



**HUMANE SOCIETY
INTERNATIONAL**

September 2, 2014

Submitted Electronically

David Oliver
Deputy Assistant United States Trade Representative for Environment
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Re: Comments Regarding the TTIP Environmental Review, Docket # USTR 2014-0012

Dear Mr. Oliver:

Humane Society International (HSI) respectfully submits these comments in response to the *Request for Comments Concerning an Environmental Review of the Proposed Transatlantic Trade and Investment Partnership Agreement*, 79 FR 3783475 (July 02, 2014). HSI appreciates the opportunity to provide our views on this very important topic, which has far-reaching implications for the environment and its animals. Specific recommendations are provided below.

I. HSI BACKGROUND

HSI operates as the international arm of The Humane Society of the United States (HSUS). The HSUS was founded in 1954, and together, The HSUS/HSI represent one of the largest animal protection organizations in the world. HSI works to promote the protection of all animals around the world by advocating for the effective enforcement of international environmental treaties, and furthering humane and sustainable international trade policy.

HSI is as a member of the Trade and Environment Policy Advisory Committee (TEPAC) and advises the United States Trade Representative on trade and environment issues. Our organization is a member of an active TTIP coalition both in the United States and in Europe, consisting of numerous environmental, conservation, and animal protection groups. Additionally, HSI has presented its positions at stakeholder events held during each TTIP negotiating round since July 2013. HSI representatives also meet regularly with U.S. and EU negotiators to share our expertise on a variety of TTIP issues.

Moreover, since its establishment in 1991, HSI has participated as an observer at all meetings of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as the CITES Animals Committee and Standing Committee. HSI is also one of the founding members of the Species Survival Network (SSN), an international coalition of 98 non-governmental organizations committed to the promotion, enhancement, and strict enforcement of CITES. Additionally, HSI participates regularly in meetings of the International Whaling Commission (IWC), as well in meetings of various Regional Fisheries Management Organizations (RFMOs). Furthermore, HSI has significant programs relating to demand reduction for rhino horn in Vietnam, elephant ivory in the US and China, and shark fins globally.

II. RECOMMENDATIONS

In the notice soliciting comments, the Trade Policy Staff Committee (TPSC) invites the public to comment on:

- topics that should be included in the scope of the environmental review
- potential positive or negative environmental effects that might result from the trade agreement
- potential implications for U.S. environmental laws and regulations
- appropriate methodologies and sources of data for conducting the review.

This section addresses these areas for our proposed topics for review.

a. Topics that Should be Included in the Scope of the Environmental Review of TTIP

In May 2013, HSI submitted comments to the United States Trade Representative (USTR) on environmental issues in response to a notice published in the *Federal Register* on April 1, 2013. The present notice, dated July 02, 2014 indicates that all prior comments will be taken into account and do not need to be resubmitted. Therefore these comments will not cover what HSI has already relayed to USTR.

However, HSI would like to expand on previously addressed issues and recommends that the following topics are included in the TTIP Environmental Review, noting that this list is non-exhaustive:

- i. Wildlife Trade
 - a. Legal Wildlife Trade between U.S. and EU
 - b. Illegal Wildlife Trade
 - c. Impact of Trade in Commodities on Wildlife
- ii. Fisheries Sustainability
 - a. Illegal, Unreported, and Unregulated (IUU) Fishing
 - b. Fisheries Subsidies
- iii. Oceans and Marine Life Conservation
- iv. Environmental Impact of Industrialized Farming
 - i. Wildlife Trade

HSI's May 2013 comments provide a detailed background on wildlife trafficking, highlighting the fact that the U.S. and EU rank among the top three consuming nations for wildlife¹ and calling on both Parties to focus on ways TTIP can help to curb demand for wildlife. In this submission, we recommend that the environmental review should assess the existing trade in wildlife (and their parts) as well as other commodities that negatively impact biodiversity throughout the world. This is particularly critical considering that TTIP is highly likely to increase trade in a variety of commodities between the U.S. and EU.

1. Legal Wildlife Trade between U.S. and EU

¹ Congressional Research Service, *International Illegal Trade in Wildlife: Threats and U.S. Policy* (23 Jul 2013), available at <http://fas.org/sgp/crs/misc/RL34395.pdf>. (CRS Illegal Trade Report) (last visited Sep 2, 2014).

While the focus of the negotiations is likely to be on efforts to curb the illegal trade in wildlife, it should be recognized that there is also significant legal trade in wildlife and wildlife parts and products between the U.S. and EU. Both are major traders in wildlife. The trade in live animals primarily supplies the exotic pet industry, although some species traded are also destined to zoological collections, for use in biomedical research or to stock hunting ranches. Some live specimens traded have been caught in the wild; others may have been captive-bred or ranched to supply the trade. In addition to live animals, wildlife parts and products, such as skin, pelts, bones, horn, ivory, teeth, claws, feathers, shell, meat, glands, secretions and derivatives, are also traded. Some of the animal parts or products are worked into other articles (e.g. handbags, shoes, coats, ornaments, etc.); others are further processed or used as ingredients for the manufacture of other products.

Recipients of wildlife product imports include - but are not exclusively limited to - the fashion, home-decorating, cosmetic and pharmaceutical industries, traditional medicine, craftsmen, antique dealers and private collectors, and the 'gourmet' food market. Imported animal products may also include specimens for scientific research and hunting trophies.

Wildlife traded between the U.S. and EU is sourced throughout the world, and if taken from the wild, their removal can be unsustainable leading to serious decline in population of that species. Population decline of any species has numerous negative consequences for the ecosystem. Additionally, captive breeding or ranching facilities often become a place through which wild-caught animals can be laundered.² This may go unnoticed and those animals or their products can then enter legal trade. Animals that are in trade, whether wild-caught or captive-bred or ranched, also regularly experience physical injury, pain, distress, fear, and other forms of suffering³ throughout the trade chain: at the stage of capture, housing, transport, slaughter, etc.

To grasp the scope of wildlife trade between the two Parties, one can look to data collected by the U.S. through the U.S. Law Enforcement Management Information System (LEMIS). For example, as the charts below illustrates, in 2012 the U.S. exported nearly \$220 million worth of wildlife (live animals and their products) to the EU and imported over \$392 million worth of products from the EU. For comparison, the U.S. exported \$223 million worth of beef to the EU in 2012, and imported \$355 million worth of pork that same year.⁴ The scale of wildlife trade between the two Parties is therefore substantial. However, it must be noted that value figures reported in LEMIS are reported by the wildlife dealers themselves. A

² Wild-caught specimens, particularly reptiles and birds, are known to be routinely laundered into the legal trade and sold as 'captive-bred'. For example, a report from the International Trade Centre explains that wild caught snake skins are often laundered through alleged captive breeding facilities or mixed in with captive bred specimens where stockpiles are kept, thus disguising the true source of the capture. See Kasterine, A., Arbeid, R., Caillabet, O. and Natusch, D. *The Trade in South-East Asian Python Skins*. International Trade Centre (ITC), Geneva.) (2012), available at <http://www.intracen.org/uploadedFiles/intracenorg/Content/Publications/The%20Trade%20in%20Southeast%20Asian%20Python%20Skins%20for%20web.pdf>. (ITC Report) (last visited Sep 2, 2014).

³ There are significant concerns about the welfare of wild animals either being caught in the wild or raised and captive-bred killed for their parts and products, or traded live. Methods used to capture and kill wild animals whose parts are destined for the trade, particularly when this is done on a large scale, as are many commercial operations, are often inherently inhumane. Animals can be poisoned, trapped or snared, or bludgeoned to death. Their parts are sometimes removed even before they are dead. In Vietnam and Indonesia, for example, where much of the python skin traded between the EU and US originates, inhumane methods, such as decapitation and asphyxiation of live pythons using air compressors or water pumps, are commonly used to slaughter snakes for snakeskin. Whether a snake actually dies from during these practices prior to skin removal is not clear. See ITC Report.

⁴ Heinrich Böll Foundation and Friends of the Earth Europe, *Meat Atlas: Facts and Figures about the Animals We Eat* (2014), available at http://www.foeeurope.org/sites/default/files/publications/foee_hbf_meatatlas_jan2014.pdf. (last visited Sep 2, 2014).

dealer may be incentivized to undervalue the exported or imported species or product because it lowers customs fees. Therefore the actual value of legal wildlife trade may be substantially greater.

U.S. Wildlife Exports to EU (2012)⁵	
Product	Value
Total wildlife exports for commercial purposes	\$219,865,667
All wildlife products taken from the wild and traded for commercial purposes (excluding live animals)	\$115,168,439
All wildlife products commercially bred or from ranching operation (excluding live animals)	\$8,047,058
Live animals taken from the wild traded for commercial purposes (the most common are bloodworms, tropical fish, turtles, a variety of crustaceans, mollusks, squid, among others)	\$8,282,903
Live animals commercially bred or from ranching operations traded for commercial purposes	\$53,028

U.S. Wildlife Imports from EU (2012)⁶	
Product	Value
Total wildlife exports for commercial purposes	\$392,376,753
All wildlife products taken from the wild and traded for commercial purposes (excluding live animals)	\$182,578,381
All wildlife products commercially bred or from ranching operation (excluding live animals)	\$26,403,573
Live animals taken from the wild traded for commercial purposes (the most common are cuttlefish, reptiles, tropical fish, mollusks, crustaceans, turtles, among others)	\$202,204
Live animals commercially bred or from ranching operations traded for commercial purposes	\$36,234

HSI urges USTR to review LEMIS data to determine which species are most threatened by U.S.-EU legal trade in wildlife. For example, a 2007 TRAFFIC report highlights that the U.S. is “among the top importers of at least one protected animal or plant listed by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).”⁷ It is important to assess which of these protected animals are being imported from Europe in order to address this issue in TTIP.

The focus of the review should not be restricted to species listed under CITES. In fact, most wild animals in legal trade are not CITES-listed. Special emphasis should be placed on species that are threatened with extinction, including those classified as critically endangered, endangered or vulnerable according to the World Conservation Union (IUCN). For example, in 2012 the U.S. imported 3,940 live specimens of *Eremias pleskei* (Pleske's Racerunner) from the EU for commercial purposes, most likely pet trade. According to the LEMIS data, the animals were wild-caught; the species is endemic to Armenia, Azerbaijan, Iran and Turkey, none of which are members of the EU. This reptile is critically endangered according to IUCN because “of a drastic population decline, estimated to be more than 80% over the last

⁵ Only includes products that cleared through customs (as opposed to seized, abandoned or reexported).

⁶ Id.

⁷ TRAFFIC, *EU: Top global importer of wildlife* (1 Jun 2007), available at <http://www.traffic.org/home/2007/6/1/eu-top-global-importer-of-wildlife.html> (last visited Sep 2, 2014).

10 years due to the loss of its narrowly distributed habitat, observed shrinkage in distribution due to habitat loss (sandy enclaves) and anecdotal information on remaining populations.”⁸ This reptile is not protected under CITES nor under the Endangered Species Act (ESA).

LEMIS data must inform this environmental review and ultimately the Environment/Sustainable Development chapter in TTIP. For example in the case of the Eremias pleskei, commercial trade in this species should be prohibited between the Parties. A trade ban must also apply to other species threatened with extinction, especially those that are critically endangered or endangered. However, other animals that are highly traded but are not threatened with extinction must not be ignored. If taken from the wild, their removal can still be unsustainable and can disrupt the ecosystem. Moreover, animal welfare remains a serious concern regardless of whether the animal is threatened with extinction or harvested from the wild, captive-bred, or ranched. We also call on USTR to assess how TTIP may increase demand and access to wildlife products between the U.S. and EU. Two major leaders in wildlife conservation must take active steps to end wildlife trade that threatens species survival and ecosystems, and undermines animal welfare.

2. Illegal Wildlife Trade

As highlighted in our previous submission, illegal wildlife trade is not just a grave threat to species all over the world, but is also becoming a national security threat. By U.S. government estimates “illegal trade in endangered wildlife products, including elephant ivory, rhino horns, and turtle shells, is worth at least an estimated \$7 billion to \$10 billion annually.”⁹ If one also evaluates illegal logging and illegal fishing, these account for “an additional \$30 billion to \$100 billion annually and \$10 billion to \$23 billion annually”¹⁰ respectively. The black market trade in wildlife and wildlife products is global. The U.S. and EU are two of the top three destinations for illegal wildlife (China is the first), while countries and regions rich in biodiversity are major suppliers.¹¹ As new trading routes open as a result of TTIP, there will be increased opportunity for illegal trade in live animals and wildlife products.

The environmental review should therefore thoroughly explore the problem of illegal wildlife trade domestically and between the U.S. and EU, assess what is needed from an enforcement perspective, identify whether existing mechanisms are working effectively and how the trade agreement could work synergistically with those mechanisms/agreements. We recognize that the work of the Federal Advisory Council of Wildlife Trafficking has already advanced some of this effort forward. HSI recommends that USTR’s environmental review incorporate the findings and conclusions of the Council into its analysis.

The U.S. and EU are currently at the forefront of the global efforts to combat illegal wildlife trade. Just a few examples include the new U.S. National Strategy for Combating Wildlife Trafficking and the ongoing EU efforts to draft a new EU Enforcement Action Plan. TTIP offers a unique opportunity to enhance these initiatives to protect animals from wildlife trafficking.

Despite the progress made in recent years, the following are still needed: (1) stronger policy and legislative framework concerning wildlife trade; (2) improved diplomatic tools to ensure coherence

⁸ IUCN Red List of Threatened Species, *Eremias pleskei* (Pleske's Racerunner, Transcaucasian Racerunner), <http://www.iucnredlist.org/details/164583/0> (last visited Sep 2, 2014).

⁹ CRS Illegal Trade Report, at 1.

¹⁰ *Id.*

¹¹ CRS, *International Illegal Trade in Wildlife: Threats and U.S. Policy*, available at <http://fas.org/sgp/crs/misc/RL34395.pdf> (last visited Sep 2, 2014); USAID Asia, *ASEAN Wildlife Enforcement Network Fact Sheet*, available at http://usaid.eco-asia.org/files/fact_sheets/ASEAN_WEN.pdf (last visited Sep 2, 2014).

between different international initiatives; (3) increased international pressure to enhance enforcement against wildlife trafficking and to strengthen governance; (4) greater emphasis on demand reduction for wildlife products in cooperation with foreign governments, civil society and the private sector; (5) reinforced capacity for developing countries to improve wildlife conservation and combat wildlife trafficking; and (6) stronger enforcement against wildlife trafficking by environmental authorities, police, customs and prosecution entities.

As an example, stronger domestic enforcement against wildlife trafficking may be hindered by lacking resources. According to William C. Woody, the Chief of Office of Law Enforcement,¹² his office has 500 people that include agents, inspectors, and laboratory scientists. He described this to be insufficient in order to effectively investigate cases of wildlife trafficking. In another example, according to a Congressional Research Service report titled *International Illegal Trade in Wildlife: Threats and U.S. Policy* “approximately 75% of declared wildlife shipments are not inspected at the border.”¹³ This most certainly allows for imported illegal wildlife to go undetected.

HSI advises that the environmental review explore ways to address the aforementioned six areas through TTIP. We also urge that the environmental review evaluate what steps must be taken to ensure that the TTIP Environment/Sustainable Development chapter can be implemented effectively at the domestic level, including provisions that address wildlife trafficking. For example, greater financial and human resources must be allocated toward law enforcement as well as customs and border protection. In another example, the chapter must include text creating an independent institutional body focused on effective and continuing implementation of the provisions.

Specific provisions in TTIP should include a ban on import, export, and sale of elephant ivory and rhino horns, and strict measures ensuring that illegal wildlife and their parts and products do not pass through transit points in the U.S. or EU. For example, EU countries often act as transit points for illegal wildlife such as rhino horns from Africa in transit to Asia.¹⁴ Increased effort is needed to stop illegal wildlife in transit through the EU and the U.S. TTIP should also include an agreement on the destruction of all government-held ivory stockpiles. Additionally, HSI urges the Parties to commit to using diplomatic tools to advocate for third party governments to destroy their stockpiles. TTIP must commit resources to demand reduction efforts at the domestic and international levels, including public education and outreach, as well as cooperation with NGOs, civil society groups, and other stakeholders. The text must also require stronger regulation, improved enforcement and adequate penalties that will act as a meaningful deterrent for illegal wildlife trade. Finally TTIP must include language enshrining Lacey Act-type provisions, prohibiting trade in wildlife taken, possessed, transported, or sold in contravention of a foreign law, as it relates to wildlife trade.

3. Impact of Trade in Commodities on Wildlife

According to a 2012 study published in the journal *Nature* “Human activities are causing Earth’s sixth major extinction event - an accelerating decline of the world’s stocks of biological diversity at rates 100 to

¹² Statements made at a *Panel on Developments in U.S. Efforts to Combat Wildlife Trafficking* held at Arnold & Porter LLP on May 7, 2014.

¹³ CRS Illegal Trade Report.

¹⁴ Dinh Son, Thanh Nien News, *Vietnam Seizes Endangered Elephants’ Tusks from France* (7 Aug 2014), <http://www.thanhniennews.com/society/vietnam-seizes-endangered-elephants-tusks-from-france-29618.html> (last visited Sep 2, 2014).

1,000 times pre-human levels.”¹⁵ Furthermore, in today’s globalized world, “international trade chains accelerate habitat degradation far removed from the place of consumption.”¹⁶ Additionally, the study finds “30% of global species threats are due to international trade” and “consumers in developed countries cause threats to species through their demand of commodities that are ultimately produced in developing countries.”¹⁷ Therefore, environmental impact of TTIP will not be limited to U.S. and EU, but in fact may be greatest felt in countries producing said commodities.

Both the U.S. and the EU (together with Japan) represent the top three destinations for “biodiversity implicated commodities.”¹⁸ Lenzen et al. (2012) studied the link between consumption of 15,000 commodities, such as coffee, in 187 countries and threats to the survival of 25,000 animal species recorded in the IUCN Red List.¹⁹ Consumption in the U.S. is said to threaten the survival of 4,088 U.S. species and 1,977 species in other countries. As for U.S. impact on the EU in terms of threat to species, consumption in the U.S. threatens 22 species in Germany, 17 in Portugal, 15 in Italy, 12 in the UK, 9 in France, 9 in Spain, 6 in the Netherlands, 3 species threats in Ireland, 2 in Switzerland, and additional species in other EU member states.²⁰

We call on the USTR to evaluate ways that TTIP will impact biological diversity by encouraging consumption of certain goods and products both in the U.S. and EU, which are unsustainably harvested or manufactured by third parties. The environmental review should take into account not only ways that local U.S. and EU producers can harm the environment and wildlife habitat, but also how U.S. and EU consumers benefit from environmental degradation abroad. The most export-intensive industries may serve as the primary areas of focus because they pose the greatest biodiversity threat. Just a few examples include coffee growing in Mexico²¹ and Latin America,²² soya²³ and beef²⁴ production in Brazil, and palm oil plantations in Indonesia and Malaysia^{25, 26}.

The authors of Lenzen study also contend that “there is no practical difference in terms of imperilment between trading specimens and trading commodities whose production leads to their imperilment.”²⁷

¹⁵ Lenzen, M., Moran, D, et.al. *International trade drives biodiversity threats in developing nations* *Trade Drives Biodiversity Threats in Developing Nations*, Nature, Vol 486, (Jun 7 2012), <http://www.stapgef.org/stap/wp-content/uploads/2013/10/International-Trade-and-Biodiversity-Threats.pdf> (Lenzen) (last visited Sep 2, 2014).

¹⁶ Id.

¹⁷ Id.

¹⁸ Id.

¹⁹ Lenzen at 109.

²⁰ Biodiversity and Global Trade Project - Eora MRIO database, <http://www.worldmrio.com/biodivmap/> (last visited Sep 2, 2014).

²¹ Perfecto, I., et. al., *Conservation of Biodiversity in Coffee Agroecosystems: a Tri-Taxa Comparison in Southern Mexico*. *Biodivers. Conserv.* 12, 1239–1252 (2003).

²² Philpott, S. M. et al. *Biodiversity Loss in Latin American Coffee Landscapes: Review of the Evidence on Ants, Birds, and Trees*. *Conserv. Biol.* 22, 1093–1105 (2008).

²³ Fearnside, P. M. *Soybean Cultivation as a Threat to the Environment in Brazil*. *Environ. Conserv.* 28, 23–38 (2001).

²⁴ Nepstad, D. C., Stickler, C.M. & Almeida, O. T. *Globalization of the Amazon Soy and Beef Industries: Opportunities for Conservation*. *Conserv. Biol.* 20, 1595–1603 (2006).

²⁵ Koh, L. P. & Wilcove, D. S. *Cashing in Palm Oil for Conservation*. *Nature* 448, 993–994 (2007).

²⁶ Excerpt from Lenzen: “Coffee, a top-ranking commodity, is threatening species in Mexico, Colombia and Indonesia. Agriculture also affects habitat in Papua New Guinea (where coffee, cocoa, palm oil and coconut growing are linked to nine critically endangered species including the northern glider, *Petaurus abidi*, the black-spotted cuscus, *Spilococus rufoniger*, and the eastern longbeaked echidna, *Zaglossus bartoni*), Malaysia (the main export products are palm oil, rubber and cocoa; 135 species are affected by agriculture) and Indonesia (the main crops are rubber, coffee, cocoa and palm oil, affecting 294 species including *Panthera tigris*, the Sumatran serow, *Capricornis sumatraensis*, and Sir David’s longbeaked echidna, *Zaglossus attenboroughi*).”)” Lenzen, *supra* note 3, at 110.

²⁷ Id. at 111.

Therefore, although it is absolutely critical that the Parties enforce CITES protections, and that trade in threatened species, particularly critically endangered and endangered species, is halted, another critical concern is how the production and trade in commodities – production of which is encouraged through TTIP – can harm biodiversity.

*As on potential way of addressing this, HSI recommends that the U.S. consider applying a CITES-type permitting system to commodities that most seriously damage biodiversity and/or a certification scheme indicating the impact such products have on biodiversity. As the 2012 study highlights, “...Article XX of the General Agreement on Tariffs and Trade (GATT) allows ‘measures relating to the conservation of exhaustible natural resources’, thus providing a framework to support measures regulating biodiversity-implicated goods.”*²⁸

ii. Fisheries Sustainability²⁹

1. Illegal, Unreported, and Unregulated (IUU) Fishing

IUU fishing can devastate local fish stocks and destroy sensitive, productive marine ecosystems through the use of harmful fishing gear and practices. Having noted in our previously submitted comments that TTIP should take the most ambitious steps possible to live up to the highest international standards in combating IUU fishing, HSI commends the Administration for establishing the Presidential Task Force on Combating Illegal, Unreported, and Unregulated Fishing and Seafood Fraud.³⁰ We further welcome Ambassador Froman’s response that “Keeping our oceans healthy requires us to use every tool we have available and trade policy is a powerful tool. Strong, enforceable environmental provisions are central objectives for the Administration in our ongoing trade negotiations and we’re making good progress.”³¹

Domestically, the U.S. has already taken substantial measures to address IUU fishing. For example, the U.S. has passed the U.S. High Seas Driftnet Fishing Moratorium Protection Act.³² The Act, later amended by the Magnuson-Stevens Reauthorization Act, “requires NOAA to identify countries that have fishing vessels engaged in IUU fishing activities” and “[o]nce a nation has been identified, [the U.S.] consult[s] with the nation to encourage appropriate corrective action.”³³ If the corrective action is not taken, that nation will receive a negative certification and an import ban may be placed on its fisheries products. The publication on NOAA’s Priorities to Combat Global IUU Fishing in 2013³⁴ offers additional information

²⁸ Id.

²⁹ Excerpt from Lenzen: “Fishing and forestry industries cause biodiversity loss directly through excessive and illegal resource use and indirectly through bycatch and habitat loss. Such impacts occur not only in developing countries such as the Philippines (affecting 420 species, 28 of which are critically endangered) and Thailand (affecting 352 species, 28 critically) but also in the United States (affecting 450 species, 63 critically).” Lenzen, *supra* note 3, at 110.

³⁰ The White House, Office of the Press Secretary, *Presidential Memorandum -- Comprehensive Framework to Combat Illegal, Unreported, and Unregulated Fishing and Seafood Fraud*, available at <http://www.whitehouse.gov/the-press-office/2014/06/17/presidential-memorandum-comprehensive-framework-combat-illegal-unreported> (last visited Sep 2, 2014).

³¹ Office of the United States Trade Representative, Press Releases, *Trade Policy and Our Oceans: Ambassador Froman’s Statement on President Obama’s Executive Actions to Preserve and Protect Oceans* (Jun 2014), <http://www.ustr.gov/about-us/press-office/press-releases/2014/June/Trade-Policy-Our-Oceans-Statement-on-Executive-Actions-to-Preserve-Protect-Oceans> (last visited Sep 2, 2014).

³² U.S. Code, Title 16, Chapter 38, Subchapter III, § 1826, <http://www.law.cornell.edu/uscode/text/16/1826>.

³³ National Oceanic and Atmospheric Association, Fisheries, International Affairs, *Illegal, Unreported, and Unregulated (IUU) Fishing*, http://www.nmfs.noaa.gov/ia/iuu/iuu_overview.html (NOAA IUU) (last visited Sep 2, 2014).

³⁴ National Oceanic and Atmospheric Association, *Levelling the Playing Field, NOAA’s Priorities to Combat Global IUU Fishing in 2013*, <http://www.nmfs.noaa.gov/ia/iuu/ltpf.pdf> (last visited Sep 2, 2014).

on NOAA's measures to combat IUU fishing. Additionally, the Lacey Act³⁵ also gives the U.S. authority to enact sanctions in cases where individuals and companies take part in trafficking of illegally caught fish.³⁶

The EU has also taken important steps to combat IUU fishing. For example, in 2008 the EU passed Council Regulation (EC) No 1005/2008³⁷ (IUU Regulation) to prevent, deter and eliminate IUU fishing which was implemented in 2010.³⁸ The IUU Regulation "aims to ensure that any individual or business wishing to import fish and fish products into the EU can only do so if the country under whose flag the fish was caught can show that it has in place, and enforces, laws and regulations to conserve and manage its marine resources."³⁹ The 2010 FAO State of World Fisheries and Aquaculture report and the European Commission website on illegal fishing offer additional information on the IUU Regulation.⁴⁰

Both Parties recognize the importance of a coordinated effort to combat IUU fishing. Since 2011 the U.S. and EU have been engaged in a bilateral agreement on this issue. The agreement concerns voluntary cooperation⁴¹ between the two parties and information sharing on IUU fishing in order to increase effectiveness of domestic legal instruments and international obligations.⁴² The Joint Statement⁴³ issued by the parties outlines the details of the cooperation. Additionally, both parties acknowledge the FAO International Plan to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing⁴⁴ as well as the FAO Agreement on Port State measures to Prevent, Deter, and Eliminate Illegal, Unreported Fishing (Port State Measures Agreement).⁴⁵

HSI advises, that as part of this environmental review, USTR should assess ways trade-based measures can also address IUU fishing. For example, the Parties can institute a ban on products from states found to be undermining fishery conservation and management measures, and can reject individual shipments that lack required documentation proving their legality. Furthermore, the Parties can take steps toward creating a global documentation and traceability system, in order to eliminate ineffective techniques (e.g., paper based documentation) and prevent laundering.

³⁵ United States Fish & Wildlife Service, International Affairs, U.S. Conservation Laws, Lacey Act, <http://www.fws.gov/international/laws-treaties-agreements/us-conservation-laws/lacey-act.html> (last visited Sep 2, 2014).

³⁶ See NOAA IUU.

³⁷ European Commission. 2008. Council Regulation (EC) No 1005/2008 of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal fishing, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:286:0001:0032:EN:PDF> (last visited Sep 2, 2014).

³⁸ European Commission. 2009. Commission Regulation (EC) No 1010/2009 of 22 October 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 1005/2008, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:280:0005:0041:EN:PDF> (last visited Sep 2, 2014).

³⁹ Food and Agriculture Organization of the United Nations (FAO), *The State of World Fisheries and Aquaculture*, 2010, pg. 94, <http://www.fao.org/docrep/013/i1820e/i1820e.pdf>.

⁴⁰ European Commission, Illegal Fishing (IUU), http://ec.europa.eu/fisheries/cfp/illegal_fishing/index_en.htm.

⁴¹ According to the US Department of Justice, "a joint investigation between the National Oceanic and Atmospheric Administration (NOAA), the United States Coast Guard (USCG), and Interpol Washington (U.S. National Central Bureau) has led to the publication of the first-ever Interpol Purple Notice issued by the United States for a vessel believed to be engaged in illegal fishing activities." <http://www.justice.gov/interpol-washington/news/news20140612.html> (last visited Sep 2, 2014).

⁴² Joint Statement between the European Commission and the United States Government on Efforts to Combat Illegal, Unreported, and Unregulated (IUU) Fishing (7 Sep 2011), http://ec.europa.eu/commission_2010-2014/damanaki/headlines/press-releases/2011/09/20110907_jointstatement_eu-us_iuu_en.pdf (last visited Sep 2, 2014).

⁴³ Id.

⁴⁴ FAO, International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, <http://www.fao.org/fishery/ipoa-iuu/en> (last visited Sep 2, 2014).

⁴⁵ Food and Agriculture Organization of the United Nations (FAO), Port State Measures Agreement, <http://www.fao.org/fishery/topic/166283/en> (last visited Sep 2, 2014).

TTIP can also include language locking in commitments to ensure the Parties make it unlawful to trade in marine products taken, possessed, transported, or sold in violation of a foreign law. Moreover, it can include commitments from the Parties to take joint action in the RFMO context on a variety of measures including sustainability, bycatch, governance and enforcement issues. Finally TTIP can include cooperation measures on engagement with third parties, for example through capacity building, in order to combat IUU fishing.

2. Fisheries Subsidies

Having also previously commented on the importance of evaluating the impact fishing subsidies have on the environment, we welcome the recent public statements made by Ambassador Froman, stating: “Very importantly, we’re also working to prohibit some of the most harmful fisheries subsidies, such as those that contribute to overfishing. For over a decade these subsidies have been the topic of much discussion and little action at the WTO [...] and we are hoping that in TTIP the European Union will join us in taking on these subsidies.”⁴⁶

The EU continues to subsidize its fishing sector and 2009 subsidies, for example, totaled \$4.35 billion.⁴⁷ By contrast, the 2009 figures of U.S. government support for the fishing industry was estimated at \$713 million.⁴⁸ In 13 Member States the value of the subsidies has been higher than total value of fish landings⁴⁹ and EU sends fleets as far away as Australia.⁵⁰ In an encouraging step, in October of 2013 the European Parliament voted to reject new subsidies to expand saltwater fishing fleets in the EU.⁵¹ Moreover, EU fisheries rules are currently being reformed under the Common Fisheries Policy set to take place in the span of 2014-2012.⁵² It aims to shift the subsidies funds toward control measures and data collection.⁵³ However, this reform may discourage the EU from agreeing to any commitments on subsidies that may interfere with ongoing measures.

Important progress can be made in protecting the marine environment by addressing the subsidies administered by the EU and its member states. Accordingly, TTIP negotiations between the U.S. and EU should address ways to limit harmful fisheries subsidies, particularly those that already are provided to fisheries suffering from overcapacity or overfishing. HSI urges USTR to assess the environmental benefits that may result from including subsidies measures in TTIP and to hold fast to its commitment to address fisheries subsidies in the agreement.

⁴⁶ U.S. Department of State, *USTR Froman at State Dept. Our Ocean Conference*, 10 Jun 2014, available at <http://iipdigital.usembassy.gov/st/english/texttrans/2014/06/20140618302130.html#axzz3BcsVdNnL> (last visited Sep 2, 2014).

⁴⁷ Oceana, *Subsidies: Overview*, <http://oceana.org/en/eu/our-work/responsible-fishing/eu-policy/subsidies/overview> (last visited Sep. 2, 2014).

⁴⁸ Sharp, R. et al. Pew Trust, Research Series, *Subsidies to U.S. Fisheries*, available at http://www.pewtrusts.org/~media/legacy/Lenfest/PDFs/subsidies_rsr_final.pdf?la=en (last visited Sep 2, 2014).

⁴⁹ Id.

⁵⁰ Schroerer, Anne. Et. Al. “The European Union and Fishing Subsidies,” Oceana. 2011. Sumaila, U.R., The, L., Watson, R., Tyedmers, P., and Pauly, D. 2008. *Fuel Price Increase, Subsidies, Overcapacity, and Resource Sustainability*. ICES Journal of marine Science, 65, 832-840.

⁵¹ New York Times, *European Parliament Rejects New Subsidies for Fishing Fleets* (23 Oct 2014), http://www.nytimes.com/2013/10/24/business/international/european-parliament-rejects-new-subsidies-for-fishing-fleets.html?_r=0 (last visited Sep. 21, 2014).

⁵² Oceana, *EU Moves Away, But Fails To Make Clean Break Fromto Make Clean Break from Harmful Subsidies* (28 Jan 2014), <http://oceana.org/en/eu/media-reports/press-releases/eu-moves-away-but-fails-to-make-clean-break-from-harmful-subsidies> (last visited Sep 12, 2014).

⁵³ Id.

iii. Oceans and Marine Life Conservation

As USTR is aware, HSI has long focused on the numerous threats to our oceans. It is imperative to ensure the long-term sustainability through adequate conservation and management measures of marine turtles, sharks and rays, and marine mammals such as whales and polar bears. For example, nearly all species of marine turtle are classified as endangered because of human poaching, over-exploitation, habitat destruction, and climate change. According to a study by the International Union for the Conservation of Nature (IUCN), 25% of sharks and rays are at the risk of extinction.⁵⁴ Whales continue to be killed in large numbers despite the commercial whaling moratorium which has been in force since 1986. Canada allows 600 polar bears—already threatened by climate change—to be killed annually and their skins to be exported internationally for commercial purposes,⁵⁵ While the U.S. has banned such imports (and trophy imports as well), the EU continues to import skins and hunting trophies even from Canadian polar bear populations that are in decline.⁵⁶

HSI urges USTR to review the impact TTIP may have on oceans and marine life, both for better and for worse. Where the U.S. and EU have different policies, TTIP should call on the Parties to harmonize upwards to align with the policies of the Party offering stronger protections. As explained, the EU allows imports of polar bear skins for commercial purposes and polar bear hunting trophies, and should align its policies with that of the U.S. stronger measures banning the import. Or in another example, the U.S. shark finning ban includes exemptions for two-species of dogfish,⁵⁷ whereas the EU ban does not have any exemptions. In this case the U.S. should align with EU policies. In regard to shark finning, we also call on the Parties to include provisions enhancing enforcement and implementation of the existing fins naturally attached legislation and measures to enhance shark population data collection.

Moreover, HSI calls on the Parties to ban all forms of whaling, including import/export/sale of whale parts and products as well as transit of such parts and products through U.S. and EU territory. Lastly, we advise that TTIP also include language requiring compliance with, and implementation and enforcement of MEAs and regional fisheries agreements, including but not limited to CITES, ICRW, CCAMLR, AIDCP and IATTC; and/or the adoption of even stronger measures.

iv. Industrialized Farming and Environmental Impact

Another priority articulated by USTR is to help U.S. agricultural industry gain greater access to the EU market, which includes industrialized farms that produce beef, chicken, pork, eggs, etc. However, HSI would like to highlight for this environmental review that industrialization of animal agriculture seriously degrades the environment.

Meat, egg, and milk production are not narrowly focused on the rearing and slaughtering of farm animals. The animal agriculture sector also encompasses feed grain production, which requires substantial inputs

⁵⁴ Dulvy, Nicholas, et. al., *Extinction Risk and Conservation of the World's Sharks and Rays* (21 Jan 2014), available at <http://elifesciences.org/content/3/e00590> (last visited Sep 2, 2014).

⁵⁵ CITES, CoP16 Inf. 10, *International Trade of Polar Bear from Canada*, pg. 5, available at <http://www.cites.org/common/cop/16/inf/E-CoP16i-10.pdf> (last visited Sep 2, 2014).

⁵⁶ European Commission, Scientific Review Group, Short Summary of Conclusions of the 68th Meeting of the Scientific Review Group on Trade in Wild Fauna and Flora (28 May 2014), available at https://circabc.europa.eu/sd/a/dbc2ef30-bd5c-4f42-b795-5e2735198e87/68_summary_srg.pdf (last visited Sep 2, 2014).

⁵⁷ Virtanen, M. et. al., N.Y. Law Bans Shark Fin Sales Starting Next Summer, available at <http://www.usatoday.com/story/news/nation/2013/07/26/ny-law-bans-shark-fin-sales/2590167/> (last visited Sep 2, 2014).

of water,⁵⁸ land,⁵⁹ and energy.⁶⁰ The growth in farm animal production is projected to increase strain on water resources, particularly due to the high water demands involved in growing animal feed.⁶¹ Globally, land is also becoming a scarce resource,⁶² and animal agriculture already constitutes the largest anthropogenic use of land worldwide.⁶³ As in the case of water, a significant percentage of this land is diverted to produce feed for farm animals.⁶⁴

Growing water, land, and energy scarcities are projected to limit future growth in food production.⁶⁵ This will likely increase food costs in the longer term.⁶⁶ Increased food production and low meat, egg, and milk prices (the only arguments for the industrialization of animal agriculture) are themselves jeopardized by the expansion of industrial farm animal production (IFAP) in the long term due to its negative impacts on scarce agricultural resources.

Land use and degradation

Animal agriculture occupies 30% of the earth's total land area.⁶⁷ Approximately 33% of total arable land is used to produce feed crops,⁶⁸ in addition to vast areas of forested land that is clear-cut to graze or grow feed for farmed animals.⁶⁹ Globally, more than 60% of corn and barley, and over 97% of soymeal, are fed to farm animals.⁷⁰

Land degradation exacerbates the problems of scarcity, and farm animal production is a leading driver of land degradation.⁷¹ Overgrazing has contributed to the degradation of approximately 20% of the world's pastures and rangelands, including almost three-fourths of rangelands in dry areas, through compaction and erosion.⁷² As it expands to new areas, feedcrop production also plays a significant role in land degradation.⁷³ Animal agriculture is a leading player in deforestation, a well-known form of land degradation. Deforestation and other forms of land degradation have a profound impact on our ability to sustain vital agricultural resources and produce food. The pollution of aquifers, deforestation-related climate change, and the depletion of water resources resulting from the soil's reduced ability to hold water (due to alteration of soil texture or loss of vegetative cover), are all potential impacts of land degradation.⁷⁴

⁵⁸ Steinfeld H, Gerber P, Wassenaar T, Castel V, Rosales M, and de Haan C. 2006. Livestock's long shadow: environmental issues and options. FAO, p. xxii (Steinfeld)

⁵⁹ Id. at xxi.

⁶⁰ Id. at 84.

⁶¹ Rosegrant MW, Ringler C, Zhu T. 2009. Water for Agriculture: maintaining food security under growing scarcity. Annual Review of Environment and Resources 34:205-222. p. 207 (Rosegrant).

⁶² Lambin EF, Meyfroidt P. 2011. Global land use change, economic globalization, and the looming land scarcity. Proceedings of the National Academy of Sciences 108(9): 3465-3472. p. 3466.

⁶³ Steinfeld at xxi.

⁶⁴ Id.

⁶⁵ Rosegrant at 318.

⁶⁶ Weis T. 2010. The accelerating biophysical contradictions of industrial capitalist agriculture. Journal of Agrarian Change 10(3): 315-341. p. 318

⁶⁷ Steinfeld at xxi.

⁶⁸ Id.

⁶⁹ Id.

⁷⁰ Id. at 39, 43.

⁷¹ Id. at xxiii.

⁷² Id. at xxi.

⁷³ Id. at 48.

⁷⁴ Id. at 29.

Water scarcity and pollution

In addition to its role in land use and degradation, animal agriculture uses significant amounts of the water supply available to humans globally.⁷⁵ Raising animals for food requires substantially greater quantities of water than raising plants for human consumption. According to the International Water Management Institute and the Stockholm International Water Institute, an average of 6000 liters of water is required to produce 1 kg (2.2 lb) of chicken, whereas less than half of that is needed to produce 1 kg (2.2 lb) of cereals.⁷⁶

Raising animals for food contributes to water scarcity in numerous ways. Farm animals require water for hydration. But an increasing amount is needed—particularly at industrial operations—to clean enclosures (e.g. cages, stalls, pens) and sheds, to dispose of waste, and for cooling animals.⁷⁷ Processing animal products also requires large volumes of water and can result in significant amounts of wastewater.⁷⁸

Not only are water supplies shrinking, the farm animal sector is increasingly polluting the available water. According to the FAO, “The livestock sector... is probably the largest sectoral source of water pollution, contributing to eutrophication, ‘dead’ zones in coastal areas, degradation of coral reefs, human health problems, emergence of antibiotic resistance and many others.”⁷⁹

IFAP, in particular, is a key culprit in the degradation of water supplies. Traditional farming systems combine animal agriculture with crop agriculture, thereby balancing the number of animals with the crops’ ability to absorb the animals’ manure. At IFAP facilities, where tens of thousands of animals are confined indoors, the amount of manure typically exceeds the ability of the surrounding land to absorb it. When this happens, it can contaminate water supplies and emit harmful gases into the atmosphere.⁸⁰

Farm animals confined on IFAP facilities in the United States produce three times more waste (manure) than humans, and regulations relating to the treatment of farm animal manure are lax relative to the regulations mandating the treatment of human waste.⁸¹ According to the United States Department of Agriculture’s (USDA’s) Economic Research Service, IFAP operations spread 1.23 million tons of nitrogen on fields (in the form of manure) in the United States in 2007; however, cropland and pasture owned by these operations only had the capacity to assimilate 38% of this nitrogen.⁸² Nitrogen deposition, largely from agriculture, is expected to increase significantly in the coming years, with the resulting nitrogen oxide and ammonia leading to eutrophication and soil acidification.⁸³

⁷⁵ Id. at xxii.

⁷⁶ Stockholm International Water Institute and the International Water Management Institute. 2004. Water—more nutrition per drop: towards sustainable food production and consumption patterns in a rapidly changing world. Stockholm International Water Institute. Stockholm, p. 21.

www.siwi.org/documents/Resources/Policy_Briefs/CSD_More_nutrition_per_drop_2004.pdf (last visited Jul 7, 2009).

⁷⁷ Steinfeld at 128-129.

⁷⁸ Id. at 130.

⁷⁹ Id. at xxii.

⁸⁰ U.S. Department of Agriculture Economic Research Service. 2007. Environmental interactions with agricultural production: animal agriculture and the environment. Pg. 2

⁸¹ Pew Commission on Industrial Farm Animal Production. 2008. Putting meat on the table: industrial farm animal production in America, p. 23. <http://www.ncifap.org/bin/e/j/PCIFAPFin.pdf> (last visited May 18, 2010).

⁸² Gollehon N and Caswell M. 2000. Confined animal production poses manure management problems. U.S. Department of Agriculture Economic Research Service. Agricultural Outlook, September, pp. 12-18.

⁸³ Steinfeld at 72.

Phosphorous is another nutrient in manure that wreaks environmental havoc when over-applied to the land. It plays a major role in the eutrophication of lakes,⁸⁴ which in turn compromises other water uses such as drinking water and fisheries.⁸⁵

Climate Change Exacerbated

IFAP is also contributing to climate change, which threatens to further exacerbate food insecurity and malnutrition. According to the Food and Agriculture Organization (FAO) of the United Nations (UN), the animal agriculture sector is responsible for approximately 14.5% of human-induced greenhouse gas (GHG) emissions.⁸⁶ For more information on animal agriculture's significant contribution to climate change, please see HSI's report titled *The Impact of Animal Agriculture on Global Warming and Climate Change*.⁸⁷

Farm animals are significant contributors to the production of the three most important GHGs influenced by human activity,⁸⁸ and, as farm animals' numbers grow, their emissions are also likely to grow, even assuming "efficient" growth. Based on expected demand, farm animal production alone is projected to emit over two-thirds of the amount of GHGs considered safe by 2050.⁸⁹ A study by the U.S. Department of Agriculture also explains that larger farm animal populations will mean greater emissions.⁹⁰

Animal Welfare Considerations

The industrial facilities responsible for the environmental impacts discussed in this section also concentrate tens of thousands (or often even hundreds of thousands)⁹¹ of farmed animals along with their waste, frequently in welfare-depriving cages, crates, and pens. A growing number of egg-laying hens, pregnant sows, and other farm animals are reared in small, barren, crowded cages and crates that severely impair the animals' welfare, as they are unable to exercise, fully extend their limbs, or engage in many important natural behaviors. Industrial farm animal production results in tremendous animal suffering.

⁸⁴ Sharpley, AN, Daniel T, Sims T, Lemunyon J, Stevens R, Parry R. 2003. Agricultural Phosphorus and Eutrophication, 2nd ed. U.S. Department of Agriculture, Agricultural Research Service, ARS-149. p.ii

⁸⁵ Id. at 1.

⁸⁶ FAO. 2013. Tackling Climate Change through Livestock. <http://www.fao.org/docrep/018/i3437e/i3437e.pdf> (last visited Apr 29, 2014).

⁸⁷ Humane Society International, *The Impact of Animal Agriculture on Global Warming and Climate Change*, <http://www.humanesociety.org/assets/pdfs/farm/hsus-the-impact-of-animal-agriculture-on-global-warming-and-climate-change.pdf> (last visited Sep 2, 2014).

⁸⁸ Steinfeld at 82; Forster P, Ramaswamy V, Artaxo P, et al. 2007. Changes in atmospheric constituents and in radiative forcing. In: Solomon S, Qin D, Manning M, et al (eds.), *Climate change 2007: the physical science basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change* (Cambridge, United Kingdom and New York, NY, USA: Cambridge University Press, p. 135-136, FAQ 2.1).

⁸⁹ Pelletier N and Tyedmers P. 2010. Forecasting potential global environmental costs of livestock production 2000-2050. *Proceedings of the National Academy of Sciences of the United States of America* 107(43):18371-18374.

⁹⁰ U.S. Department of Agriculture. 2004. U.S. agriculture and forestry greenhouse gas inventory: 1990-2001, p. 11. www.usda.gov/oce/global_change/inventory_1990_2001/USDA%20GHG%20Inventory%20Chapter%202.pdf (last visited Apr 23, 2008).

⁹¹ International Finance Corporation. *Muyuan Pig, A Summary Report*. <http://www.ifc.org/ifcext/spiwebsite1.nsf/0/8899E791D7917B65852577190056DBC6> ((last visited Sep 11, 2011); Nasa N. 2011. Starving hens now an offence. *Down to Earth*, July 21. <http://downtoearth.org.in/content/starving-hens-now-offence> (last visited Sep 11, 2011); The Humane Society of the United States. 2010. New investigations by The HSUS reveal appalling animal abuse at four egg factory farms. Press release issued April 7. http://www.humanesociety.org/news/press_releases/2010/04/egg_industry_investigation_040710.html (last visited Jul 29, 2011).

For more information on IFAP's impacts on farm animals, please see HSI's report titled *Welfare of Intensively Confined Animals*.⁹²

Addressing Impact of Industrialized Farming on the Environment

According to a report of the Pew Commission on Industrial Farm Animal Production:

To prevent further environmental degradation, greater accountability and land stewardship are needed, and due diligence should be placed on evaluating the environmental, financial, societal, and health effects of food animal production. To reach this goal, restrictive actions will be required, and further research should be conducted to define state-of-the-art animal husbandry practices that can adequately address environmental, health, and animal welfare criteria.⁹³

As USTR highlights on its website, the U.S. is “the world’s largest agricultural export economy”⁹⁴ and “U.S. farmers and ranchers increasingly rely on agricultural exports for their livelihoods, 20 percent of farm income comes from exports, and those exports support [U.S.] rural communities”.⁹⁵ Therefore, the primary articulated goals for TTIP have been to eliminate tariff barriers and open up EU markets for U.S. farmers and ranchers.⁹⁶

HSI advises that prior to negotiating these positions in TTIP, USTR must first evaluate what impact increased agricultural exports will have on the environment and the health of those living in the U.S., as well as globally. HSI believes that TTIP will increase U.S. farm animal product exports to the EU, thus also increasing growth of farm animal populations and further exacerbating land degradation, water scarcity and pollution, climate change, and animal suffering.

Thank you for your attention to this matter. Please do not hesitate to contact the undersigned should you have any questions.

/s/

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⁹² Humane Society International, *Welfare of Intensively Confined Animals*, available at <http://www.hsi.org/assets/pdfs/welfare-of-intensively-confined-animals-international-word-sept-4-08.pdf> (last visited Sep 2, 2014).

⁹³ Pew Commission on Industrial Farm Animal Production, *Environmental Impact of Industrial Farm Animal Production*, http://www.ncifap.org/_images/212-4_EnvImpact_tc_Final.pdf (last visited Sep 2, 2014).

⁹⁴ Office of the United States Trade Representative, Press Office, *U.S. Objectives, U.S. Benefits in the Transatlantic Trade and Investment Partnership: A Detailed View*, <http://www.ustr.gov/about-us/press-office/press-releases/2014/March/US-Objectives-US-Benefits-In-the-TTIP-a-Detailed-View> (last visited Sep 2, 2014).

⁹⁵ Id.

⁹⁶ Id.