn predominantly from the ranks of the more wealthy, and despite regular rhetorical shifts as it tries to articulate its members' different needs (now stressing the vital importance of small farmers to the viability of rural communities; now suggesting closing farms with fewer than 40 cows, as a solution to milk overproduction, and so on), 'big farm efficiency' seems to have remained the NFU mantra.

Around the turn of the 21st century, controversy around GM crops, a growing health-conscious, 'foodie' culture and market for organic food coincided with a Labour administration that was more urban-identified than the previous Tory one. As well banning hunting with dogs, the Blair government replaced MAFF with the Department for the Environment, Farming and Rural Affairs (DEFRA) in a deliberate attempt to rebalance interests in rural areas in the wake of the foot and mouth outbreak. However, New Labour was also committed to market-driven economics, in the food system as elsewhere, as symbolised by the appointment of the Northern Foods Chairman, Christopher Haskins, as 'rural tzar'. With the corporate profit motive driving policy, it was business as usual for food manufacturing, supermarkets and industrial agribusiness as championed by the NFU.

In the early 2000s various attempts were made by individual farmers to alter the direction of the NFU from within its ranks, or to set up alternative organisations to challenge its hegemony from the outside, but neither met with great success. The food security scares which accompanied the 2008 financial crash were reinterpreted by global vested interests as signalling a need to accelerate agricultural intensification, to be able to feed the world in 50 years time. The NFU and the Conservative Party, which has benefited the Union since its return to power in 2010, shares this vision.

6.18 Reflection - Whose history?

Much of the detail in this potted history has been based on two political economy texts and a well-researched chronicle of the NFU told in rhetorical style by its current Vice President⁵⁶³. It appears as a value-neutral, factual account of the NFU's evolution, referencing key national events such as the two world wars. However, in its unproblematised description of the 'highs' and 'lows' and 'progress' and 'retreat' of farming over the period, it reproduces the evaluative norms of the source material, including a business-focused logic for assessing what was good for the individual farmer, or for the 'industry' as a whole.

Alternative readings of the events, or parallel stories of how, say, farm labourers, urban shopkeepers, pigs or England's birdlife fared over the period, have not, in the interests of narrative simplicity, been pursued. However, it is important to draw attention to this issue of framing, because it is not possible to write about the NFU without negotiating the tangle of competing world views and significations which swirl around the topic of agriculture. As we have seen, from small beginnings the NFU has become a powerful organisation, and as Winston Churchill knew, history is written by the victors, in their image. As a counterbalance, therefore, it is important to avoid uncritical use of terms and constructs which threaten to rule particular histories, and by extension particular futures, outside of debate. On the other hand, it would be unhelpful to further sediment ideological divides by failing to respect deeply held values and cultural attachments on any side of the debate – or to at least try to understand how they have come about.

Statistics from Coporate Watch's 2003 Report

In 1939, agriculture employed almost 15 per cent of the population. It now employs just 1.08 per cent of the population, and it contributes 0.5 per cent of GDP.

Seventy per cent of agricultural land is owned by 1 per cent of the population, and consolidation of land ownership is on the rise as the NFU and government argue that the only way UK farmers can compete in the global marketplace is by getting bigger and reducing their costs of production. More and more land is owned by insurance companies, pension funds and big farming businesses - and managed by contract farming companies.

44 million breeding birds vanished from the British countryside in the last decades of the 20th century.

563 'From Cambell to Kendall: A History of the NFU', Guy Smith (2008), Halsgrove.

6.2 NFU Structure, Membership and Income

The NFU is an unincorporated association the members of which are farmers, growers and others interested in agriculture, horticulture, rural areas and businesses, the countryside and /or the environment
It has to submit an Annual Return as an Employers Association to the Certification Office for Trade Unions and Employers Associations

6.21 Objects

The objects of the NFU are⁵⁶⁴:

- To represent and promote the interests of farmers and growers, and others with an interest in agriculture, horticulture and the countryside
- To provide a full range of support services, including, but not limited to, political, professional, technical and commercial services to members of the NFU and to others with agricultural, horticultural and countryside interests where they do not conflict with the interests of members;
- To provide legal services to members and to furnish funds for the prosecution or defence of legal actions or other legal or quasi-legal proceedings deemed to affect agricultural and horticultural interests;
- To carry on or participate in any business or other activity which, in the opinion of Council, may be carried on in connection with any of the other objects;
- To provide such other services and benefits to farmers and growers and others with an interest in agriculture, horticulture, rural areas and business, the countryside and /or the environment as the Governance Board shall from time to time determine; and
- Such other objects as Council may from time to time determine in order to further the interests of farming, growing, agriculture, horticulture, rural areas and businesses, the countryside and /or the environment

6.22 Structure

The NFU England and Wales is headquartered at Stoneleigh Park in Warwickshire, in purpose-built offices next to the National Agriculture Centre. It retains a small office in Westminster (at Smith Square) and shares a Brussels office, the 'British Agriculture Bureau', with NFA Scotland and NFU Ulster. Of the NFU's 1,000 or so staff, around 160 are based at Stoneleigh Park, working in policy, services, membership, finance and administration – each section with a Director who reports to the Director General (DG).

The NFU has quite a complex structure. A network of around 300 local offices are staffed by Group Secretaries who offer general advice and help to NFU members as well as being insurance agents for the NFU Mutual. Each county has a County Adviser who keeps in touch with grassroots members and supports local branch meetings where they exist. Counties are grouped into regions, each with its own office (usually called 'Agriculture House').

564 <https://www.nfuonline.com/assets/56107>

6.23 NFU Regions and counties

NFU Cymru – Wales Anglesey, Brecon & Radnor, Carmarthenshire, Ceredigion, Clwyd, Glamorgan, Merionethshire, Mid-Gwynedd, Monmouthshire, Montgomeryshire, Pembrokeshire	NFU South East Berkshire, Buckinghamshire & Oxfordshire, Hampshire, Isle of Wight, Kent, Surrey, West & East Sussex	NFU East Midlands Derbyshire, Holland (Lincs), Lincolnshire, Nottinghamshire, Leicestershire, Northamptonshire & Rutland	NFU East Anglia Bedfordshire & Huntingdonshire, Cambridgeshire, Essex, Hertfordshire, Norfolk, Suffolk
NFU North West Cheshire, Cumbria, Lancashire	NFU West Midlands Herefordshire, Shropshire, Staffordshire, Warwickshire & Worcestershire	NFU North East North Riding and Durham, Northumberland, York, East Riding, Yorkshire & West Riding	NFU South West Cornwall, Devon, Dorset, Gloucestershire, Somerset & Wiltshire

A thematic structure interlinks with this geographical one. Every region has up to six Regional Commodity Boards:

- Dairy
- Livestock
- Combinable Crops
- Poultry
- Sugar
- Horticulture & Potatoes

... each of which must include at least two people from each of the region's counties, and can include non-NFU members (who are unable to vote) who are co-opted for their expertise in the sector.

There are also National Commodity Boards. In the case of Dairy, Livestock and Combinable Crops each comprises the Chairmen of the relevant Regional Commodity Boards (plus any co-opted extra people), but members of the National Boards for Poultry, Sugar and Horticulture & Potatoes are selected by a committee appointed by the President.

The NFU's other main bodies are the Policy Board, Governance Board, Welsh Council, Legal Board and the Audit & Remuneration Committee, plus the NFU Council, which meets quarterly in London and its governing body, or Executive, which approve matters relating to policy, strategy and finance.

The Council has around 90 members, consisting of:

- An elected Council Representative from each County (apart from the Isle of Wight)
- The elected County Chairman of each County
- The 30 Welsh Representatives
- The National Officeholders
- The chairmen of the National Commodity Boards
- A representative of Farmer & Grower Controlled Business Sector members
- The Chairman of the Legal Board
- A representative of the National Pig Association
- Representatives of such other agricultural associations as Council may determine from time to time
- The Honorary Life Members of Council
- A representative of the Young Farmers Club.

There are three Office Holders: President, Deputy President and Vice President. Only Farmer & Grower members (or the nominated directors/partners of Farmer & Grower Member Organisations) are eligible to stand for office (for an initial two-year term). Nominations for the posts can be submitted by a Regional Board, County meeting or just a list of 20 voting members. Election is by a secret ballot of Council members, using a weighted voting system.⁵⁶⁵

Following calls for constitutional reform, for office holder elections and certain areas of business, County reps have been allocated votes according to the Farmer & Grower member subscription income received by their county – Devon gets 17 votes, for example, against Cornwall’s eight. This change was in response to repeated calls for a One Member, One Vote system for electing office holders; Basing it, however, on subscription income factors in average farm size as well as numbers of members (since the membership fee increases with holding size). While members can petition their delegates to vote a certain way, they have no control over how they do vote, and don’t get to find out.

The Regional Boards, which meet at least twice a year, comprise the Chair of each of the Commodity Boards plus the County Chairman and Council Representative of each county in the region (one of whom Chairs the Regional Board). The Welsh Council has more autonomy than the other Regional Boards, being “delegated all those functions which Council exercises in respect of the whole area of operation of the NFU” as long as these are promptly reported to the Council.

At national level, the Policy Board is made up of the National Office Holders, the DG, the President of NFU Cymru, the Chairman of each of the National Commodity Boards and the Director of Policy (staff member). It is chaired by one of the Office Holders, as is the Governance Board, which comprises the National Office Holders, the DG, the President of NFU Cymru, and five who are either National Commodity Board Chairmen or Regional Board Chairmen (no more than three of each).

Resolutions passed (by majority voting) at Branch or County meetings can be brought to the Council, but it’s up to the Council whether or not they choose to debate them. Some Council decisions need to be ratified at the Annual General Meeting, which all Farmer & Grower members are eligible to attend, and where all can vote in person or by proxy. Day to day management of the NFU is delegated to the Office Holders, the President of NFU Cymru and the Director General.

6.24 Income and finances

The income of the NFU derives from:

- Member subscriptions
- Sales of goods and services
- Fees and subventions paid by affiliated organisations
- Income derived from the ownership of property, investments and other assets
- Other donations, contributions and bequests

All property and investments held by or on behalf of the NFU are vested in National Farmers Union Trust Company Ltd.

The NFU has a controlling interest in NFU Service Ltd (formerly Associa) Co, though shares held in the name of National Farmers Union Trust Company Ltd.

565 <http://www.nfuonline.com/about-us/nfu-governance/nfu-governance-key-content/our-democratic-structure/>

6.25 The 2013 Annual Return

- This return reports results for the NFU General Fund, the Legal Assistance Scheme (LAS) and NFU Services Limited.
- During the year, the NFU Group showed an operating surplus of £1,818,802 on consolidation.
- This, coupled with the surplus on investment activities, resulted in a surplus on ordinary activities after tax of £4,407,547, which was transferred to the Accumulated Fund.
- Members' subscriptions and related income increased by £0.7 million to £30.2 million. Within this, the actual subscription income increased by £0.5 million during the year from £19.5 million in 2012 to £20.0 million in 2013 due to the farmer and grower category.
- As at 31 October 2013, NFU membership, excluding Countryside and Professional, stood at 56,109
- Income also included contributions from the NFU Mutual £5,939,333 and strong advertising sales.
- Reserves increased by £8.8 million to £92.4 million, due in the main part to the increased valuations of property and investment portfolios offset by the increase in the pension scheme deficit.
- There was an increase in the value of listed investments to £58.1 million.
- According to the 2013 Annual Return, NFU holds quoted investments in 'British Government & British Government Guaranteed Securities'; and 'British Municipal and County Securities' to the value of £58 million and investment property worth £34 million.
- The fund managers were Baillie Gifford and Rathbones.
- Dividends and other investment income amounted to £1,452,345
- The properties are included in the balance sheet at £34.1 million. The NFU holds operational properties in order to fulfil its commercial and representational needs. During the year, it continued to sell surplus properties.

6.26 Membership

There are currently five classes of NFU membership, according to its website: Farmer & Grower, Pro, Countryside, Student and Young Farmer Club. The last two are free of charge, aimed at the next generation of farmers. The organisation does not publish its total membership or a breakdown by type, and curiously, its Constitution outlines a different set of membership categories, which do not easily map onto these five.

Farmer & Grower (F&G) is the NFU's core membership group – the people and businesses it officially works on behalf of; those who can attend branch meetings, vote and get otherwise involved. Annual F&G subscription comprises a standard fee (possibly around £170) and an additional amount per hectare. The NFU claims to have 55,000 F&G members across England and Wales, of whom, reportedly, the "vast majority are commercial farmers". It is said that this figure represents "more than 70% of full-time farmers", though according to Vice President Guy Smith "the necessary

detailed analysis is simply not out there”.⁵⁶⁶ He prefers the idea that the NFU represents “75% of UK farming in terms of farmed acres or turnover”, which still begs the question: which? Acreage, or turnover? In an unofficial poll conducted on The Farming Forum chat site, 55% of around 500 who responded said they belonged to the NFU. It may or may not have been a representative sample. The current President is on recent record as saying that the NFU represents “47,000 businesses”, which could be an update on the 55,000 figure, which has been around for some time, or might reflect the fact that some farm households have more than one member. Indeed, the NFU Constitution gives *Farmer & Grower (partner) member* as a category in its own right (though we have not found this mentioned elsewhere).

The Constitution also lists:

- **Farmer & Grower Member Organisation** – *any body corporate, firm of partners or other body of person whether incorporated or otherwise which is engaged in farming and /or growing.*
- **Farmer & Grower Controlled Business Sector Member** – *any business (whether incorporated or otherwise), body corporate or agricultural co-operative in which farmers and/or growers retain a controlling interest engaged in the production, processing, manufacturing or supply of agricultural commodities or requisites.*

Both appear to be F&G sub-categories, despite no suggestion in the NFU’s membership literature that manufacturing and supply enterprises can take their place in the union alongside farms and farmers. The ‘controlling interest’ aspect here is interesting, too. Companies are eligible if people who farm own significant shares or investments in them.

The membership categories NFU Pro and Countryside appear to be forms of what the Constitution calls:

- *Associate Membership – for any person interested in agriculture, horticulture, the countryside or the environment who is not otherwise qualified for membership*

According to Guy Smith, the NFU has a “few dozen” Pro subscribers, which is surprisingly low, if true, considering that a monthly business magazine, the *NFU Pro Journal*, is specially produced for them. They are people in ‘allied professions’ such as land agents, agricultural advisors, agronomists, vets, solicitors and accountants, who have no voting rights but “get a direct link into a local NFU group secretary, building strong relationships and a great reputation within the local community”. ‘Pro’ members can access certain briefings on the NFU website, but not the main (i.e. F&G members) area. Smith gave assurances that this category excludes manufacturing and retail interests. There are around 45,000 Countryside members, according to NFU figures. Formerly, if you wanted insurance from NFU Mutual, you first had to belong to the NFU, but after the two organisations separated this was no longer the case. ‘Countryside’ membership was created to keep on people who were interested in rural issues but not actually farming. They receive a dedicated magazine and other benefits, but the NFU is not engaged in lobbying on their behalf.

There are two more categories listed in the NFU Constitution:

- **Affiliate Members** – *such other bodies or organisations as Council may from time to time approve.*
- **Additional Members** – *Council may admit to honorary membership of the NFU a person who, whether or not he or she is otherwise qualified for membership, her rendered outstanding service to agriculture or to the NFU.*

Honorary membership for retiring NFU stalwarts is simple to grasp, but the ‘affiliate’ category is completely unspecified and opaque.

The NFU’s five-part advertised membership structure both precedes and post-dates the Constitution (approved in 2013) from which these extracts are drawn, yet no attempt seems to have been made to align the two sets of categories. The following constitutional clause may hold the key to this however, since it permits the NFU to alter membership categories as and when it sees fit, and only obliges it to make public the detail “from time to time”:

566 <https://thefarmingforum.co.uk/index.php?threads/nfu.37506/page-7> (Date: 7 December 2014)

Council may decide from time to time to:

“Adapt existing classes or add new classes of membership; determine the privileges and benefits which attach to each class of membership; fix, amend and publicise the structure and rates of subscription which apply to each class of membership.”

Should the NFU want to build reciprocal links with an individual or an organisation without conferring membership, it has two further options:

“Council may admit to affiliation with the NFU any organisation institution, association or other body of persons whether incorporated or otherwise which has objects similar to those of the NFU but such affiliation shall not confer any rights of membership of the NFU.

The NFU may provide services to any person who claims an interest in farming, the countryside or the environment and any person who is a member of a recognised profession or teaching body relating to the law, accountancy, land agency, valuation, rural economy, agriculture or otherwise and has paid any annual charges laid down from time to time by the Council. The NFU may decide from time to time to adapt the services which attach to each class of person, extend the scope of the services to other classes of person or vary the charges made for the services but the provision of such services shall not confer any rights of membership.”

The NFU thus appears to be completely unrestrained, constitutionally, in terms of the affiliations and partnerships it pursues.

6.27 Outside opinion on membership

Periodically, commentators cast doubt on the NFU's claims to represent the majority of British farmers and suggest that its membership may not be as broad as it claims.

In 2012, the online newspaper ukcolumn.org wrote:

"The NFU is a much more powerful Union than it appears. It does not change as Parliament changes and is therefore, in effect, much like a branch of the civil service; unelected by the wider public, but which does make and control government policy. How many farmers, or members of the non-farming community for that matter, are aware of this? Apparently not many, since the NFU only has 47,000 members actively farming (of the approximate 96,000 members in total). There are 300,000 or so active farms currently in Britain. The NFU dubs itself the voice of farming, but how can it be? With little more than 15% of farmers actually members – many 'ordinary' farmers complain that they don't have time to take part, or that they believe the NFU does not represent their interests – if this was a democracy, a meagre 15% of support would not, and should not, allow an organisation to have a say in the making of policy which will affect not only farmers but the wider public as well."⁵⁶⁷

The pro-Brexit farming website, farmersforbritain.co.uk also expressed similar doubts.

“The NFU estimates that more than 70% of full time farmers are NFU members....”

According to the latest (2014) government statistics there are 135,600 holdings in England and Wales. The NFU cynically disregards 54,000 holdings. Their adjusted membership is only 41%. The NFU openly acknowledge that they represent the biggest holdings

⁵⁶⁷ This from the UK Column <http://www.ukcolumn.org/article/national-farmers-union-making-government-policy-1947>

When we consider their inflated membership claims in relation to the whole UK industry we see just how unrepresentative the NFU council actually is. There are, in fact, some 212,000 UK holdings. NFU membership is only 26% of these. The truly astounding misrepresentation is that the NFU claim the number of holdings to be the number of farmers. The NFU's membership is only 19% of the 294,000 registered commercial British farmers and a mere 11% of the recorded 476,000 farming workforce. A far cry from the "*more than 70% of farmers*".

... What is certain is the NFU is not anywhere close to representing the two thirds of farmers it implies – less than a fifth at best.⁵⁶⁸

Sustainable food campaigns are also concerned that corporate or other associate category members – being undisclosed – could contain powerful corporate interests such as pesticide manufacturer Syngenta. Apparently "all the main milk processors are members of NFU, as are supermarkets."⁵⁶⁹

⁵⁶⁸ http://www.farmersforbritain.co.uk/?fb_comment_id=1026691817421549_1027400057350725#!Geoff-Pickering-The-NFU-bangs-the-drum-of-big-business-farming-it-does-not-represent-me-or-my-views-on-the-EU/twpur/5733202f0cf2c719ae276937

⁵⁶⁹ Comment from farmer in our online interview (See Appendix 1).

6.3 Relationships with government

As we saw in the Introduction to this report (Section 1), there is growing concern about the dominance of corporate lobby groups generally over democratic governments. The NFU's long history as perhaps the UK's first formal lobby group has given it a very wide range of contacts across government.

It is difficult to prove 'corporate capture' or 'regulatory capture' but new transparency information from the government does allow people some insight into what it going on. The comment from one of the experts we interviewed that also just feels right in this context (repeated from the Introduction) is:

"We have an urban political elite. They don't know about farming, so they just delegate to NFU."

6.31 In the NFU's own words

In 2015, the NFU Student Magazine published an article on its website which described the day-to-day process of working as Assistant Advisor for Government and Parliamentary Affairs (GPA).⁵⁷⁰

"Since the NFU decided to relocate out of London, our office has been on Smith Square next door to Defra ... Lobbying has gained quite a negative reputation in recent years, being equated with corruption, brown paper bags and elaborate conspiracy theories as to who "really" controls the country ... However, the truth is a lot more mundane; my daily routine is less champagne receptions and canapés, more cups of tea and committee meetings.

Here in Westminster the GPA office helps coordinate all lobbying of the national government for farming issues. We operate as a first point of call for other departments and members who wish to know more about what's happening in Parliament, and for MPs and Peers who wish to know more about the NFU's position on certain issues (and they will call up and ask us for information). We also work closely with the regional branches to coordinate lobbying at a local as well as national level.

Being based next door to Defra means that we can also mobilise quickly during emergencies; for instance, in the recent bird flu case it meant the NFU could have representation at all the Defra meetings, even before advisers and officeholders could make it into London. The golden rule in lobbying is 'be there', and we make sure that the NFU always has someone on the ground, whether it's routine debates or the one-off events."

6.32 Defra Ministerial Quarterly Transparency Information 2015-16

The UK Government has, since 2010, required a range of departments to formally report on their meetings with outside agencies.

In order to examine concerns about the degree of access of the NFU to ministers, we examined six quarterly reports available on the Defra website. Results are summarised in the table below. Of course, the NFU will meet with more people at Defra than just ministers, but the data will give some picture of the relative attention it receives.

Over the period under review the NFU attended 39 meetings. The RSPB by contrast attended 16, though combined with 'other voices' the total reached 37.

⁵⁷⁰<http://www.nfuonline.com/membership/student/studentfarmer-magazine/blogs/oliver-savory-london-calling/>

Defra Ministerial Quarterly Transparency Information October 2014 – June 2016

Period	Total Meetings	Private Meetings with NFU	Joint Meetings with NFU and one other	Roundtables which the NFU attended	Other Farming/ countryside Voices (inc. roundtables)
Q4 2015/16	126	5	1	Women in farming Circular economy Biotech Foods (3)	NFU Scotland RSPB (6) CiWF
Q3 2015/16	123	5	2	Forestry Environment Plan (2) Rights of way	Ulster Farmers Union FoE WWF RSPB (6) RSPCA
Q2 2015/16	76	1	1	Food and Farming Water abstraction Dairy	TFA BGA Soil Assoc CiWF
Q1 2015/16	42	3			RSPB (3) TFA LEAF
Q4 2014/15	29	1		Dairy Water	NFU Scotland CiWF LocalRural Farming Networks RABDF
Q3 2014/15	41	4		Tenancy Reform	RSPB Ruralfarminggroups CiWF TFA Women's Farming Union
TOTALS	437	19	4	16	RSPB 16 Other 21

Although we didn't formally review meetings with Defra officials we did notice that in January 2015, the Permanent Secretary, Bronwyn Hill listed a 'Regular Quarterly meeting' with the NFU.⁵⁷¹

⁵⁷¹ DEFRA Permanent Secretary's meetings with external organisations Jan to Mar 2015

6.33 Data from whoslobbying.com

whoslobbying.com is a website which was most active between 2010 and 2013 analysing data across government departments. During a period of research on this issue between May 2010 and September 2011 on Defra, it found the following:

Defra Frequently met organisations

- National Farmers Union – 27 meetings
- Country Land and Business Association – 16 meetings
- Royal Society for the Protection of Birds – 11 meetings
- WWF-UK – 11 meetings
- National Trust – 10 meetings
- Royal Society for the Prevention of Cruelty to Animals – 10 meetings

These are roughly consistent with the data we found for the 2015/16 period, in that the NFU is the most frequently met organisation, but that formal meetings with a wide range of others also takes place.

The whoslobbying.com data also looked across other departments and found that, in addition to the above and in the same period, the NFU had meetings with:

Cabinet Office – 2 meetings

Dept. of Communities and Local Government – 1 meeting

Dept. for Work and Pensions – 1 meeting

Dept. for Business Innovation and Skills – 2 meetings

Dept. of Energy and Climate Change – 1 meeting

Home Office – 1 meeting

6.34 A statutory right to consultation?

According to the seminal 2013 'Corporate Watch' on the NFU, "the UK government is legally obliged to consult [it] over policy".⁵⁷²

When we looked at this we found that, in the 1947 Agriculture Act, the NFU was given a statutory right of consultation in the annual review of prices. However, these provisions have now been repealed.⁵⁷³

We decided to search the www.legislation.gov.uk website for "national farmers union" or "NFU" in legislation from 1908 to date. We found 36 statutory instruments, which – once duplicates were removed – were as follows:

UK Statutes – references to the NFU

- The Sugar Beet (Research and Education) Order 1998 No. 468 UK Statutory Instruments
- The Agricultural Advisory Panel for Wales (Establishment) Order 2016 No. 255 (W. 89) Wales Statutory Instruments
- The Milk (Special Designation) Regulations 1988 No. 2204 UK Statutory Instruments
- The Agricultural Wages Board (Amendment) Regulations 1982 No. 1181 UK Statutory Instruments
- The Countryside Access (Provisional and Conclusive Maps) (Wales) Regulations 2002 No. 1796 (W. 171) Wales Statutory Instruments
- The Protection of Water Against Agricultural Nitrate Pollution (Amendment) (Wales) Regulations 2002 No. 2297 (W. 226) Wales Statutory Instruments
- The British Wool Marketing Scheme (Approval) Order 1950 No. 1326 UK Statutory Instruments

⁵⁷² <https://corporatewatch.org/content/national-farmers-union-history-and-membership>

⁵⁷³ Animals, Politics and Morality Robert Garner. 1993

- The Countryside Access (Exclusion or Restriction of Access) (Wales) Regulations 2003 No. 142 (W. 14) Wales Statutory Instruments
- The Access to the Countryside (Exclusions and Restrictions) (England) Regulations 2003 No. 2713 UK Statutory Instruments
- The Consumer Credit (Exempt Agreements) Order 1989 No. 869 UK Statutory Instruments
- The National Park Authorities' Traffic Orders (Procedure) (England) Regulations 2007 No. 2542 UK Statutory Instruments
- The Coastal Access Reports (Consideration and Modification Procedure) (England) Regulations 2010 No. 1976 UK Statutory Instruments
- The Gangmasters (Licensing Authority) Regulations 2005 No. 448 UK Statutory Instruments

6.35 The Advisory Committee on Business Appointments (ACBA)

The UK government requires former ministers and civil servants to seek clearance for taking up jobs in industries they used to be involved in regulating and the ACBA reports publicly on its findings. We searched details for former Defra ministers and staff during a short period 2014-2016 and found no real evidence of abuse.

Crown Servants

April 2014 to June 2016

3 Defra appointments but none to agricultural industry⁵⁷⁴

Ministers

March 2014 to Aug 2016

3 Defra appointments but none to agricultural industry⁵⁷⁵

574 www.gov.uk/government/collections/appointments-taken-up-by-former-crown-servants

575 www.gov.uk/government/collections/appointments-taken-up-by-former-ministers

6.4 Background – a global perspective on food

6.41 Introduction

There is widespread recognition that the food system globally is broken and needs to be fundamentally overhauled. The most important aspect is the need to support small agriculture in developing countries. However, to have a food system run to feed the appetites of transnational finance, is not really working in developed countries either.

The situation we have mirrors the whole way the global economy is being run – for profit and not for people. UK food policy is allowed to be dictated by transnational finance. It is riddled with contradictions – such as the subsidisation of meat, dairy and sugar over vegetables and fruit – when the NHS is overburdened by the diseases caused by these diets and the public health message is to eat five pieces of fruit or vegetables a day.

We have a system that causes heart disease, waste, animal exploitation, environmental destruction and is squeezing both labour and consumers.

Policy makers are renegeing on their duties and passing responsibilities onto entities that are not interested in human health, happiness and the environment, or only as far as it suits them. The vested interests, both ideologically and economically, of the policy makers is behind this.

The NFU vision for farming is yet more high input industrial agriculture geared to export.

6.42 Increasing globalisation

A 2014 study based on the United Nation's Food and Agriculture Organisation (FAO) data for global trade of agricultural food commodities found that between 1986 and 2009, the amount of food traded had more than doubled.⁵⁷⁶ "International food trade now accounts for 23% of global food production", said Paolo D'Odorico, the study's lead author.

A 'General Agreement on Tariffs and Trade' (GATT) was originally signed by 23 countries in 1947 in order to advance trade liberalisation. However, with global economic recession in the 1970's, countries wanted to protect their national industries, and the GATT looked like it could fall apart. The US persuaded members back for the 'Uruguay Round' of talks from 1986-1993. Developing countries were included in significant numbers for the first time, although the process was still dominated by the US and EU. Including agriculture for the first time in GATT talks, the Uruguay Round led to the formation of the World Trade Organisation (WTO) and a new Agreement on Agriculture, although trade liberalisation of agricultural produce had already begun in the early 1980's for many developing countries under structural adjustment programmes (SAPs). Imposed by the International Monetary Fund (IMF), SAPs forced countries to reorient their national economies to the global economy in exchange for aid, and loans to cover debt payments. The idea was that increasing exports would allow these countries to repay the loans and avoid defaulting.

Proponents argue that the opening up of markets to international trade leads to more efficient use of resources, as countries specialise in what they can produce most cheaply. This theory of 'comparative advantage' assumes that specialisation leads to more food and therefore lower prices for consumers, so that ultimately everyone will benefit. It is generally assumed that any costs of adjustment can be compensated by governments through overall gains made in efficiency and trade. Although most people in the world are still fed by subsistence or local farming, which *can* produce more food per hectare with less cost and more environmental benefits,⁵⁷⁷ those who make the rules that govern global food trade continue to push for further liberalisation.

576 www.eurekalert.org/pub_releases/2014-09/uov-gft090514.php

577 www.etcgroup.org/sites/www.etcgroup.org/files/Food%20Poster_Design-Sept042013.pdf

6.43 Problems with the global food system

The comparative advantage theory which underpins trade liberalisation is based on various premises which misrepresent reality. Its assumptions include the idea that there is a level playing field and therefore fair competition. Under the WTO Agreement on Agriculture, countries should not have raised the level of protection for their agricultural sectors after 1993. However, while developing countries have been pushed to reduce various types of protection, overall subsidies for agriculture in Western countries practically doubled from 1995-1998.⁵⁷⁸ Even the World Bank estimates that only a fraction of the gains from the ongoing Doha Round of WTO negotiations which began in 2001, would accrue to developing countries. Worse still, small-scale farmers would be likely to experience negative consequences from the increase of imports.⁵⁷⁹

The impact on local food production when markets are opened up to cheaper imports has been widely documented. From the devastation of rice farming in Haiti since the IMF and World Bank conditions placed on them in the 1980s;⁵⁸⁰ the destruction of rural communities in Mexico caused by the North American Free Trade Agreement (NAFTA) of 1994;⁵⁸¹ and the battle for rice production in the Ivory Coast reignited by proposals from the New Alliance for Food Security and Nutrition in 2012,⁵⁸² local production has been damaged when surplus from larger producers is allowed to flood in.

In many cases, farmers have been unable to compete and forced to give up their land. Concentration of ownership can then take place, not necessarily because larger farms are more efficient in farming, “but because they are definitely more efficient in capturing subsidies”, and this pattern is not restricted to developing countries – Europe is also experiencing “tremendous and rapid land concentration”.⁵⁸³ Loss of self-sufficiency and the need to buy more food leaves people and countries more vulnerable to the price volatility of markets and currency exchange. Even for those who still have land, inequality and poverty means that despite global increases in the amount of food produced per person, hunger has certainly not gone away. Comparative advantage theory also assumes there are no ‘externalities’ or, in other words, that all costs are accounted for. However, the market rewards farming that externalises costs such as damage to human health, the environment or society, and largely does not recognise the positive contributions of lower-impact forms of agriculture, such as less use of fossil fuel-based inputs and water.⁵⁸⁴

By encouraging exports, comparative advantage theory results in more large-scale monoculture farming, which relies on high inputs and undermines biodiversity. Traditional diverse crops suited to local conditions are replaced by cash crops, which may even be biofuels in place of food. Local knowledge and autonomy is also lost. Growing for export will inevitably involve transportation over distance with all the resource implications that entails. Industrial agriculture is also a major contributor of greenhouse gases, soil erosion and water pollution.

Increasing reliance on industrial food is also having an impact on health. A study of international eating habits from 1990-2014, thought to be the largest ever conducted, found that “The world's diet has deteriorated substantially in the last two decades”. “The ‘globalisation’ of western diets – where a small group of food and agriculture companies have disproportionate power to decide what is produced – is partially causing the shift to unhealthy eating” said co-author Mozaffarian.⁵⁸⁵

578 Hungry for Trade, John Madeley, page 45.

579 http://quno.org/sites/default/files/resources/QUNO_Food%20Security_Clapp.pdf page 22

580 www.waronwant.org/attachments/Food%20sovereignty%20report.pdf (page 10)

581 www.waronwant.org/attachments/Food%20sovereignty%20report.pdf (page 9)

582 www.grain.org/article/entries/4663-the-g8-and-land-grabs-in-africa

583 www.tni.org/files/download/land_in_europe-jun2013.pdf

584 www.ukfg.org.uk/Securing_future_food.pdf (page 24)

585 <http://in.investing.com/news/commodities-news/world%27s-diet-worsening-with-globalisation,-major-study-finds---trfn-6515>

6.44 Food Sovereignty – a different vision

The concept of Food Sovereignty was launched in 1996 by the international peasant's movement La Via Campesina (LVC), which represents an estimated 200 million farmers. It focuses on ecologically sound and sustainable methods, and puts the needs of people at the heart of food systems and policies, rather than the demands of markets and corporations.⁵⁸⁶ LVC sees agroecology as a “key element in the construction of Food Sovereignty”, and in a declaration in February 2015 described its production processes as being “based on ecological principles like building life in the soil, recycling nutrients, the dynamic management of biodiversity and energy conservation at all scales”.⁵⁸⁷

However, agroecology is more than a method of production. It is also fundamentally concerned with equity in the food system, solidarity between people, and is “a key form of resistance to an economic system that puts profit before life”.⁵⁸⁸

Olivier De Schutter, the UN Special Rapporteur on the Right to Food from 2008-14, presented his final report in February 2014, recommending a major global shift towards agroecology, and for democracy to be reintroduced to food systems through food sovereignty. He criticised the WTO for failing to place food security above trade concerns, and said wealthy countries must “move away from export-driven agricultural policies”, and “restrain their expanding claims on global farmland by reining in the demand for animal feed and agrofuels”.⁵⁸⁹

LVC warn that many institutions, corporations and others have tried to redefine agroecology using various names that appear to recognise current problems but leave existing power structures of the industrial food system unchallenged – these include 'climate-smart agriculture' and 'sustainable intensification', and also the industrial monoculture production of 'organic' food. Food sovereignty focuses on developing local food production and supply as the answer to multiple problems, from tackling hunger by making communities less vulnerable to global markets, to mitigating climate change by conserving resources.

6.45 Feeding the World

The food price rises and riots around 2008 contributed to a growing discussion about how to 'feed the world'. At the height of the crisis, the UN hosted a conference on world food security, at which the Director-General of the FAO said that global food production must be doubled by 2050. The 2006 FAO report behind this statement, did not, in fact, intend to present an agenda for how to feed the world, and stated that “its assumptions and projections reflect the most likely future but not necessarily the most desirable one”.⁵⁹⁰ The report reflected existing problems in the global food system, which would be exacerbated by increasing production on such a scale. The projections were also skewed by the fact they excluded fruit and vegetables, ignored pasture/fodder for animal feed, and neglected waste and unequal distribution. The projections assumed a continuation of the shift in developing world diets from carbohydrate-rich staples to oils, animal proteins and sugars, which is largely associated with rapid urbanisation. A more recent EU agricultural research report recognised the average Western diet was a risk to individual health, social and environmental systems, concluding that “drastic change is needed”.⁵⁹¹

It is widely quoted now that we actually already grow enough to feed the world, and waste 30-50% of it, so it is clearly not just the amount of food available that determines hunger, but access to it. But the 'doubling' frame has taken hold. It has been suggested this is because of “prior ideological commitments” by powerful actors committed to the kind of

586 www.ukfg.org.uk/Securing_future_food.pdf

587 <http://viacampesina.org/en/index.php/main-issues-mainmenu-27/sustainable-peasants-agriculture-mainmenu-42/1749-declaration-of-the-international-forum-for-agroecology>

588 As above

589 www.agriculturesnetwork.org/resources/extra/final-report-de-schutter

590 www.fcrn.org.uk/sites/default/files/tomlinson...pdf.pdf

591 www.fcrn.org.uk/sites/default/files/tomlinson...pdf.pdf

future the FAO report modelled – progress through growth, a liberalised global trade regime and a belief in technological solutions.⁵⁹² This viewpoint sees food security as primarily a problem of production, and has been called the 'new politics of productivism'. The narrative that we need to double food by 2050 is being used to legitimise particular structures and solutions that do not challenge the overall trajectory of the industrial food system.

6.46 The IAASTD report

The International Assessment of Agricultural Knowledge, Science and Technology for Development (IAASTD) was initiated by the World Bank and the FAO of the United Nations in 2002, and completed in 2008. It aimed to assess the impacts of agricultural knowledge, science and technology (AKST) on hunger, poverty, health, livelihoods and equitable development, and to highlight where further AKST research could be focused. The idea was to identify options for action to meet development and sustainability goals which were consistent with a subset of the Millennium Development Goals, while also increasing production. It started from a belief that there have been unintended social and environmental consequences of increasing production, and that agriculture needs to be approached in a more holistic way, with more recognition of its potential non-trade benefits, including environmental protection and rural livelihoods. The report stated that North American, European and emerging economies would continue to dominate if developing countries did not receive preferential treatment and protection from global markets. Forced liberalisation was seen to be harmful to developing countries, who could benefit from stronger trade analysis and negotiating capacity. Farmers, and women in particular, need to be more included in decision making. It acknowledged that there are diverse worldviews, which it said need to be revalorised. It also saw farmers as managers of ecosystems, and demanded that ecosystem services be recognised. Overall, “It found that small-scale, more agroecological and organic production methods, based on local knowledge and especially women’s skills and protected from damaging globalised markets, were the way forward to avert hunger, improve equity and restore the environment now and in the next 40 years.”⁵⁹³

6.47 The Foresight Report

The *Future of Food and Farming* report by The Government Office for Science in 2011, is often called the Foresight report. Its stated aims were to explore the pressures on food security to 2050, and identify the decisions needed to feed a projected 9 billion people sustainably and equitably. It claimed to be building on the IAASTD report, which was approved by the UK government along with 57 others in 2008, and directed by the UK’s Chief Scientific Adviser. However, although it acknowledged many of the same problems in the current food system, including the damaging effects of liberalisation, it remained firmly committed to the idea that food security is best served by markets and globalisation. It explicitly rejected policies to promote self-sufficiency, despite acknowledging that volatility in markets is inevitable. It suggested it would be difficult to take action to deal with the challenges ahead, because “the food system is working for the majority of people”. This was meant primarily in terms of the numbers of people suffering from hunger, but seems peculiarly blinkered given that the report estimates roughly one-third of the global population are either hungry or without enough vitamins and minerals – not to mention the obesity epidemic, or the many other environmental and social problems associated with the food system which have global impacts. The report rejected the precautionary principle, and stuck to the position in the 2009 Royal Society *Reaping the Benefits* report that no technology should be excluded. It has been accused of being a plea for the UK to embrace GM.⁵⁹⁴ There appears to be contradiction between its suggested priorities for new science and technology, which include both the development of new breeds through the biosciences, and the preservation of genetic diversity. Unfortunately, there are many cases where new breeds actually displace the genetic diversity of traditional crops. Although the report referred to many measures that could be imagined to support small-scale production as recommended by the IAASTD report, such as the need to strengthen rights to land at the level of individual producers, undertake more research into agroecology, and empower women, its overall commitment was to 'sustainable intensification'.

592 www.fcni.org.uk/sites/default/files/tomlinson...pdf.pdf

593 <http://practicalaction.org/blog/programmes/food-and-agriculture/biotech-scientists-report/>

594 <http://practicalaction.org/blog/programmes/food-and-agriculture/biotech-scientists-report/>

6.48 Sustainable Intensification

It was the *Reaping the Benefits* report in 2009 that really brought the term Sustainable Intensification (SI) into UK discussions about food security, although it was originally conceived in the context of smallholder agriculture in the 1990s. *Reaping the Benefits* defined SI as a form of food production where “yields are increased without adverse environmental impact and without the cultivation of more land”.⁵⁹⁵ This definition remains quite open to different interpretations, but SI has largely been adopted by those who wish to continue with 'business as usual'. One key phrase in *Reaping the Benefits* has come to define SI, and allow global agribusiness to use it to their own advantage – ‘no techniques or technologies should be left out’ has opened the door to allow even technologies 'specifically adapted to work in large scale commercial, intensive agriculture to be defined as 'sustainable'.⁵⁹⁶ For example, the Agricultural Biotechnology Council representing Monsanto and others, said in 2011 that “Biotechnology is one of the tools which farmers can use to achieve sustainable intensification”.⁵⁹⁷ SI has been said to go “hand in hand with so-called climate smart agriculture”,⁵⁹⁸ another term with debatable meaning. Civil society and farmer organisations are concerned that it can be used to “green-wash agricultural practices that will harm future food production”.⁵⁹⁹ An editorial of the Organic Research Centre bulletin said you will only find passing mentions of agroecology in papers on SI, because “it is now the accepted wisdom that food production has to increase dramatically in order to feed a world population of 9 billion by 2050 and that the only way to do this is to somehow use intensive production methods”.⁶⁰⁰

6.49 What direction for UK farming?

The same editorial also regrets what it calls a “major and frustrating disconnect” between the endorsement that international reports such as IAASTD have given to agroecology, and the policies of the UK government and others. The UK has been using SI in policy since the recommendations of the *Reaping the Benefits* report, only one of which mentioned an eco-system approach. The emphasis in this and the Foresight report was rather on research and support for new technologies including genetic modification. There has been a notable increase in public funding into agricultural science institutions. The UK's Biotechnology and Biological Sciences Research Council (BBSRC) invested £78 million into plant and crop science research in 2009, and by 2011 had an annual budget of £104 million for its ‘global food security’ programme.⁶⁰¹ The former NFU President Peter Kendall, appointed by the government in 2014 to the Agriculture and Horticulture Development Board (AHDB), has been vocal in his support for biotechnology and sustainable intensification.

Parallel to this mainstream current, the movement for a different approach to food and farming in the UK has seen some significant developments in the last few years. From the beginnings of a UK food sovereignty movement pulling together hundreds of local food projects; the launch of the Landworkers' Alliance for small-scale producers; the CSA network for Community Supported Agriculture; the All Party Parliamentary Group for Agroecology; the Square Meal report jointly produced by 10 organisations in 2014 and the rapid rise of the Oxford Real Farming Conference to name a few, there are many voices calling for fundamental change.

595 www.futureoffood.ox.ac.uk/sites/futureoffood.ox.ac.uk/files/SI%20report%20-%20final.pdf

596 www.foei.org/wp-content/uploads/2013/12/Wolf-in-Sheeps-Clothing-for-web.pdf (page 5)

597 As above

598 As above

599 www.actionaid.org/sites/files/actionaid/csag_clevernamelosinggame_0.pdf

600 www.organicresearchcentre.com/manage/authincluds/article_uploads/Bulletin_114_web.pdf

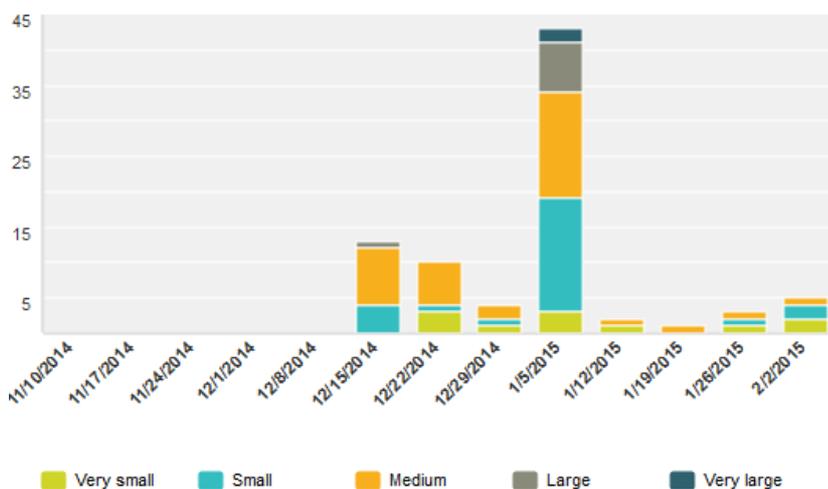
601 www.foei.org/wp-content/uploads/2013/12/Wolf-in-Sheeps-Clothing-for-web.pdf (page 8)

Appendix 1: Farmer opinion on the NFU

Ethical Consumer used the online programme Survey Monkey to canvas farmer opinions of the NFU. One hundred responses were received, of which 19 were discounted due to incompleteness (fewer than 50% of questions answered) or for being duplicates sent from the same IP address. A link to the survey was advertised twice, a month apart, on the social networking site *The Farming Forum*, with a total of 48 complete responses received on 5/1/15 and 2/2/15. The farmers previously interviewed for this report were also emailed the survey link and asked to forward it to their contacts. Twenty-three full responses were received. Another ten responses were triggered either by the TFF or the email request – it was not possible to discover which. Although the number of interviewees who were organic farmers or had environmental or animal welfare concerns was probably higher than the national average, Figures 1. to 4. below show that there was a good spread of farm sizes and types.

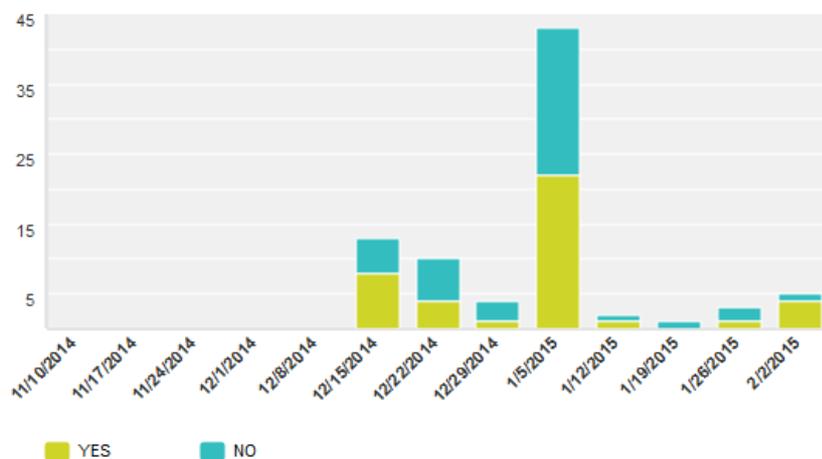
Please pick the best descriptor of your farm size

Answered: 81 Skipped: 0 First: 12/18/2014 Zoom: 11/10/2014 to 2/2/2015



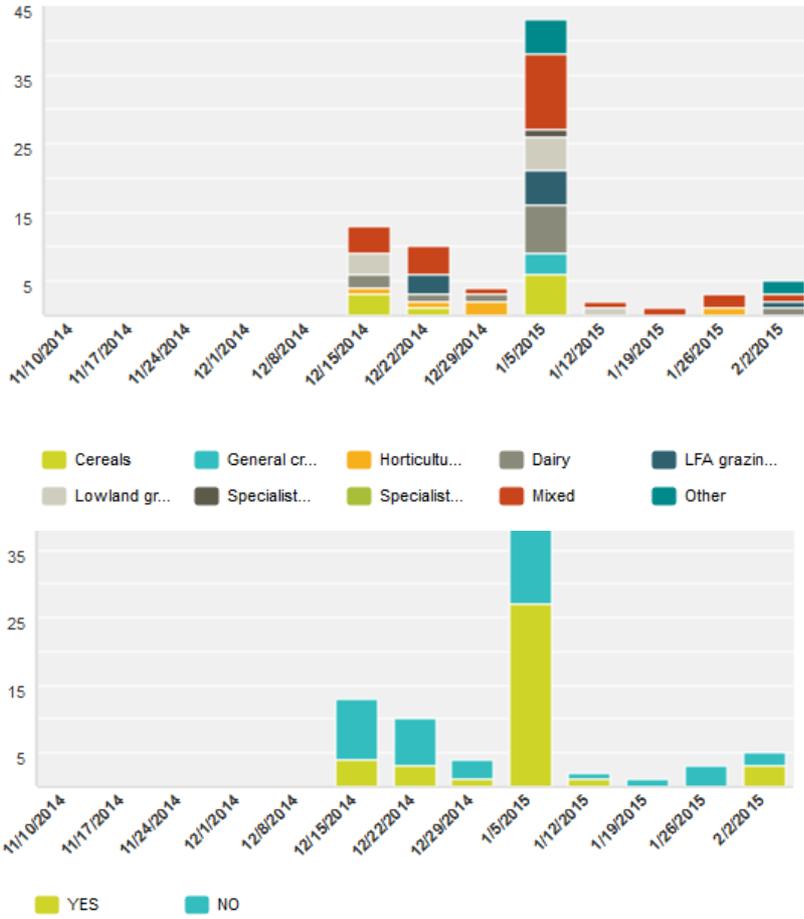
Are you an NFU member?

Answered: 81 Skipped: 0 First: 12/18/2014 Zoom: 11/10/2014 to 2/2/2015

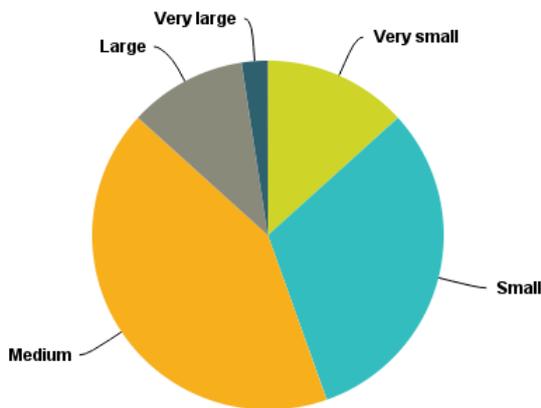


Please pick the best description of your farm type

Answered: 81 Skipped: 0 First: 12/18/2014 Zoom: 11/10/2014 to 2/2/2015



Figures 1-3 give some background on the respondents. They show they were predominantly from small- and medium-sized farms; the majority defined their farms as 'mixed' (arable and livestock) and of those who supplied information, the biggest group were from counties in the West Country, East



Anglia and Lancashire.

Figure 1. Distribution of respondents by farm size

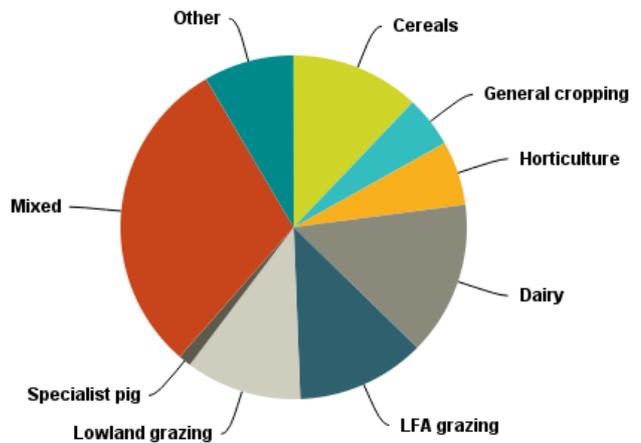
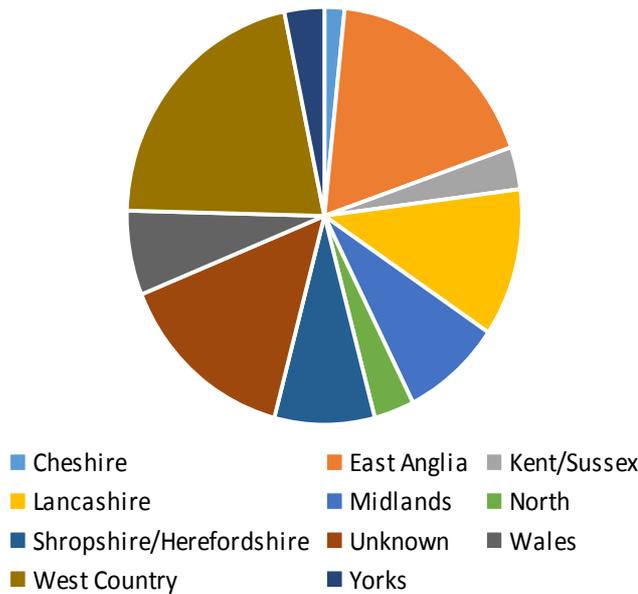


Figure 2. Distribution of respondents by farm type

Figure 3. Distribution of respondents by county



Membership and reasons for membership

Of the 81 responses considered, 41 were from NFU members and 40 from non-members, of whom 20, exactly half, were former members. The reasons these people gave for letting their membership expire were:

- Too expensive
- I ceased membership when milk quotas were introduced. I found out that the Union had opted for a policy that was completely against best interests of dairy farmers. I.e. they requested quotas be transferable, thus creating a value which was not in our best interests.
- It was relatively expensive and we got little benefit from it.
- Left in 2003 because their farmer representation was poor.
- Didn't agree with NFU offering low cost insurance to non-farmers, left in mid-90s.
- When the NFU advised that our insurance was twice that of a neighbour whose farm is larger because of economies of scale in the 1990s. That was the final straw we were tired of an organisation who are meant to represent all its members pushing for farms to get larger (not possible for us) and saying in effect small farms are worthless. We decided, I suspect like many small farmers, that you don't pay membership to an organisation that is dedicated to destroying your livelihood. If NFU membership is just a fraction of its previous levels, they only have themselves and their policies to blame.
- Disagreed with their fundamental approach to promoting large monocultural farming as being 'competitive', Their support of Globalisation, GM and intensive farming. Complete lack of vision over supermarket power and price reductions for producers, which should have been fought tooth and nail to get the public behind producer.
- Left in 2008.
- Didn't feel the membership fee was cost effective for me.
- Ended 2010 as they no longer represent small family farms and support many things I'm against such as GM.
- NFU insurance is too expensive for a small farm.
- I left about 2 years ago, they do not represent my best interests at all.
- I was dissatisfied with their role in protecting the market for small farms plus their ignorant support for GM as a science which they believed was advanced plant breeding – a must for future farming!

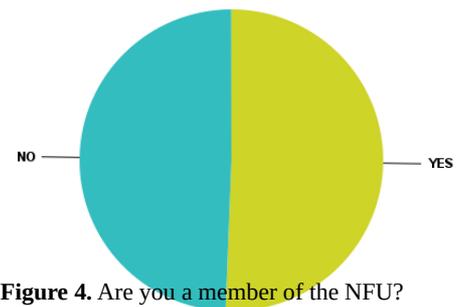
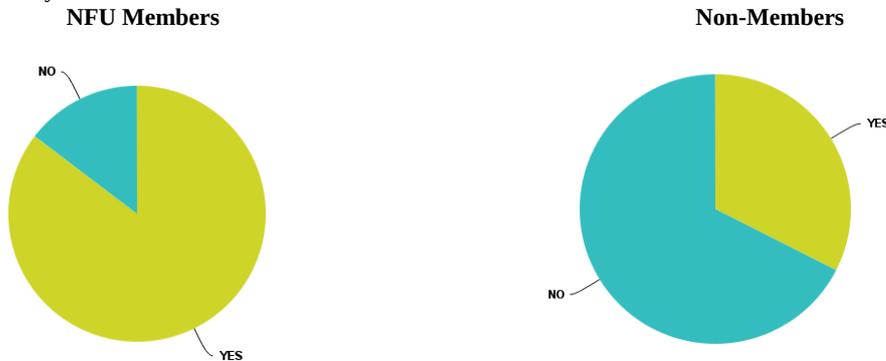


Figure 4. Are you a member of the NFU?

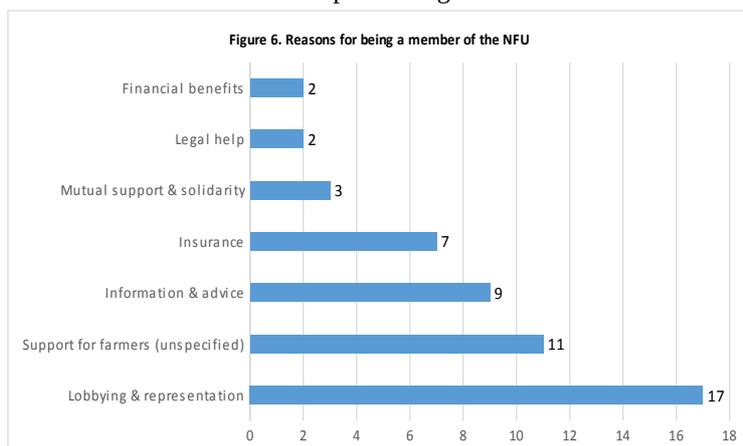
– I left in 2004 due to the lack of genuine support for organic production, to the point where NFU policy (particularly on GM) was actually damaging the organic sector. The NFU is a "top down" organisation and at the top, there is a clear lack of democracy in crucial areas of policy making.

Of the NFU members, 85% were insured with NFU Mutual, compared with 33% of non-members, demonstrating that some farmers do select one without the other (See Figure 5. below).

Figure 5. Do you have NFU Mutual insurance?



The most common reasons respondents gave for their continued NFU membership are summarised in Figure 6.



A sample of the comments, including all of those not captured by the categories in Figure 6.:

- A clear voice with Government and in society for farmers.
- They do an excellent job of representing the farming industry. They also help with individual problems and issues.
- It looks after my commercial interests and is very strong politically by having a large membership.
- Counter some of the pressure groups e.g., RSPB, Badger Trust.
- Excellent support and advice from local group secretary.
- Political representation and good company.
- Represent views of industry against other NGOs.
- I have no idea anymore!
- I support the bigger picture.
- Don't want to freeload off other members as the NFU represents farming.
- Support from a first-class organisation, standing up for the needs of rural England and Wales.
- Believe in supporting the organisation that is supposed to best represent me within the industry I work in.
- Originally, the NFU was the only organisation that supported farmers.

- Money off a new Land Rover.
- To ensure our industry has political clout.
- Paperwork
- Using the information from meetings and other industry visits.
- The information and support available to me as a farmer is invaluable.
- Likely to quit next year – poor effort on behalf of organic farmers, and far too enthusiastic about GM crops.

Of the 41 NFU members, 73% said they actively engage with their local branch and attend occasional local or regional meetings (Figure 7).

Figure 8. Have you ever had an appointed or elected role within the NFU, e.g. member of a Forum or Council?

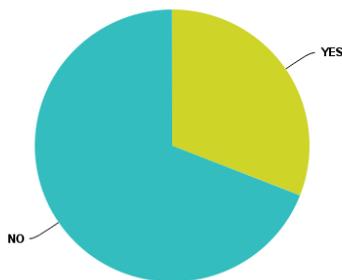
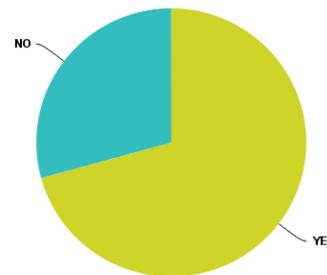


Figure 7. Do you engage actively with your local branch and attend occasional local or regional meetings?



Twelve people (29% of respondents – Figure 8.) said they had at some point had an elected position within the Union, 11 of whom specified as follows:

- Past member of Regional Livestock Committee
- On the West Midlands Regional Dairy Board and on the Organic Forum, formerly the Organic Issues group.
- Hort Board [Formerly Vice chair], West Mids Hort Chair [ex]
- Chairman
- County Chairman
- Livestock committee and branch chairman
- Regional Chairman, County Chairman
- National Dairy Board
- Branch chairman
- Member of organic issues group
- Chair, organic working group chair, organic committee Somerset Council delegate: three years. Council delegate: ex officio as chair of the Organic Committee. Three years. Various other committees.

Opinions on the NFU's activities



Asked whether they were happy with the NFU's work, members, predictably, gave more positive answers than non-members.

1. Firstly, 82% of members were happy with the NFU's **member benefits and services**, compared to only 30% of non-members (Figure 9). A few chose to make a comment as well:

Non-members:

- Lots of good activities but not so much to suit my circumstances (*respondent from small mixed farm in Herefordshire*).
- They don't have a representative or support for organic Farmers.
- It seems irrelevant to my business (*respondent from small mixed farm in Suffolk*).
- They do nothing to help grassroots farming or we would have joined (*respondent from medium sized dairy farm in Lancs.*)
- With better fairer lobbying, I would consider NFU membership like my father and grandparents did before.

'Happy' members

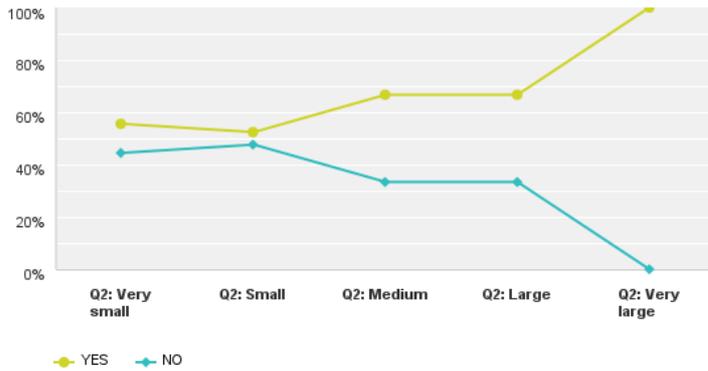
- The member services such as the Legal Assistance Scheme, and the member discounts are very good.
- Discounts for new cars and datatag.
- Regular informed emails. Notice of meetings and events.
- There is room for improvement but the NFU has to represent all farm types and sizes sometimes when they have opposing needs.

Members who answered 'no'.

- There are many good things the NFU does, but when it comes to certain areas which I consider critical, they outweigh all the other good bits.
- They are just far too "conventional".
- They are overly opinionated and argue with most conservation bodies. They seem to disagree, just for the sake of it. I am strongly minded to leave.
- They are only interested in insurance.

Figure 10. shows that those with medium and large farms were more likely to answer affirmatively than those with smaller farms, while all those from the largest farms were satisfied with the NFU’s member services and benefits. However, since only two people describing their farms as ‘very large’ contributed, the data cannot be considered statistically significant.

Figure 10. Are you happy with the services and benefits provided to NFU members? -- by farm size



2. Asked if they found the NFU’s **structure and procedures democratic and accountable**, 73% of members said ‘yes’, while 75% of non-members took the opposite view (Figure 11).

Figure 11. Do you find the NFU's internal structure and procedures transparent, democratic and accountable?

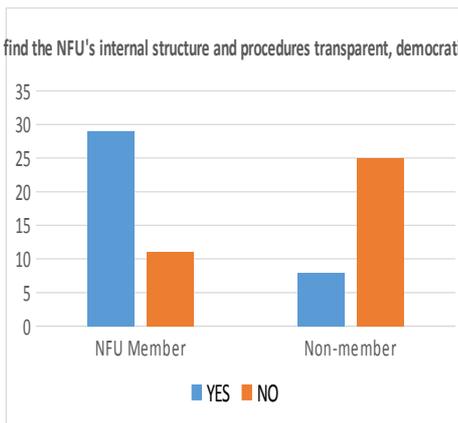
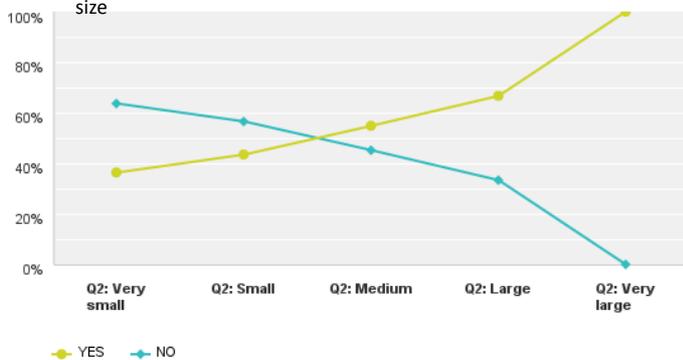


Figure 13. Do you find the NFU's internal structure and procedures transparent, democratic and accountable? – by farm size



Again, the level of satisfaction increased as the size of farm increased (Figure 13.), but again this trend should be considered indicative at best – not statistically significant.

Twenty farmers chose to leave a comment on this issue, of whom six (all members) said they found the organisation undemocratic due to the absence of a ‘one member one vote’ system for the election of senior officials and on important

national farming issues. The rest of the comments were also critical of the NFU:

- They should be interested in farmers (*Member*)
- Members are not asked to vote on the top positions. Local positions are generally "closed shop", where members wanting to stand are "discouraged" from standing and "rocking the boat" (*Member*)
- Don't get to vote – how can it even be considered remotely democratic? (*Member*)
- In common with many organisations they've become more distant. In the past, it was possible to have meetings where policy could be formed locally, and taken to HQ. The world and everything political moves far too fast for that to be feasible in 2014. However, a great deal more could be done to harness the value of email. Responses to policy questions could be easily garnered. We don't need to be blitzed with long complicated documents, but just a few simple questions to which we can give whatever length of answer we like. Then they would be representative (*Member*)
- Engage better with all members ... not just the ones who are perceived to be valuable, influence or who like the sound of their own voice!!!! (*Member*)
- They don't seem to agree with each other, and do not have a united front (*Member*)
- I certainly used to think so! I attended branch meetings which were very democratic. Then, I found headquarters took not a blind bit of notice!! (*Ex-member*)
- The election of council members, particularly those in key positions is not a reflection of the needs of the membership. (*Ex-member*)
- They have shares in Monsanto. They won't have an open debate to inform farmers about GMOs. (*Ex-member*)
- Full transparency in accounts and information on what NFU lobby government on, why, how they get their information and what makes it a representative sample. (*Never joined*)
- I understand from a talk by Meurig Raymond, that the method used to decide whether to agree to a cap on subsidy payments in the recent CAP reform was to allow all farmers to have their say on what level a cap should be put at (for e.g. £150,000 or lower or higher). All farmers pegged the level at a little higher than their farm size, and it was decided that based on this it was fairer not to have a cap at all, which obliterated the views of all smaller farmers. Surely a fairer way would have been to have a vote on two or three different levels of capping subsidies to get a genuine picture of the view of all their members. (*Never joined*)
- Improve on transparency of links with agrochemical companies. (*Never joined*)

3. The next question asked whether respondents supported, on the whole, the *NFU's lobbying priorities and outlook on UK farming*. 76% of members did, compared with just 20% of non-members (Figure 14).

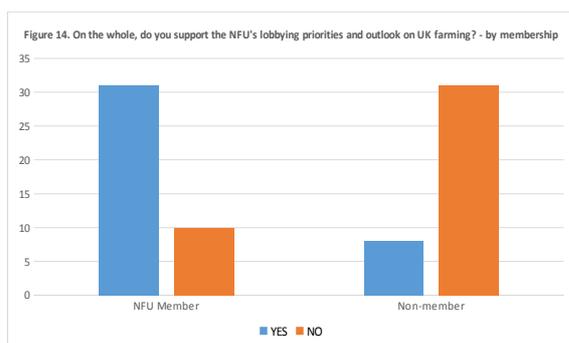
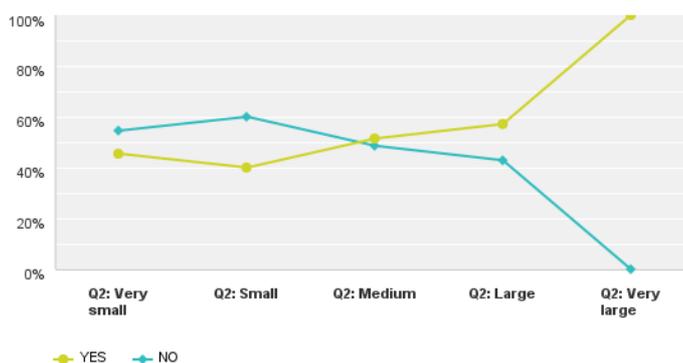
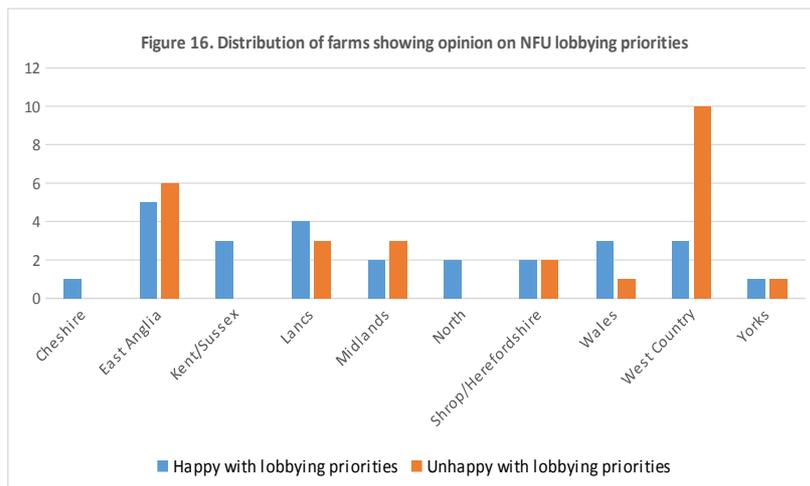


Figure 15. On the whole, do you support the NFU's lobbying priorities and outlook on UK farming? – by farm size



Again, a trend can be seen whereby satisfaction increases with the size of farm (Figure 15.), although 'very small' had a slightly higher percentage than 'small' farms.



Analysed according to geographical region, East Anglia and the West Country are the two areas where farmer disagreement with the NFU’s politics outweighs the number in agreement. The West Country difference is statistically significant, which is interesting given the history of non-conformism with national NFU policy in that part of the world.

Asked to summarise the NFU’s political outlook in their own words, 13 NFU members wrote something positive, two wrote something semi-critical and ten wrote something critical. All non-members and ex-members were critical.

Positive comments – from members

“Supporting the growth and development of British farming” (*Member*)

“NFU has a young energetic team at HQ who work hard for UK agriculture they seem keen to engage with young members and this is vital in order to get some young blood into the various boards long may it continue” (*Member*)

“Generally, they try to promote an image of a positive and forward looking industry, whilst sensitively portraying the many challenges that the industry faces” (*Member*)

“To ensure British agriculture is well represented in Europe and the world” (*Member*)

“Satisfactory” (*Member*)

“Balanced” (*Member*)

“It’s basically sound” (*Member*)

“Reasonable” (*Member*)

“Taking a positive approach towards rural management, looking to sustainably balance the needs of feeding an ever-increasing population, managing our countryside, and providing other significant uses- such as energy production” (*Member*)

“An Industry balanced approach to domestic and international issues” (*Member*)

“The maximum benefit for the maximum number of farmers” (*Member*)

“NFU is well resourced” (*Member*)

“I think they do a lot more than we realise” (*Member*)

Both positive and negative – from members

“Ok but needs to consider the environment more not just production” (*Member*)

“This is a difficult one to answer. I think the NFU are exceptional in their support of farmers and the industry, but sometimes NFU is too dogmatic in defending some causes. Defending PPP's which have unintended negative consequences, or which have greatly reduced efficiency is one area where a more open and honest approach would be helpful. Another area is on the environment, a much stronger line that all farmers should do more to conserve what wildlife they already have but go the extra mile to encourage even more wildlife on their farms” (*Member*)

Criticism – from members and non-members

“Bleak” (*Member*)

“Uncertain” (*Member*)

“But they use small farmers to publicise the issues and it is large farms that profit from it” (*Member*)

“I don't think they've got the right answers on TB. Ditto organic farming, much of the environmental requirements, and all health care etc.” (*Member*)

“Misses the key issues” (*Member*)

“Negative” (*Member*)

“They are anti-environment, anti-soil management and pro profit above all else. The recent press release by Raymond regarding wildlife organisations paying for a badger cull/immunisation was ludicrous. Self-serving Tories only interested in lining their pockets at the expense of this planet.” (*Member*)

“They support large arable and dairy farms. More needs to be done for low input sustainable farming” (*Ex-member*)

“Pro big agribusiness, in support of intensification and industrial farming” (*Ex-member*)

“Cannot comment as gave up listening when they set out to ruin our livelihood by siding with the supermarkets in saying only large farms worthwhile” (*Ex-member*)

“Very biased towards large scale, more 'industrial' approaches, with little regard for environment or citizen welfare” (*Ex-member*)

“Short-term policies to exploit opportunities rather than a long-term interest in the health of farming. Too close to the supply and processing industries and in this respect, the NFU's corporate membership is far from transparent. A naive approach in dealings with the major supply, processing and retail sectors” (*Ex-member*)

“They are too reactive and not proactive; the main beneficiaries are dairy and owner/occupiers” (*Ex-member*)

“I don't have enough information to comment as per previous comment, but it can come across very negative at times putting farmers in a bad light when the media get hold of a story”

“Depressing, blinkered and bigoted” (*Ex-member*)

“Too political and not enough focus on genuinely sustainable practises. They are often on the back foot of important issues that affect farmers” (*Ex-member*)

“Many of their lobbying activities are to support landowners and are inimical to agriculture” (*Ex-member*)

“Industrial” (*Ex-member*)

“Their outlook is that big Agribusinesses will feed the world instead for lobbying for a fair far gate price for farmers. Their job should be in protecting the interests of all farmers not the profit margin of big huge farmers” (*Ex-member*)

“Supporting industrial agriculture and the status quo” (*Non-member*)

“Farmers need to intensify and expand” (*Non-member*)

“Pro status quo-no change = good times for land owners via subsidies” (*Non-member*)

“Introverted and self-serving. Licking the backsides of supermarkets and government” (*Non-member*)

“They are useless” (*Non-member*)

“No help to beef farmers” (*Non-member*)

'Keep Britain farming'... even if it's unprofitable” (*Non-member*)

“I've been reading the NFU magazines, which the farmer I work with (who is a member of the NFU) passes me. I don't like their approach to the temporary ban of certain agrochemicals, which seems to assume that these bans are not based on science, when in fact it is science that has discovered issues such as the demise of pollinating insects” (*Non-member*)

“The NFU integrity is being eroded away by lobbying of global giant companies for profit and greed influencing

those that head the Union and not for the sustainability and safety of food and so is behaving irresponsible. The NFU does not represent me and I know of many other small scale, sustainable farmers which feel the same way, thankfully there is a new organisation that is listening to us. They are called the Landworkers' Alliance" (*Non-member*)

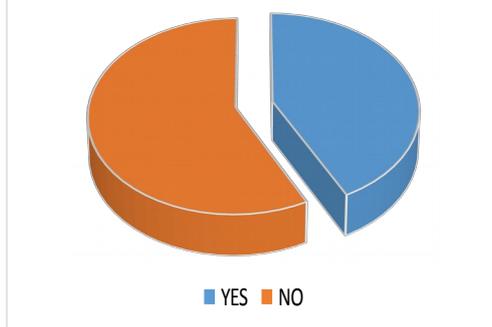
"MY PERCEPTION IS THAT THE NFU REPRESENT THE PRACTITIONERS OF INDUSTRIAL FARMING, AND HAVE LESS REGARD FOR THE ENVIRONMENT THAN THEY SHOULD. NFU ATTITUDE RE RAPTORS (SEA EAGLES!) CAUSES ME GREAT CONCERN" (*Non-member*)

"Limited in the type of farm it would tend to view as the way forward" (*Non-member*)

"The NFU are mainly concerned with lobbying for the interests of big landowners and could not care less about smaller family farms" (*Non-member*)

"It appears that they have large scale/industrial agriculture at their core and are pushing this way of agriculture to Defra. They are pro GM, pro large farms, pro industrialised agriculture that is no longer the way forward for producing healthy food for the growing population" (*Non-member*)

Figure 17. In your view, does the NFU endeavour to represent all farming sectors equally?

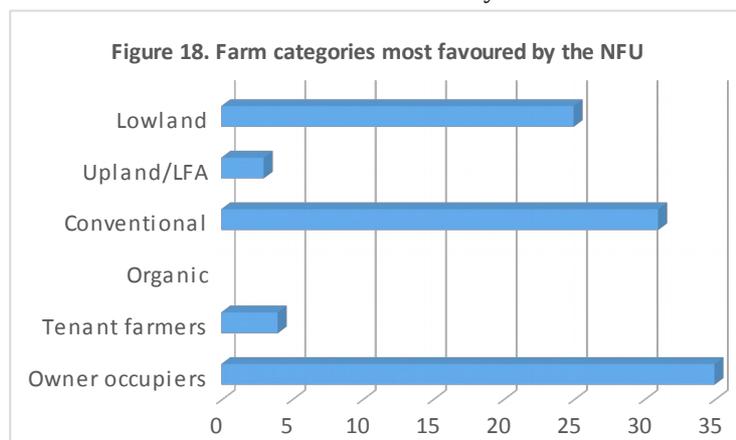


4. Fourthly, respondents were asked if they felt that the NFU endeavours to represent all farming sectors equally. Nearly 60% answered 'no' (Figure 17.).

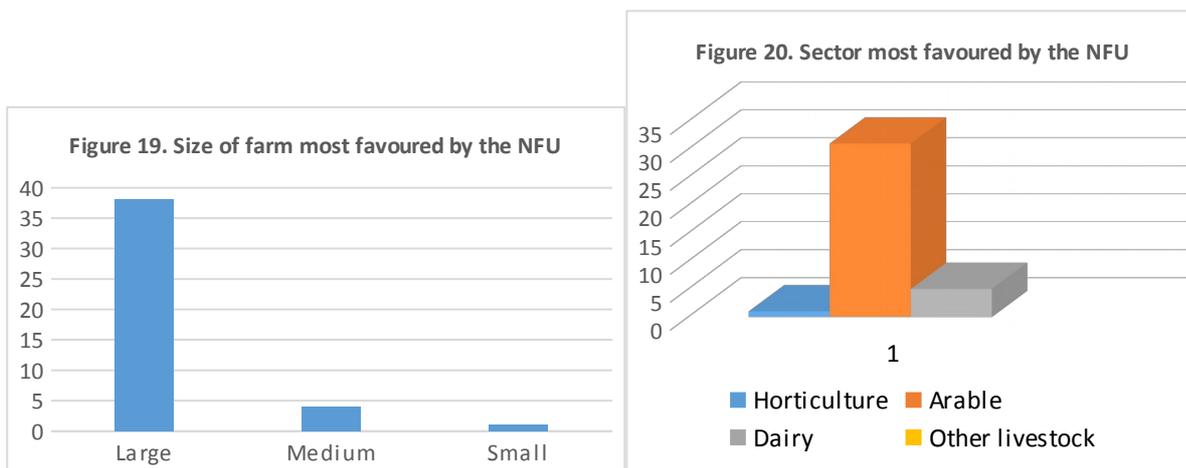
They were asked to select which of three paired categories is more favoured, in their view, by the NFU:

- Lowland or Upland/Less Favoured Area (LFA)
- Conventional or Organic
- Owner occupiers or Tenant farmers

The results were clear cut, with the first of each pair being disproportionately selected (Figure 18). The notion that conventional agriculture is favoured over organic was unanimous, while 91% believed owner occupiers are better served than tenant farmers and 87% said they see a bias towards lowland farming.



There was also near consensus that the NFU has the interests of 'large farmers' at heart more than those with medium or small farms (Figure 19.), and that it prioritises arable farming over all other sectors (Fig.20).



Those who answered that the NFU does not represent all sectors equally were asked for their thoughts on the possible causes of the imbalance.

Members said:

- They are only interested in insurance.
- The members who sit in the positions of influence represent their own interests, generally, and that is centred around very large agribusinesses and not the average farm.
- Too much to do by not enough bright people.
- Lack of member involvement in certain areas.
- It tries to but inevitably not everyone feels that their needs are met.
- NFU can be a bit focused on arable and livestock! Hort. is major sector.
- They have the problem that they don't like upsetting government.
- Rich people at the top.
- But it is impossible as often contradictory.
- Top fruit is a small sector which has its own trade bodies and associations, it's quite depressing being lumped in with potatoes!
- The chair and vice chair are from the same stable ... they all think and talk the same, and refuse to listen to a differing point of view, they would rather dismiss it.
- I think upland farmers in particular get a poor deal, as the focus is on lowland arable and livestock farms.

Ex-members said:

- I left the NFU because it did not support small farmers.
- Run by large farmers, as single person operators cannot find the time to attend meetings, etc., who have no regard for the smaller farmer.
- The most vociferous and largest get the most attention.
- The 'Sean Rickard' blinkered approach to economics, which has no consideration to food quality, biodiversity, ecology, the environment or communities. 'The efficient farm will survive' mentality in effect means the smaller farm will die out. The problem with that philosophy is that 70% of the world's food is produced by

small farmers. Biodiversity and ecology around the world has evolved around traditional, diverse, mixed farming systems.

- Largest farmers are most important due to membership fee structure, and I think this lends itself to more focus on big arable and increasingly intensive poultry. Not sure how best to restructure membership fee, perhaps more a case of how NFU represents equally.
- Either lack of vision or lack of ethics ...
- The NFU represents the interests of landowners.
- Perceived difficulty of supporting one sector and demonising another.
- No representation or time taken to listen to small farmers. Which is a snobbish indignation attitude which is no benefit to future farmers in the UK.
- Current leadership bias, and possible influence of supply industry.
- Those with the time and financial resources to actively lobby and participate in driving NFU policy are the larger landowning arable farmers.

Non-members said:

- I assume it involves lobbying and money.
- Probably due to those at the heart of the organisation being large farmers who benefit from the unfair CAP system which favours large landowners.
- Supported by larger landowners and influenced by industry outliers (fertilizer and chemical companies).
- Do nothing for proper farmers at all.
- Looks after arable farmers.
- Class, established farming names, number of hectares.
- They say they endeavour to represent all farming sectors, including small farms, but as the example above gives, they are not genuinely representing them. I also don't think they represent farms with ecological motives (such as organic farms).
- NFU only focus on big Agribusiness and the big intensive British industrial agri, NFU don't represent organic, small scale, agroecological farming, with all the evidence of problems and food allergies arising from intensive agri and GMO's possibly being OK'd, supported by the NFU, the NFU should be lobbying for caution. Let alone what this kind of agri is doing to our fragile environment and health of soil. Please listen to us NFU!
- Small farmers are not represented, possibly due to costs or due to their views not being supported.
- The NFU puts the interest of large landowners first and tailor makes their farm policy to suit an elite clique of wealthy farmers with vast acreage at the expense of smaller farmers and the rest of the rural community.

Figure 21. – Do you feel that the NFU endeavours to represent all farming sectors equally? - by farm size

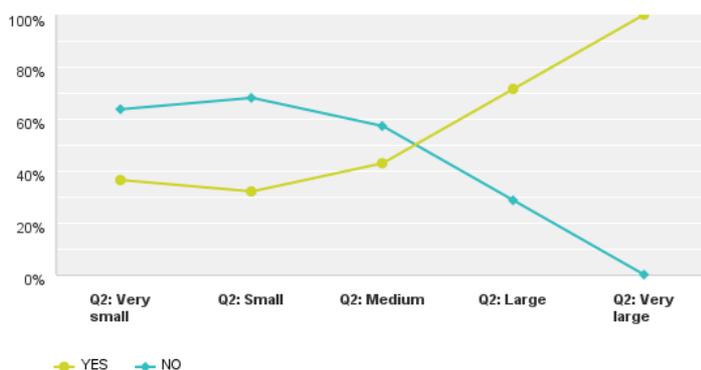
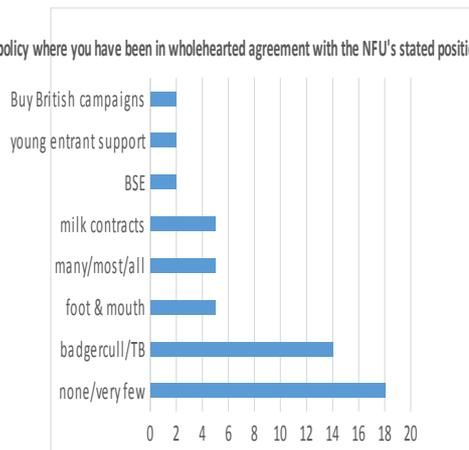


Figure 21. suggests that farmers with bigger farms are more likely to think the NFU does a good job at representing all sectors equally, which, given the fact that a majority of farmers felt small farms are neglected, would make sense (assuming people tend to think if they're ok, everyone else is too). This isn't necessarily the

conclusion that should be drawn, however. As Figure 1. showed, many more medium sized and small farmers took the survey than any other, and nearly 70% of the farmers who answered 'yes' were from medium or small farms.

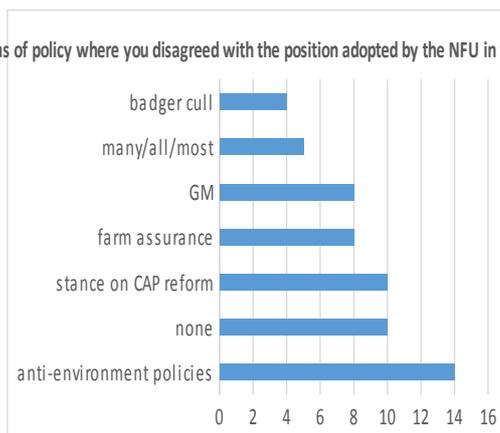
5. Lastly, respondents listed specific areas of policy where they had been in either strong agreement or disagreement with the NFU's stated position and actions within the past 10 years. Figure 22. groups the multiple answers into categories, showing that, for example, the promotion of British produce, support for young entrants to farming and action around BSE were each mentioned by two people; 14 people were in favour of the NFU's action on badgers and TB; and 18 were unable to think of anything they had agreed with.

Figure 22. Areas of policy where you have been in wholehearted agreement with the NFU's stated position and actions in last 10 years



The following were mentioned once, half of them (those in *italics*) by one individual, a serving NFU County Chairman:

Figure 23. Areas of policy where you disagreed with the position adopted by the NFU in the last 10 years



Speedy payment of CAP, Fighting NVZ rules, Production and technology availability; Defra bureaucratic efficiency progress; Working with Europe; A level playing field in Europe; Increasing UK self-sufficiency; Animal ID issues; Upland farming support; *Protecting UK produce against unfair competition from inferior imports; Banning sky lanterns; Sorting out chaos at RPA; Retaining duty reduction on red diesel; Keeping farmland exempt from Council Tax; Supermarket Code of Conduct; Helping stopping sheep rustling; Ending duplication of inspections; Negotiating on farmers' behalf against major utility companies and road/rail building schemes; Helping discourage fly tipping.*

Figure 23. collates the examples of NFU policy positions which more than one farmer disagreed with. The others (each cited once) were:

CE marking on building structures; Flood help; Aspects of TB control; General lack of more lateral thinking; Lack of direct action and effort to change things; What to do about milk prices; TB restrictions; Foot and mouth; Action on the minimal support given to farmers being ripped off by wind turbine companies.

Some discussion about the fact the same things appear on both lists...

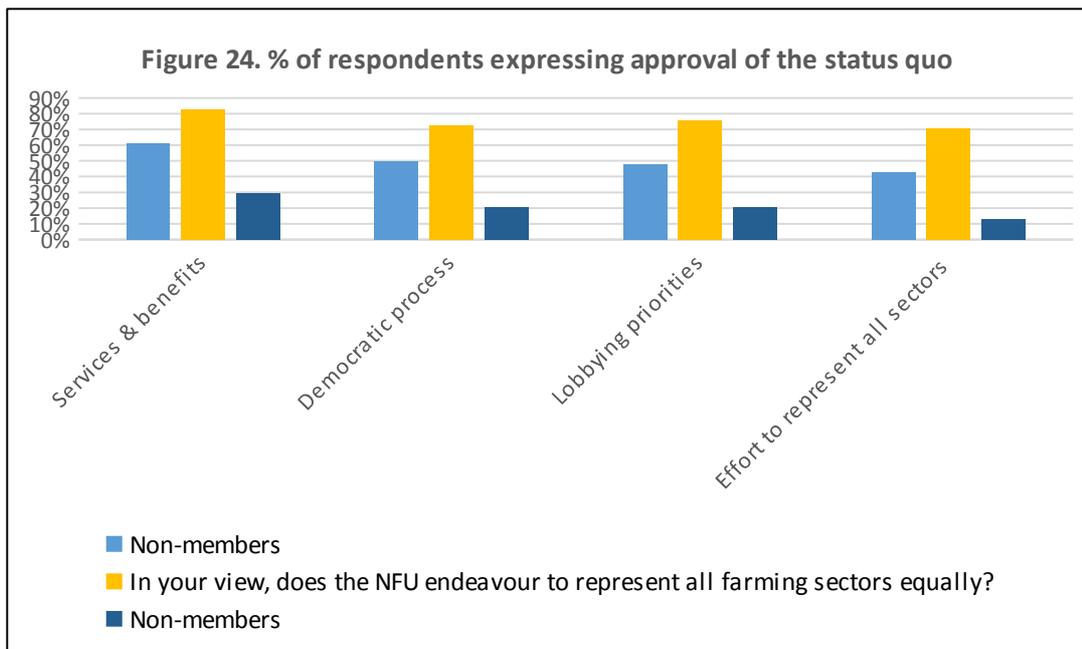


Figure 24. shows that overall, the services and benefits provided to members had higher approval (60%) among the survey respondents than did its processes for decision making or lobbying priorities, while only 42% felt that it was an organisation that strives equally on behalf of all farming sectors.

Predictably, nearly all those who were satisfied with all four aspects of the NFU’s work were members of the Union.

Most of those who were unhappy with all four aspects of the NFU’s activity were not members, although four of them were (one of them expressed an intention to leave soon).

Three ex-members ticked that they were generally happy with the NFU’s political outlook and priorities, but not with the service and benefits it provides. One had left due to ‘poor representation’ (presumably legal) but the comments of the other two showed they were in fact exercised by particular aspects of policy (the introduction of transferable milk quotas and unaccountable lobbying favouring big farms). Four ex-members who declared themselves happy with the benefits and services (one, a small farmer nevertheless noting “Lots of good activities but not so much to suit my circumstances”) had left due to the NFU’s outlook and priorities (seeing them as anti-environment/focused on large-scale industrial agriculture).

Messages for the NFU Leadership

Respondents were invited to leave a message for the NFU Leadership.

Messages of encouragement:

Keep up the good work

Keep up the good work

Keep up the good, democratic work

Keep up most of the good work. But talk to the grass roots and listen to them. Can't always please them all though

Keep slogging away and work together with TFA and CLA for strength

Don't be afraid to really stand up for UK farming

Maintain wide membership of the farming community

Lead the members: help give them what they need, not what they want

Declarations of no confidence:

- Change.....lots
- Disband now
- Disband
- Don't make out you represent the views of all farmers. You don't
- Please don't claim you represent the interests of the majority of British farmers

Pleas for better public communication on behalf of farmers

Learn how to communicate with the public to enhance the public's view of UK farming

Be more aggressive and get our message to consumers

Keep trying to get the general public to understand the farming industry – there is still a long way to go

Be positive to the British Public, let's stop moaning and get on with and work with what we are dealt

Specific suggestions

We need an inquiry into sheep farmers suffering ill-health because of compulsory sheep dipping

Give more support to local group offices

Ensure the TB policy and culling continues for the benefit of livestock farmers and for wildlife in the countryside

Stop the ratcheting up of farm assurance. It is of no benefit to anyone

Stop supermarkets dominating and setting prices

Pleas for better member engagement and consultation

Never lose sight of the views or of people you are REPRESENTING

Listen to the members by giving them a one member one vote when electing our representatives to the top positions in the NFU

Be more democratic. Allow new ideas to come forward

Maybe to listen more to the members

Communicate! Online not in meetings that most don't attend, Get the young talent in this industry onside, they will not be found at a committee meeting though

You forgot that your members came in all sizes and many small farmers have gone under because of the NFU's support for large farmers at the expense of smaller farms.

- Re-look at your vision and democratise
- Engage with the members again
- Take notice of the views of farmers
- Listen to the new entrants who want to farm who come from a non-farming background. They have a huge range of skills and business know-how, and an awful lot of enthusiasm. Ignore them at your peril
- Please listen to us small farmers
- Appreciate different farms and take the time to understand what they have to offer

Requests for new priorities:

To be much more open and less defensive of causes when more openness and a more realistic approach may actually lead to better deals long term for farmers, than falling back to old tired & tested, but out dated blanket defence of certain principles.

Get your heads out of the sand and look at the real picture of our land and its health. Stop exploiting farmers and the public using fear tactics.

Wake up to the shortage globally of water, soil, phosphate, and hydrocarbons. Work on a better policy for soils.

Understand that the future diet of this country will not be as it is today and they were all going to have to eat less meat that has been raised on a grain-based diet

Accept that farming is changing ever more quickly and you have to be in front of, not behind the curve

- Put the public interest much more centre stage
- To think about more sustainable farming practises
- We need to farm ecologically and sustainably in small scale farms
- Do not brush aside small scale farmers – embrace them as the way forward for agriculture. We need to localise the food system rather than constantly being concerned with the export market. This leads to a more resilient food system and stronger communities
- Concentrate on keeping sectors profitable rather max production

- Yes, food production is paramount, but long term food production cannot be sustained if the means of production (i.e. the soil, the minerals, the energy used in production, and the biodiversity that aids production) are not carefully stewarded. We need to be looking at how to produce food as fossil fuel supplies decline (and therefore get more expensive), how to sequester carbon in the soil, how to close nutrient cycles and keep minerals on the farm, if farming is to be truly sustainable. This requires a broader perspective on the kinds of farming to invest in in the future. If small farms don't seem productive, maybe this is because they haven't had so much investment in R&D to help them up their game.
- Support small farmers and organic farms
- The NFU should represent smaller family farms instead of continually putting the vested interest of big farmers and landowners before everybody else

Additional comments received:

- Actions speak louder than words (*Member*)
- I feel a lot of the criticism of the NFU is deeply unjust (*Member*)
- They allow the government to specify standards that we have to work to, and yet allow imported food that does not comply with those standards. For that single reason, the NFU are irrelevant and completely useless. At the very least they should be making this abundantly clear to the public who happily buy produce each week that they would not allow to be produced in this country. It's a total disgrace (*Member*)
- They do not have the resources of some other powerful NGOs, RSPB or RSPCA for example (*Member*)
- A vital organisation for the industry (*Member*)
- While some have questioned the NFU line on badger culling (and maybe it could have been handled better) it is undeniably true that in both pilot areas over 90% of farmers signed up with their cheque books to support it (and have continued to support it despite some serious intimidation) irrespective of their own personal opinion of the Union (*Member*)
- The NFU will only begin to function as it should when there is a fundamental change in the "old boy" network that perpetuates the arrogant attitude that prevails in both policy and leadership. The organisation is a 1970s dinosaur that has failed to adapt as both the market for, and expectations of food and farming have changed. Farm businesses now find themselves in a generally weak position in the supply chain and with a poor public profile because the industry is highly fragmented – the NFU are largely responsible for that fragmentation (*Ex-Member*)
- There is more and more evidence that feeding European livestock with GMO ingredients from America is causing food intolerances and allergies in young children (*Non-member*)
- I have no interest in NFU ---they do not and will not represent my views because their interests are at polar ends to mine in most cases (*Non-member*)
- I am disgusted that people perceive NFU as representing farmers. They do not. They are hypocritical parasites (*Non-member*)
- The NFU should not be allowed to get directly involved in implementing any government legislation. For example, the Licencing regulations to transport farm animals to market (*Non-member*)
- I have heard that they have not supported some farmers to the degree you would expect from being a member (*Non-member*)

Discussion

Figures 18-20 and several comments throughout the survey confirm the impression given by the NFU's own publications and spokespeople – that the organisation is primarily concerned with large-scale, conventional agriculture and focused on boosting yields and minimising 'red tape', in particular environmental regulation. A recent blog piece by NFU Vice President Guy illustrates this outlook (referring to the current EU ban on neonicotinoid pesticides):

We are flatlining while the rest of the world seems to be responding to the challenge of feeding a burgeoning global population by ratcheting up crop production ... Although the reasons for this are complex, one key driver in this is changes to the regulatory framework in which UK agriculture has to operate... The EU Commission regulations to test and approve agrochemicals have become prohibitively expensive and time-consuming, leaving farmers and

growers with a reduced spectrum of products... British farmers have seen too much contraction in the past thirty years. We need to reverse this trend and one way to do that is to keep all the tools in the crop production toolbox.

There is a divide in the survey results between respondents who are broadly in agreement with these aims, though they may have other disagreements with the NFU and its way of doing things, and those who want to see a major shift in agricultural strategy towards small-scale, ecologically sensitive approaches. Although farmers of an ecological persuasion are probably over-represented in our data, this is a significant and growing group with a disproportionate number of younger farmers. The five-year-old Oxford Real Farming Conference attracted 500 delegates in 2015, the same number as the establishment Oxford Farming Conference which it was set up as an alternative to.

However, the aim of the survey was to get a sense of the general level of support for the NFU among the farming community, to assess whether it has a right to speak for British farming at so many levels. Clearly there would never be consensus, but a lobbying group with the NFU's level of influence should have the approval of a good majority of those it acts on behalf of. The difficulty for a piece of research like this is to establish what is valid criticism, and the extent to which critical views are shared. Sometimes the NFU is taken to task for things it has or had failed to do, in ways which misunderstand the organisations role or their powers. However, such criticism often points to an underlying macro problem which the NFU is doing nothing to challenge, accepts as inevitable and may have a vested interest in maintaining. This 'additional' survey comment from an NFU member is an example:

“They allow the government to specify standards that we have to work to, and yet allow imported food that does not comply with those standards. For that single reason, the NFU are irrelevant and completely useless. At the very least they should be making this abundantly clear to the public who happily buy produce each week that they would not allow to be produced in this country. It's a total disgrace.”

The NFU does not 'allow' the government to specify standards – standards are set at EU level and adopted by Defra in consultation with other bodies. The NFU typically lobbies hard to keep regulation to a minimum, but cannot sanction the Government over decisions unpopular with farmers. Whether or not this farmer agrees with high standards in UK farming, or would rather lower them to be able to compete better on cost, s/he is unhappy that food produced outside of the EU – to lower standards and thus more cheaply – is undercutting domestic produce. This is a function of the globalised, deregulated food market – a framework which the NFU and the current government are fully reconciled to, in contrast to earlier eras of protectionism (all UK governments since the 1980s have urged the EU towards greater market liberalisation). This farmer wants to see the NFU raising public awareness that if they buy non-UK produce it may have been produced in conditions more damaging to the environment, human health or animal welfare. S/he is also probably alluding to the fact that products (e.g. ready meals) which only contain a proportion of UK-grown ingredients are permitted to display the Red Tractor logo of the NFU's UK farm assurance scheme (see below for more on this).

Where the farmer is correct is that the NFU does not see its role as mobilising farmers to fight for a completely new policy framework in which retailers are forced to prioritise British produce and only import food which can't be grown here, or where to fill gaps in supply. Such a move would find little favour in the short term with the main political parties, and would mean a complete renegotiation of the UK's relationship with the EU and withdrawal from numerous international trade agreements, with implications for the rest of the UK's import/export industry. For this farmer, the NFU's motivation for such action should be the fact that a majority of UK farmers are struggling to survive with the current low farm gate prices, which are being pushed down by the availability of cheaper imports in a supermarket-dominated market. Many such farms are only kept going by CAP payments, so the new deal would have to leave the subsidy system intact (potentially tricky for European partners to agree on) or prices for consumers would rise considerably. They would probably rise anyway, if good environmental, animal welfare and labour standards were to be maintained.

In expressing frustration with the NFU for not helping farmers get a fair price or even find buyers for staples of the UK diet, s/he was probably not seeking a fundamental overhaul of the food system and the CAP. However, the problem s/he

identifies are inherent to the current system, one in which the NFU is embedded and from which it profits to the detriment of a majority of its members.

In the thinking of the NFU:

- What farmers are paid for their food depends on fluctuations in global commodity prices, which are inevitably unpredictable as they depend on trends in production and consumption elsewhere in the world, other geopolitical factors as well as uncontrollable variables like the weather and disease.
- Because this is the system, things like the TTIP agreement are to be cautiously welcomed as they open access to foreign markets for UK produce. They might push down environmental and animal welfare standards in the UK, but that is probably necessary anyway – environmental and animal welfare regulations add unnecessarily to production costs and the precautionary principle is unhelpful anyway, restricting access to useful ‘tools’ when it is not even certain that they are doing any harm to humans/animals/the environment.
- The way for British agriculture to succeed in this environment is to increase efficiency through ever greater mechanisation, industrialisation, development of new chemicals and biotechnology, and economies of scale. NFU is in favour of industrial scale pig and dairy units.
- It is inevitable that small, less resilient farms will sell up, and desirable that their land be incorporated into bigger units by wealthy farmer/farming corporations. The NFU is sanguine about small farmers selling up and being incorporated into bigger units – this is seen as sound economics, improving the efficiencies of British agriculture.
- Trade in agricultural commodities globalised, as are all the peripheral industries (plant breeding, seeds, agrochemicals, farm machinery, food manufacture) and the retailers. Thus, the NFU is always sending delegates to the Far East to seek new markets.
- The important thing is maintaining positive balance of trade – exporting more is more of a priority than reducing imports. Why should the NFU think this? Isn't it government who have to worry about GDP and the balance of trade? The reasons are:
 - The NFU has a strong overlap with government, shared rationale
 - The NFU has a lot of money invested in financial institutions
 - Lucrative areas of British research and industry are linked to agriculture – tractor production, chemicals, biotech.

Other

Were it to change its approach, the NFU would have the backing of the food sovereignty movement and others who've long campaigned for the relocalisation of the food system, not least to reduce the climate impacts of transporting food around the world. However, it would mean a complete renegotiation of the UK's relationship with the EU and withdrawal from numerous WTO trade agreements (affecting the rest of the UK's international trade). In backing such a move, the NFU would find little political favour in the short term with the main political parties, go up against its richest and most powerful members (who would face retaliatory action and potentially lose access to and lose its allies and income streams from the agrochemical, biotechnology, farm machinery, corporate food manufacturing, retail, finance and other industries which are plugged into and driving the world-scale agribusiness system. It is quite a lot to ask of the organisation. However, in not doing so, it is facilitating the status quo, and by extension perpetuating the situation whereby farm gate prices are so low that many farms are only kept in business by their CAP payments.

So, the farmer who made the comment above, the owner of a medium sized livestock business, is right to feel let down by the NFU, but does not necessarily appreciate the scale of change that would be needed for them to operate differently.

Appendix II Background to this report

Soon after Ethical Consumer began campaigning against the badger cull in England 2013, it became clear how central the National Farmers' Union (NFU) was to pushing the current cull forward. One of the striking things about the NFU in this area was the degree to which it appeared unconcerned about either scientific evidence or the opinions of the general public.⁶⁰²

Modern consumer-facing businesses, like most UK supermarkets and indeed many industry bodies, at least pretend to care about environmental and social issues. Not so the NFU, which appeared to view the opinions of the general public with some amusement. During 2014, ECRA received a donation from Lush Cosmetics to continue to campaign against the badger cull and, as part of this work, we wanted to get to understand the NFU better.

We began research in early 2015 by interviewing farmers and campaigners, both one-to-one and in a public online survey. Although some farmers we interviewed were generally supportive of the NFU and its work, there was a strong undercurrent of dissent and, when we asked what the main areas of concern were, at least 18 separate areas of research emerged. These have grown to become some of the sections in this report.

Date of this research

With this report growing much bigger than we had originally intended, the core of the research extended to take up most of 2015. Normally we would date our web references individually, but with the time differences involved, we believe it best to say that the web references were correct as at December 11th 2015. Since then we have been editing the report and adding sections which appeared to be required.

Some of the sections address quite fast moving contemporary political issues – like the regulation of neonicotinoid pesticides in Europe or the campaigning around TTIP (the Transatlantic Trade and Investment Partnership). Realistically we have not been able to keep these up to date in real time – and so we must regard all our sections as snapshots of the positions of both the NFU and campaigners during mid-2015.

Since most of the research was in we have had, of course, a pro-Brexit vote in the UK referendum. With farming being one of sectors most impacted by the presence of EU regulation and subsidy, a significant amount of what we have written here will only now be useful in helping inform what direction post-Brexit farming intervention could take. In some senses this makes it more, rather than less, important.

Rob Harrison, Editor

December 2016

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Ethical Consumer Research Association,

Unit 21, 41 Old Birley St, Manchester M15 5RF. 0161 226 2929.

602 The government's own 'Krebs' trial found the culling of badgers to be ineffective at controlling TB in cattle.