

Section 42 advice

Advice submitted by the Food Standards Agency and Food Standards Scotland to the Department for Business and Trade in response to their Section 42 commissions.

The Food Standards Agency (FSA) and Food Standards Scotland (FSS) are commissioned by the Department for Business and Trade (DBT) to contribute to a Government report (required under [Section 42\(2\) of the 2020 Agriculture Act](#)), as part of the Parliamentary scrutiny process for Free Trade Agreements (FTAs).

The FSA and FSS have been specifically asked to produce joint advice on whether, or to what extent, the measures in FTAs are consistent with the maintenance of UK levels of statutory protection for human health for the areas within our remits.

This page hosts the [advice submitted by FSA and FSS to DBT](#) in response to their Section 42 commissions.

Section 42 advice: Australia

As the UK's Food Safety Authorities with a statutory duty to protect food and feed safety and consumers' interests in relation to food, the Food Standards Agency (FSA) and Food Standards Scotland (FSS) were asked by the Department for Business and Trade (DBT) on 8 March 2022 to provide joint advice on the UK-Australia Free Trade Agreement (FTA).

Specifically, FSA and FSS were asked, in accordance with [section 42\(4\) of the Agriculture Act 2020](#), to provide advice on whether, or to what extent, the measures in the UK-Australia FTA are consistent with the maintenance of UK levels of statutory protection for human health for the areas within FSA/FSS statutory remit.

FSA and FSS have produced [a report - Joint Section 42 advice - UK - Australia Free Trade Agreement](#), annexed to DBT's Section 42 report.

Section 42 advice: Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)

As the UK's Food Safety Authorities with a statutory duty to protect food and feed safety and consumers' interests in relation to food, the Food Standards Agency (FSA) and Food Standards Scotland (FSS) were asked by the Department for Business and Trade (DBT) on 17 July 2023 to provide joint advice on the UK accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) (FTA).

Specifically, FSA and FSS were asked, in accordance with [section 42\(4\) of the Agriculture Act 2020](#), to provide advice on whether, or to what extent, the measures in the CPTPP FTA are consistent with the maintenance of UK levels of statutory protection for human health for the areas within FSA/FSS statutory remit.

FSA and FSS have produced [a report - FSA and FSS Joint Section 42 Advice: UK accession to CPTPP](#), annexed to DBT's Section 42 report.

Section 42 advice: New Zealand

As the UK's Food Safety Authorities with a statutory duty to protect food and feed safety and consumers' interests in relation to food, the Food Standards Agency (FSA) and Food Standards Scotland (FSS) were asked by the Department for Business and Trade (DBT) on 13 May 2022 to provide joint advice on the UK-New Zealand Free Trade Agreement (FTA).

Specifically, FSA and FSS were asked, in accordance with [section 42\(4\) of the Agriculture Act 2020](#), to provide advice on whether, or to what extent, the measures in the UK-New Zealand FTA are consistent with the maintenance of UK levels of statutory protection for human health for the areas within FSA/FSS statutory remit.

FSA and FSS have produced [a report - Joint Section 42 advice - UK - New Zealand Free Trade Agreement](#), annexed to DBT's Section 42 report.

Section 42 advice: India

As the UK's Food Safety Authorities with a statutory duty to protect food and feed safety and consumers' interests in relation to food, the Food Standards Agency (FSA) and Food Standards Scotland (FSS) were asked by the Department for Business and Trade (DBT) on 24 July 2025 to provide joint advice on the UK-India Comprehensive Economic and Trade Agreement (CETA).

Specifically, FSA and FSS were asked, in accordance with [section 42\(4\) of the Agriculture Act 2020](#), to provide advice on whether, or to what extent, the measures in the UK-India CETA are consistent with the maintenance of UK levels of statutory protection for human health for the areas within FSA/FSS statutory remit.

FSA and FSS have produced a report - [FSA and FSS Joint Section 42 Advice: UK-India CETA](#), annexed to DBT's Section 42 report.