



ANALYSIS

Food and Agriculture in CPTPP and EU FTAs

Pathways for cooperation

March 2026

Executive summary

This analysis examines the opportunities for closer cooperation between the EU and the CPTPP in agriculture and food trade at a time when the rules-based global trading system is under pressure. An important starting point is that the EU already has bilateral free trade agreements with a majority of the CPTPP countries. Modernising these agreements may be a first step toward broader cooperation.

The analysis examines two chapters that the EU proposes in negotiations on modern free trade agreements. First, sanitary and phytosanitary measures (SPS) are addressed, a chapter that is technically detailed and closely linked to the WTO SPS Agreement. The analysis then analyses sustainable food systems (SFS), which constitutes a more policy-oriented chapter in the EU's modern free trade agreements. Within these two areas, the analysis examines several substantive issues – regionalisation, inspections and import controls, certification, scientific basis and risk analysis, antimicrobial resistance, and food security. The aim is to assess the compatibility of existing provisions and regulations.

The overall conclusion is that there are several realistic and relatively straightforward pathways to deeper cooperation. The analysis particularly highlights capacity building, technical cooperation, digitalisation of administrative processes, and structured forms of information and knowledge exchange as possible starting points. Such steps can increase mutual trust and improve understanding of each other's regulatory frameworks. Nor do the proposed areas of cooperation require the parties to immediately resolve the most politically sensitive issues. In the longer term, this practical cooperation may create a stable foundation for addressing more complex differences, particularly regarding views on the scientific basis and the precautionary principle. However, this presupposes a clear political interest on both sides in moving toward a closer partnership.

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Author: Alicia Barker-Åström, National Board of Trade

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1 Introduction

As rules-based global trade faces increasing challenges, the European Union (EU) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)¹ have expressed the desire to expand cooperation with one another. The EU has bilateral free trade agreements (FTAs) with 9 of the 12 CPTPP members – Canada, Chile, Japan, Mexico, New Zealand, Peru, Singapore, Vietnam and the United Kingdom. Additionally, FTAs are being negotiated with Australia and Malaysia.

The National Board of Trade Sweden has suggested that a first step to increased cooperation could be to modernise the bilateral free trade agreements that the EU already has with a majority of CPTPP members. Should such an approach be considered, priority should be given to issues that are easier to address and have the best chance of leading to practical cooperation. This analysis aims to map similarities and differences between the respective agreement texts of the EU and CPTPP, and subsequently to identify areas where deeper cooperation may be possible.

The comparative analysis also has a methodological purpose as it can serve as a model for the National Board of Trade Sweden to use in future evaluations of potential areas of cooperation with the CPTPP, spanning across a variety of other trade policy matters. The analysis is carried out in several stages. First, it identifies important trade policy questions for the EU that are found in both the EU's standard textual proposals and the text of the CPTPP. The analysis then maps several similarities and differences between the EU and the CPTPP to make the case for possible future areas of cooperation in food and agricultural trade. While this work focuses on six such areas of cooperation, the model can, if needed, be expanded to encompass more. The EU standard agreement texts used throughout the analysis are the textual proposals presented in negotiations with Malaysia² and India.³

¹ New Zealand Ministry of Foreign Affairs and Trade, *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – Text and Resources*, accessed February 25, 2026, www.mfat.govt.nz/en/trade/free-trade-agreements/free-trade-agreements-in-force/cptpp/comprehensive-and-progressive-agreement-for-trans-pacific-partnership-text-and-resources

² European Commission, “EU-Malaysia Agreement”, *EU Trade Relationships – Countries and Regions*, accessed February 25, 2026, policy.trade.ec.europa.eu/policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/malaysia/eu-malaysia-agreement_en.

³ European Commission, “EU-Malaysia Agreement”, *EU Trade Relationships – Countries and Regions*, accessed February 25, 2026, policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/malaysia/eu-malaysia-agreement_en.

2 Sanitary and phytosanitary measures

In FTAs, the chapter on sanitary and phytosanitary (SPS) measures is based on the existing WTO SPS Agreement. This includes the EU's standard textual proposal ahead of negotiations. The SPS Agreement aims to facilitate trade by preventing trade barriers while simultaneously allowing countries to take necessary protective measures to safeguard human, animal and plant life and health.

The table below summarises SPS issues that are addressed in both the EU's standard textual proposal as well as the text of the CPTPP, and where there may be potential for cooperation between the EU and the CPTPP.

Table 1. Provisions on regionalisation, audits and import controls, certification, and scientific basis and risk analysis

| Issue | Similarities | Differences | Possible form of cooperation |
|---|---|--|--|
| Regionalisation | Both the EU and the CPTPP base their rules on regionalisation directly on the WTO's SPS Agreement. | The EU maintains stricter standards regarding the scientific basis for regionalisation. The CPTPP's text is more overarching and focuses on communication and cooperation. | Joint capacity building for competent authorities in CPTPP countries to facilitate understanding regarding the EU's ambitious regionalisation requirements. |
| Audits and import controls | Both the EU and the CPTPP stipulate that the importing party bears the costs of audits. Import controls must be risk-based and least trade restrictive. | The CPTPP has more detailed and formalised procedures than the EU. The CPTPP emphasises mutual recognition, whereas the EU bases its approach on its own regulatory framework. | Cooperation to streamline the process for listing export-approved establishments. |
| Certification | Both the EU and the CPTPP refer to model certificates and seek to promote the use of digital/electronic certificates. | The EU requires the other party to accept standardised model certificates that may not be supplemented with additional requirements, whereas the CPTPP accepts alternative types of certificates that can achieve the same SPS objectives. The EU's system of model certificates is already fully established, while the CPTPP focuses on developing model certificates through cooperation. | Coordination and joint development of model certificates, as well as interoperable digital certification systems, including capacity building for (certain) CPTPP countries. |
| Scientific basis and risk analysis | Both the EU and the CPTPP accept that SPS measures may, in certain cases, be adopted without full scientific evidence. | The CPTPP emphasises stricter science- and risk-based analysis, with clearer definitions than the WTO's SPS Agreement. The EU prioritises the precautionary principle ⁴ , which makes it possible to act in the event of suspected risk before the science is fully established. | Strengthen the mutual exchange of knowledge on risk assessment, international standards, and precaution-based measures. |

⁴ The precautionary principle is stipulated in the WTO's SPS Agreement (Article 5.7). It is also set out in the Treaty on the Functioning of the European Union (Article 191). Within the EU, the scope of application of the principle is much broader and also encompasses consumer policy, EU food legislation, and human health, animal health, and plant health.

2.1 Regionalisation

Regionalisation is used to enable safe trade from a country by limiting restrictions to areas where pests or animal diseases are present, or by establishing areas with a low prevalence of infection. In practice, this means that a country's external border does not determine its disease status. Instead, the assessment is based on the actual epidemiological conditions in specific areas. The WTO's SPS Agreement highlights regionalisation as a key tool for facilitating trade. The principle of regionalisation entails that SPS measures are adapted to regional conditions and that trade from disease-free areas should be allowed to continue even if disease outbreaks have occurred in other parts of the same country. The Agreement requires the exporting party, upon request, to provide evidence substantiating the health status of an area.

For the EU, regionalisation is an important issue, given the Union's large territory and extensive variation in agricultural production, as well as animal and plant life, and the risk of significant negative effects on EU exports if a trading partner does not accept regionalisation. In its standard text, the EU refers to the exact provisions of the SPS Agreement and emphasises that regionalisation should be based on factors such as geography, ecosystems, epidemiological surveillance, and the effectiveness of sanitary and phytosanitary controls. The EU also underlines that regionalisation should be based on scientific evidence emerging from inspections and refers to the World Organization for Animal Health (WOAH) and the International Plant Protection Convention (IPPC). The importing party shall, upon request, be granted reasonable access to inspections and sampling.

The CPTPP contains similar provisions on regionalisation that build on the principles of the SPS Agreement. The free trade agreement places particular emphasis on cooperation and communication to create mutual trust in the member countries' SPS procedures for regionalisation. If an importing party changes or withdraws a decision on regionalisation – thus ceasing to recognise certain regions as risk-free – only a justification is required. No more detailed explanation than that prescribed by the SPS Agreement is necessary. This does not, however, mean that the decision may lack a scientific basis, as the requirements of the SPS Agreement still apply. The CPTPP does not explicitly refer to the three standard-setting bodies – WOA, IPPC, and *Codex Alimentarius* (Codex) – but instead states that the parties shall take into account relevant guidelines from the WTO's SPS Committee as well as international standards, guidelines, and recommendations.

Both the EU's textual proposal and the CPTPP are based on the provisions of the SPS Agreement, but they differ in content. The EU imposes more detailed requirements regarding standardisation (notably through the inclusion of WOA and IPPC standards) and scientific criteria, whereas the CPTPP's provisions are more overarching and resemble those of the Regional Comprehensive Economic Partnership (RCEP), to which many CPTPP members also belong. Studies on RCEP show that countries in the Asia-Pacific region face recurring difficulties in identifying SPS-

related trade barriers.⁵ This suggests a need to strengthen the national competent authorities in certain CPTPP countries. RCEP therefore includes elements of capacity building to facilitate the implementation of the SPS Agreement. The CPTPP likewise emphasises cooperation, transparency, and capacity building. This opens the door to future cooperation between the EU and the CPTPP on regionalisation, which could focus specifically on capacity building. Such cooperation could align with the EU's regionalisation projects with third countries (e.g., South Korea, Japan, Ukraine). In such a project, the EU could provide information about its regionalisation system and facilitate study visits for officials from the other party. In turn, this could help CPTPP members meet the EU's more detailed and ambitious regionalisation requirements, as well as benefit EU exports if it leads to a strengthened application of regionalisation among CPTPP members.

2.2 Audits and import controls

Audits entail the importing party reviewing the exporting party's competent authorities, control systems, and its capacity to monitor and ensure compliance with the importing party's SPS requirements. Import controls, by contrast, refer to checks on imported goods at border control posts.

In the EU's standard textual proposal, the assessment of an exporting party's capacity to meet SPS requirements is a central element of audits. The purpose is to verify the application of SPS measures, ensure consistent implementation, and build trust between the parties. The frequency of audits may be adjusted according to the assessed level of risk and previous audit results. This contributes to a more efficient process. The EU states that the inspecting party bears the cost. With regard to import controls, these are to be carried out in a manner that disrupts trade as little as possible. The exporting party shall, upon request, be informed of the type of import controls applied, how frequently they are carried out, and the factors influencing the risk assessment. If the exporting party's competent authority is deemed reliable, the EU proposes that the exporting party be allowed to draw up a list of approved establishments authorised to export to the EU.

Article 7.10 of the CPTPP regulates audits of competent authorities. It provides that the parties shall agree on the objectives, scope, itinerary, and procedures before the audit. The inspected party shall be given the opportunity to comment on any observations and to take necessary corrective actions before a decision is made. The inspecting party shall, upon request, provide objective evidence and data. As in the EU text, the importing party bears the cost of audits. Import controls, addressed in Article 7.11, require the importing party to explain the type of import controls used and their frequency. The CPTPP describes the processes for audits and import controls in greater detail than the EU. This includes testing standards, documentation requirements (both physical and electronic), and forms of notification. This difference is

⁵ Asian Development Bank, *The Regional Comprehensive Economic Partnership Agreement: A New Paradigm in Asian Regional Cooperation?* (Mandaluyong City, Philippines: Asian Development Bank, May 2022), www.adb.org/sites/default/files/publication/792516/rcep-agreement-new-paradigm-asian-cooperation.pdf.

partly due to differences in legal traditions. The CPTPP emphasises mutual recognition, meaning that countries may accept each other's standards and controls as equivalent even if they differ in concrete terms, whereas the EU bases its approach on its own regulatory framework.

Despite these differences, there are several similarities in how the EU and the CPTPP address audits and import controls. This suggests that a European rapprochement with the CPTPP would likely not create significant friction. A continued challenge for both parties is the inspection and control of high-risk products, where the EU applies stricter criteria.⁶ One possible area of cooperation is the process for listing export-approved establishments. For example, common listing criteria or increased digital exchange of establishment approvals could help facilitate trade and strengthen trust between the EU and CPTPP members.

2.3 Certificates

Certificates are official documents confirming that an animal, plant, or food product complies with the importing party's sanitary and phytosanitary requirements. The competent authority in the exporting country normally issues these certificates.

In the EU's standard textual proposal, standards from *Codex*, WAOH, and the IPPC are indicated as the basis for health certificates for imports. According to the proposal, importing parties may not impose additional requirements beyond those set out in the EU's model certificates. The EU also proposes that free trade partners promote the use of electronic certificates. The model certificates are standardised for all trading partners. The aim is to simplify and coordinate trade procedures.⁷

The CPTPP takes a more flexible view of certification. The Agreement explicitly recognizes that SPS requirements may have been met by means other than formal certificates, as well as the equivalence of different approval processes in relation to the same SPS objective. Where certification is required, the CPTPP limits the importing party's discretion through requirements of necessity and proportionality and by stipulating that the content of certificates be confined to essential information. This differs from the EU's approach, under which the importing party has the right to request a health certificate and where such a certificate often constitutes a mandatory (and structural) element of import control of high-risk products.

Both the EU's textual proposal and the CPTPP refer to model certificates. The EU's model certificates are already used in practice, whereas the CPTPP provides that member countries shall cooperate to develop a common certificate (one for sanitary requirements and one for phytosanitary requirements). In addition, model certificates have been incorporated into certain bilateral free trade agreements that the EU has with CPTPP countries, including Canada and Japan. There are therefore opportunities

⁶ Mandatory import controls are applied at designated border control posts for live animals, products of animal origin, plants, and plant products due to the risk these goods may pose to animal and plant health. See more: [imported products - Food Safety - European Commission](#)

⁷ United Nations Economic Commission for Europe (UNECE), "e-CERT: Electronic SPS Certificate", *UN/CEFACT – Trade Facilitation and E-Business*, accessed February 25, 2026, unece.org/trade/uncefact/ecert.

for cooperation between the EU and CPTPP countries, for example through the exchange of best practices and coordination of model certificates. Both the EU and the CPTPP also seek to promote the use of digital certificates. This could take place as part of capacity-building efforts, which is particularly relevant for many CPTPP countries. For plants and plant products, this could be anchored in the existing global system for the digitalisation of phytosanitary certificates – ePhyto. The EU and all CPTPP countries except Vietnam already use ePhyto (primarily for imports). However, there is no equivalent to ePhyto for animals and animal products, increasing the potential for cooperation on technical compatibility.

2.4 Scientific basis and risk analysis

In certain FTAs, including the CPTPP, it is stated that SPS measures must be based on an objective and scientific basis. In practical terms, this means that a risk needs to be scientifically substantiated before action can be taken. This stands in contrast to the precautionary principle – a legal concept that allows states to adopt measures in the event of suspected risk to human, animal, or plant health, even if scientific evidence is not yet available or remains uncertain. In other words, under the precautionary principle, preventative measures may be taken despite a degree of uncertainty. Within the SPS area, the precautionary principle becomes particularly important for the EU in the event of outbreaks of new types of infectious diseases, the spread of unknown pathogens or active substances, or the development of new biotechnology.

For the EU, the precautionary principle is central, and the Union emphasises that it should be possible to apply the principle in the event of threats or risks where the scientific evidence is not yet sufficient. At the same time, the EU regulatory framework is largely based on established science and structured risk assessment. The EU, therefore, sees a risk that an excessively strict interpretation of scientific evidence and risk assessments may limit preventive action.

When the Trans-Pacific Partnership (TPP; the predecessor to CPTPP) was negotiated, the United States, in particular, pushed the issue of a scientific basis for SPS measures.⁸ Moreover, the requirement that such measures be science-based has long been a negotiating position of the United States, Canada, and others. The CPTPP is consistent with and goes further than the WTO's SPS Agreement, which provides that SPS measures shall be based on scientific principles and not maintained without sufficient scientific evidence in order to present arbitrary trade barriers. It also specifies more precisely that SPS measures shall be based on objective scientific evidence or international standards. At the same time, the Agreement recognises the possibility of introducing provisional measures where scientific evidence is lacking (as also provided for in Article 5.7 of the SPS Agreement).⁹

This provides a clearer structure for how risk assessments are to be conducted, which in turn increases transparency and regulatory predictability. However, it may also limit

⁸ Kuei-Jung Ni, "Science and Risk Analysis in CPTPP/SPS-Plus: Role Model or Unbearable Burden?", *Journal of Food Law & Policy* 15, no. 2 (2019): accessed February 25, 2026, doi.org/10.54119/jflp.okjo7874.

⁹ Ni, "Science and Risk Analysis in CPTPP/SPS-Plus".

the possibility of applying the precautionary principle before all the facts are in place. For the EU, this could lead to legal constraints surrounding proactively introducing SPS measures.

Experiences from the United Kingdom (UK) illustrate how differences in views on scientific risk assessments can affect rapprochement with the CPTPP. When the UK aligned its trade policy with the CPTPP, it emphasised the need to regain a flexible, risk-based import control regime. The UK accepted the CPTPP wording, on the condition that Article 7.9.3 allows for provisional SPS measures.¹⁰ This type of balancing illustrates the issues that may arise in the context of a possible European rapprochement with the CPTPP.

There are clear differences between CPTPP countries and the EU in their views on the relationship between scientific evidence and regulatory discretion. These differences are also visible in the WTO's SPS Committee, where several CPTPP countries repeatedly criticise the EU's precaution-based import requirements as going beyond international standards. In the modernisation of bilateral free trade agreements, it can therefore be expected that CPTPP countries will request clearer guidelines and justifications regarding the EU's application of the precautionary principle, particularly in relation to international risk assessment practices.

At the same time, it is important to emphasise that the majority of the EU's SPS measures are already science-based. Frictions arise mainly for certain product groups and SPS measures where the EU's application of the precautionary principle results in stricter import requirements than international standards.

The EU and CPTPP countries fundamentally share the ambition of protecting human, animal, and plant health. The differences lie primarily in how quickly measures may be introduced in situations of scientific uncertainty. While the EU often relies on WOH standards in its trade-related arguments, other countries (including those that are members of the CPTPP) tend instead to rely on *Codex*. These countries argue, among other things, that the EU should better align itself with *Codex* standards. Strengthened mutual exchange of knowledge on risk assessment, international standards, and precaution-based measures could therefore form a central element in the modernisation of existing agreements, while also serving as a platform for addressing more complex issues over time.

¹⁰ London School of Economics and Political Science (LSE), *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) – SPS Standards, Equivalence and “Regulatory Chill”*: LSE Research Briefing, March 2024, accessed February 25, 2026, info.lse.ac.uk/staff/divisions/communications-division/public-affairs-team/assets/documents/CPTPP-and-SPS-measures.pdf.

3 Sustainable food systems

The EU's standard textual proposal for modernised free trade agreements includes a chapter on Sustainable Food Systems (SFS). The proposal to include such a chapter in EU free trade agreements is based on the EU's Farm to Fork Strategy, which aims to create sustainable and resilient value chains within food systems.¹¹ The SFS chapter complements the existing chapter on Trade and Sustainable Development. To date, SFS chapters have been included in the EU's free trade agreements with Chile and New Zealand.

The content of the SFS chapter is centred on cooperation for sustainable food systems. This includes, among other things, reducing the climate impact of food production, promoting sustainable transport and processing of food, and reducing food waste. Under the SFS chapter, parties are to cooperate both within the framework of the free trade agreement, and in multilateral fora.

The table below summarises two substantive issues from the EU's SFS chapter that are also covered by provisions in the CPTPP.

Table 2. Provisions on antimicrobial resistance and food security in the EU's standard FTA text and the CPTPP

| Issue | Similarities | Differences | Possible form of cooperation |
|--|---|---|---|
| Combat antimicrobial resistance (AMR) | <i>Codex</i> standards serve as a common reference point for maximum residue levels and risk management. | The EU seeks explicit language on AMR as well as high import requirements for animal products in its standard text in order to reduce antibiotic use in animal husbandry. The CPTPP opposes this, and antibiotic use in animal husbandry in these countries can be higher than in the EU. | Strengthen cooperation and transparency regarding the listing of establishment approved for export. Promote closer cooperation between the EU and the CPTPP in international fora addressing AMR. |
| Food security | The EU and the CPTPP share the objective of food security. Both parties also refer to Article XI:2(a) of the GATT, which allows temporary export prohibitions and restrictions in the event of critical food shortages. In practice, neither the EU nor the CPTPP may use export taxes. | Politically, the EU and the CPTPP differ. The EU seeks the elimination of export restrictions and prohibitions, whereas the CPTPP wishes to retain the policy space to use them for developing countries. | Establish a joint forum to analyse the effects of trade-distorting export taxes. Develop closer joint cooperation with the Agricultural Market Information System. |

¹¹ European Commission, "Farm to Fork Strategy", *Food, Farming, Fisheries – Horizontal topics*, accessed February 25, 2026, food.ec.europa.eu/horizontal-topics/farm-fork-strategy_en.

3.1 Antimicrobial resistance (AMR)

The EU's standard text emphasises cooperation to combat antimicrobial resistance (AMR). It states that AMR constitutes a serious threat to human, animal, and plant health, and that this threat requires a coordinated international response. This is in line with the EU's work under the *One Health* strategy (led by the World Health Organization, the UN Food and Agriculture Organization, the UN Environment Programme, and WOAAH). Parties are encouraged to promote the responsible and prudent use of antimicrobials, including phasing out antibiotics and other antimicrobial substances for growth-promotion purposes. The CPTPP contains no specific provisions on AMR, but the standards prescribed in *Codex* remain a common foundation.

Since antibiotic use in animal production can be higher in several CPTPP countries than in the EU, a tension arises with the EU's ambition to combat global AMR by reducing antibiotic use in animal husbandry. What is important to note, however, is that several of these countries already export agricultural and food products to the EU. In previous WTO discussions and trade negotiations, some CPTPP countries have argued that the EU's import requirements (e.g., maximum residue limits for veterinary medicinal products and requirements imposed on producers in third countries) are not based on existing scientific evidence.

If the EU were to initiate enhanced cooperation with the CPTPP in the area of agriculture and food, a starting point for the EU would be that import requirements aimed at combating AMR must be maintained. This means that only establishments or producers that comply with the EU's rules on antibiotic use may export to the EU. Against this background, increased efforts to strengthen cooperation and transparency regarding the listing of establishments approved for export would constitute a concrete step to facilitate compliance by exporters in CPTPP countries with the EU's import rules on antibiotic use. Promoting closer cooperation between the EU and the CPTPP in international fora addressing AMR would be a further step that could contribute to greater understanding while advancing the EU's objective of reducing the prevalence of AMR. In this context, it would be advantageous to remain open to several different international fora and to focus on agreeing to cooperate within the forum that serves as a shared point of departure.

Beyond the technical issues, there is also a strategic dimension: a deepened dialogue on AMR between the EU and CPTPP countries could strengthen global governance in on this subject, as well as aid with the EU's ambition to combat antibiotic resistance internationally. This would not only promote public health and animal welfare, but also reduce the risk of future trade conflicts through increased transparency and trust between the parties.

3.2 Food security

In the EU's standard text, efforts to ensure food security are placed within the chapter on Sustainable Food Systems. In a world characterised by increasing unpredictability and climate change, food security is becoming ever more important – for both the EU and for the members of CPTPP.

In the CPTPP, export restrictions remain a tool to ensure food security, although their use is regulated. A party may temporarily introduce such an export restriction to prevent or alleviate a critical shortage of food.¹² Globally, however, export restrictions have been widely criticised, as they can cause food shortages in other countries and lead to higher prices.¹³ A common understanding is that free trade promotes global food security in the long run. The EU supports this approach and therefore promotes the global elimination of export restrictions, including their use as a tool of last resort. At the same time, Article XI:2(a) of the GATT contains an exception allowing temporary export prohibitions and restrictions in the event of a critical food shortage. This means that, in practice, the EU's position and the CPTPP's regulatory framework are not very far apart.¹⁴ Politically, however, the positions still differ. For the CPTPP, it is important to retain policy space for developing countries to act in the face of critical food shortages, whereas the EU views export restrictions as trade barriers that should be prohibited.

Another trade policy measure that limits export opportunities is export taxes. Although they have largely been phased out, they are still used by certain agricultural exporting countries to lower domestic prices and secure their own food supply. In several larger developing countries, they are also used to encourage domestic processing, generate government revenue, or suppress consumer prices.¹⁵

The EU does not use export taxes and advocates for their abolition in international trade fora. The EU also tries to include prohibitions on export taxes in its free trade agreements. The CPTPP does not explicitly prohibit export taxes, but it prohibits the introduction of additional customs duties, taxes, or charges on exports that are not also applied to goods on the domestic market.¹⁶ In practice, this means that CPTPP

¹² This is in addition to the conditions set out in Article 12.1 of the Agreement on Agriculture, under which a party may apply a temporary export prohibition or restriction to prevent or relieve critical food shortages. In this context, the exporting party must consult the importing party regarding potential effects on their food security. There are also exceptions for developing countries.

¹³ Jonathan Hepburn, David Laborde, Marie Parent, and Carin Smaller, *How Food Export Restrictions Could Worsen a Looming Food Crisis* (International Institute for Sustainable Development, July 30, 2020), accessed February 25, 2026, www.iisd.org/publications/food-export-restrictions-worsen-food-crisis.

¹⁴ Although WTO jurisprudence concerning GATT Article XI:2(a) and food is limited, the Appellate Body in, inter alia, *China – Raw Materials* (DS394/395/398) and *China – Rare Earths* (DS431/432/433) has established that exceptions to the prohibition of export restrictions must be interpreted narrowly, be temporary, and be supported by objective evidence.

¹⁵ Maximiliano Mendez Parra, Samuel R. Schubert, and Elina Brutschin, *Export Taxes and Other Restrictions on Raw Materials and Their Limitation through Free Trade Agreements: Impact on Developing Countries* (Brussels: European Parliament, Policy Department for External Policies of the Union, April 2016), accessed February 25, 2026, [www.europarl.europa.eu/RegData/etudes/STUD/2016/534997/EXPO_STU\(2016\)534997_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2016/534997/EXPO_STU(2016)534997_EN.pdf).

¹⁶ Government of Canada, *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP): Chapter Summaries*, accessed February 25, 2026, www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/cptpp-ptpgp/chapter_summaries-sommaires_chapitres.aspx?lang=eng.

countries cannot use export taxes as a tool to disadvantage other member countries, while taxation for the domestic market remains permitted.

Efforts to address export taxes therefore constitute an area where the EU and the CPTPP share some common ground and have opportunities for cooperation. Establishing a joint forum to analyse the effects of trade-distorting export taxes could increase transparency and improve dialogue. If such analytical work influences the use of export taxes, it could help strengthen resilience, as predictability in food supply chains would increase as these sorts of measures are phased out.

Although the EU and the CPTPP share similar objectives regarding food security, they emphasise different paths to achieve them. The EU primarily highlights the sustainability perspective, whereas the CPTPP underscores the need to retain export restrictions for crisis situations where there are limited alternative options to ensure food security. The EU advocates for the global elimination of export restrictions, while several developing countries within the CPTPP view them as an important trade policy tool in times of crisis. Deepened cooperation, particularly efforts that enhance understanding of the different parties' perspectives, is therefore valuable – especially in the long run.

A concrete proposal to strengthen the shared knowledge base is to develop closer joint cooperation with the Agricultural Market Information System (AMIS). Most CPTPP members already participate in AMIS, as does the EU.¹⁷ Such cooperation could be embedded in bilateral agreements and contribute to greater transparency regarding how trade and national measures affect prices and the availability of key agricultural commodities. With better information, the EU and the CPTPP could jointly analyse which trade policy tools promote, and which undermine, food security. Increased transparency would also reduce the need for export restrictions, as countries would have greater confidence in market stability.

¹⁷ Australia, Canada, Japan, Mexico, the United Kingdom, and Vietnam participate in AMIS as national focal points.

4 Conclusion

This analysis has identified several substantive issues where the EU and CPTPP countries either share objectives or have differences, and where there are possibilities for continued cooperation in the area of agriculture and food. The analysis has particularly highlighted sanitary and phytosanitary measures (SPS) and Sustainable Food Systems (SFS).

Within the SPS area, several opportunities for further cooperation emerge:

- **Regionalisation:** One component of cooperation on regionalisation could be capacity-building efforts, similar to existing regionalisation projects, for competent authorities in [certain] CPTPP members to strengthen mutual understanding.
- **Audits and import controls:** Common criteria and the promotion of interoperable digital systems for listing export-approved establishments could facilitate trade flows and increase trust.
- **Certificates:** Coordination and the development of interoperable digital certification systems could simplify procedures and disseminate best practices.
- **Scientific basis and risk analysis:** Strengthened mutual exchange of knowledge on risk assessment, international standards, and precaution-based measures could constitute a long-term investment in greater understanding.

In the SFS area, the analysis shows that both the EU and the CPTPP share the ambition of sustainable food systems, as well as where there is opportunity for closer collaboration despite the current use of different tools:

- **Antimicrobial resistance (AMR):** Deepened dialogue and increased cooperation in international fora between the EU and the CPTPP could help strengthen international efforts to combat AMR.
- **Food security:** Areas of cooperation such as transparency, reduced use of export restrictions, and information exchange could promote the shared objective of food security for both the CPTPP and the EU.

Capacity building, information exchange, technical cooperation, and the establishment of joint channels for dialogue are possible steps to create increased trust between the EU and CPTPP members, which could contribute to stability in trade flows of agricultural products and food in the long run. The measures proposed in the analysis are, from a practical perspective, relatively simple to implement. However, this presupposes political will from the parties. Notably, as global trade relations become more strained, political will in these areas is already increasing.

The EU's (and Sweden's) future work on trade analysis in the agricultural sector could, if necessary, include reviews of the existing bilateral agreements between the EU and CPTPP countries. Such reviews would enable two things. First, this would allow the EU to take stock of similarities and differences across its bilateral agreements with CPTPP countries. Having this information available would be advantageous in the event of a modernisation of these free trade agreements. Second, it could provide insights into the internal dynamics regarding priorities within the CPTPP. In the event of a shift toward closer cooperation, the information required to engage in text-based discussions with the CPTPP would already be available.

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Sammanfattning på svenska

Summary in Swedish

Denna analys undersöker möjligheterna till ett närmare samarbete mellan EU och CPTPP på jordbruks- och livsmedelsområdet i ett läge där den regelbaserade världshandeln är under press. En viktig utgångspunkt är att EU redan har bilaterala frihandelsavtal med en majoritet av CPTPP-länderna. Att modernisera dessa avtal kan vara ett första steg mot ett bredare samarbete.

Analysen granskar två kapitel som EU föreslår i förhandlingar om moderna frihandelsavtal. Först behandlas sanitära och fytosanitära åtgärder (SPS), som är tekniskt detaljerade och nära kopplade till WTO:s SPS-avtal. Därefter analyseras hållbara livsmedelssystem (SFS), som är ett mer policyinriktat kapitel i EU:s moderna frihandelsavtal. Inom dessa två områden granskar analysen flera sakfrågor – regionalisering, inspektioner och importkontroller, certifiering, vetenskaplig grund och riskanalys, antimikrobiell resistens samt trygg livsmedelsförsörjning. Syftet är att bedöma förenligheten mellan befintliga bestämmelser och regleringar.

Den övergripande slutsatsen är att det finns flera realistiska och relativt okomplicerade vägar till fördjupat samarbete. Analysen lyfter särskilt fram kapacitetsbyggande, tekniskt samarbete, digitalisering av administrativa processer samt strukturerade former för informations- och kunskapsutbyte som möjliga startpunkter. Sådana steg kan öka det ömsesidiga förtroendet och förbättra förståelsen för varandras regelverk. De kräver inte heller att parterna omedelbart löser de mest politiskt känsliga frågorna. På längre sikt kan detta praktiska samarbete skapa en stabil grund för att hantera mer komplexa skillnader, särskilt när det gäller synen på vetenskaplig grund och försiktighetsprincipen. Det förutsätter dock att det finns ett tydligt politiskt intresse från båda sidor att gå vidare mot ett närmare partnerskap.

The National Board of Trade Sweden is the government agency for international trade, the EU internal market and trade policy. Our mission is to facilitate free and open trade with transparent rules as well as free movement in the EU internal market.

Our goal is a well-functioning internal market, an external EU trade policy based on free trade and an open and strong multilateral trading system.

We provide the Swedish Government with analyses, reports and policy recommendations. We also participate in international meetings and negotiations.

The National Board of Trade, via SOLVIT, helps businesses and citizens encountering obstacles to free movement. We also host several networks with business organisations and authorities which aim to facilitate trade.

As an expert agency in trade policy issues, we also provide assistance to developing countries through trade-related development cooperation. One example is Open Trade Gate Sweden, a one-stop information centre assisting exporters from developing countries in their trade with Sweden and the EU.

Our analyses and reports aim to increase the knowledge on the importance of trade for the international economy and for the global sustainable development. Publications issued by the National Board of Trade only reflect the views of the Board.

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