

DRAFT MINUTES OF THE SIXTY FIFTH MEETING OF ACAF HELD ON 22 OCTOBER 2014

Present:

Chairman Dr Ian Brown

Members Mr Geoff Brown
 Ms Ann Davison
 Mr Peter Francis
 Professor Ian Givens
 Dr Wendy Harwood
 Mrs Chris McAlinden
 Dr David Peers
 Dr Tim Riley
 Professor Robert Smith
 Mr Edwin Snow

Secretariat Mr Keith Millar (Secretary) – Food Standards Agency
 Miss Mandy Jumnoodoo – Food Standards Agency
 Dr Ray Smith – Food Standards Agency
 Dr Mark Bond – Food Standards Agency
 Mr Freddie Lachhman – Food Standards Agency

Assessors Professor Glenn Kennedy - Agri-Food & Biosciences Institute
 Mrs Hilary Neathey – Food Standards Agency, Wales
 Mr Stephen Wyllie - Defra Assessor

Speakers: Mr Nick Major – ForFarmers
 Mr John Kelley – Agricultural Industries Confederation
 Dr Nick Renn – Veterinary Medicines Directorate
 Mrs Janis McDonald - Veterinary Medicines Directorate
 Mr Nicholas Turner – Defra

1. The Chairman welcomed delegates to the 65th meeting of ACAF and reminded them that there would be an opportunity to ask questions at the end of the meeting.
2. Apologies for absence were received from Ms Angela Booth, Professor Stephen Forsythe, Mrs Stephanie Young, Mrs Martha Martin (Scottish Assessor) and Gerard Smyth (FSA in Northern Ireland).

3. The Chairman welcomed Mr Geoff Brown and Professor Robert Smith to their first meeting. He invited the two new Members to provide a short background on their career history to date.
4. Mr Geoff Brown (feed materials) said that he had worked continuously in the animal feed pre-mixture industry in a variety of positions until 2007 when he moved into full time regulatory management. He has worked closely with a number of UK trade associations and their European counterparts. Mr Brown is a Member of the Legal Affairs and Scientific Committee, and chairs the Pre-mixture and Mineral Feeds Committee, of the Agricultural Industries Confederation. Since his retirement in June 2014, Mr Brown has taken up an appointment as the General Secretary of the British Association of Feed Supplement and Additive Manufacturers (BAFSAM) and chairs its Regulatory and Technical Committee.
5. Professor Robert Smith (veterinary science) said that he is a veterinary surgeon, and currently carries out clinical work on dairy, beef and sheep farms as part of the veterinary practice run by the University of Liverpool. He also has research and knowledge exchange roles within the University of Liverpool School of Veterinary Science, working with a range of partners in the food supply chain. Professor Smith has a degree in biochemistry and a PhD in neuro-endocrinology in addition to his veterinary graduate and post graduate qualifications. Professor Smith is involved in on-farm monitoring of cattle health and nutrition, interpretation of forage analysis and animal response to nutrition. He has been a tutor on courses for veterinary surgeons, farmers and animal feed companies.

Agenda Item 1 – Declaration of Members’ Interests

6. Members of the Committee were asked to declare any relevant changes to their entries in the Register of Members’ Interests, or any specific interest in items on the agenda. Dr Harwood confirmed that she had been awarded a visiting professorship from China. Mr Brown said that he was the General Secretary of the British Association of Feed Supplement and Additive Manufacturers. He is a Member of the Legal Affairs and Scientific Committee and chairs the Pre-mixture and Mineral Feeds Committee of the Agricultural Industries Association. He also carries out private consultancy work. Dr Riley stated that his wife worked for the Animal and Plant Health Agency and that he was a member of the animal resources committee. Professor Smith stated that he works with Tesco’s, BOCM Pauls and several feed companies. Finally, Mrs McAlinden said she was doing consultancy work for a company on feed additives.

Agenda Item 2 – Draft Minutes of the Sixty fourth Meeting (MIN/14/02)

7. The minutes were adopted.

Agenda Item 3 – Agricultural Industries Confederation – Sustainability Committee (ACAF/14/19)

8. Mr Nick Major introduced ACAF paper 14/19 on the work of the Agricultural Industries Confederation's Sustainability Committee. He said that the Committee had been set up twelve months ago in recognition of the increasing importance of sustainability in the food and feed chains and the Committee specifically considers issues relating to sustainable animal feed. Its scope covers feed ingredients and their sources, feed production and the product use by the sector's customers. Also, wider cross-sector issues such as environmental foot printing and the sustainable use of natural resources.
9. Mr Major explained that the European Feed Manufacturers' Federation (FEFAC) believes that products of animal origin form an integral part of the European diet providing key nutritional benefits to the European population. Nutritionally optimised feed meeting the physiological requirements of animals raised for food production purposes is essential to reduce the environmental impact of production and consumption of animal products. Thus the compound feed industry is being pro-active to contribute responsibly to the sustainable development of livestock and aquaculture systems. FEFAC believes that the key drivers are: using research and development to understand diet patterns and composition which will help to reduce emissions, to improve feed efficiency, and also, to optimise the use of co-products from primary production. Mr Major said that there are a whole range of co-products that can be used in animal feed, for example from the brewing and bioethanol industries. The Sustainability Committee's work includes influencing the work being undertaken by the EU to harmonise the environmental foot printing methodology for animal feeds.
10. In terms of the future, FEFAC aims to outline the contribution that the feed industry is making towards sustainability; in contributing to and taking the lead in developing criteria defining sustainable supply; and in co-ordinating action towards more sustainable production. Mr Major said the Sustainability Committee was developing a comprehensive vision on sustainability, developing tools for environmental foot printing; ensuring responsible supply of ingredients such as soya, palm oil, etc. and also strengthening links with institutional and chain partners. Mr Major then explained work being developed on environmental foot printing on both an EU and international level in particular the food Sustainable Consumption & Production (SCP) Round Table (ENVIFOOD Protocol) and the FAO's livestock environmental assessment and performance partnership.

11. Mr Major said that over the next two and half years, the feed industry will work with the Sustainability Committee to put together a harmonised environmental foot printing methodology for animal feed, which will form part of the EU Commission Product Environmental Footprint (PEF) pilot studies. The Committee will also input into other pilot studies. Mr Major outlined work that the Committee is involved with, in terms of responsible supply of soya, palm and fishmeal. Additionally Mr Major covered the Committee's work on alternative sources of raw materials, including insect protein, which because of consumer attitudes, would more likely be developed outside the EU. Mr Major also said there would be further development on novel materials such as algae and duckweed.

Discussion

12. Following a question from the Chairman of the Committee, Mr Major confirmed that the Committee's work was aligned to that of the NFU. Mr John Kelley (AIC) also added that the organisation had signed up to the Government's action plan on reducing greenhouse gases. Following a comment from a Member of the Committee on research on grasses to reduce methane emissions, Mr Major said that economics should be one of the pillars of sustainability. Sourcing raw materials should be technically efficient and work by the FAO to increase yield and not increased land usage should be considered. Another Member was supportive of the measures being adopted on environmental foot printing and asked whether there was any evidence of the environmental benefits. Mr Major referring to work being done in the supply chain, noted that consumers and retailers influence producers suggesting that work on insect proteins as an alternative raw material may not be universally acceptable. Following a comment from another Member of the Committee, Mr Major said that GM was not included as a sustainability issue as the Committee wished to be neutral. He also agreed that consumers concerns on price should be considered.
13. A Member of the Committee, noting the economic drivers for change, asked how the AIC strategy will reflect other changes. In response Mr Major noted that intensive systems can be shown to have a lower environmental foot print than extensive systems. Improving the genetics for extensive systems will help efficiency.
14. The ACAF Secretary thanked Mr Major for his presentation noting that the Committee and the FSA had an interest on sustainability issues and in particular the production of feed materials and minimising wastage. He referred to the excellent on-going work of the United Kingdom Former Food Processors Association. He said that the issue of sustainability would return to the Committee for discussion.

Action: Secretariat

Agenda Item 4 – Organic Feed Issues (ACAF/14/20)

15. In introducing ACAF paper 14/20 on organic feed issues Mr Nicholas Turner (Defra) said that the European Commission had included in its 2013 work programme a new proposal for revision of the legislative and non-legislative framework for organic production in the EU. The aim of the review was to target inconsistencies, gaps and ineffective measures, introduce simpler rules and reduce regulatory costs.
16. The Commission put forward three options: (improved) status quo, market-driven and principle-driven measures. An online consultation was held in 2013 with around 44,000 responses. An Impact Assessment was published on 24 March 2014 with the Proposal and Action Plan. The 'principle driven' option was chosen which aims to refocus organic farming on principles, removing exemptions and derogations.
17. Mr Turner explained that the Commission's rationale behind its proposed changes were essentially, that, production in the EU has not kept up with demand over the last decade. So, whilst the market has expanded four-fold, the organic land area has only doubled. As a result, the EU is missing out on the environmental benefits of organic production and the gap is being filled by imported produce. Some of the issues the Commission identified from its review were: obstacles in the way of the sector developing – in particular small farmers are underrepresented; a perceived risk of loss of consumer confidence in organics; unfair competition and inconsistency in implementation. Therefore, the Commission concluded that the existing organic policy and legal framework does not provide an appropriate basis for the sustainable development of organic production in the EU. Therefore, the EU proposals aim to: i) clarify the rules; ii) address gaps in the legislation; iii) guarantee fair competition as much as possible; iv) address consumers' evolving concerns (namely environment, quality); v) remove exemptions to the rules; vi) streamline the control system; and vii) reform the trade regime.
18. Mr Turner said that there are eight chapters with the key ones covering scope, production rules, labelling, organic certification and trade. The key changes to the production rules are:
 - i) **the entire holding must be managed as organic** - the Commission's view is that mixed holdings pose a higher risk of non-compliance than entirely organic ones. So the proposal prohibits mixed organic and conventional holdings. Originally, it was thought that about 25% of organic holdings in the UK are mixed – although this percentage could be higher. On a positive note it does allow a holding to be split into clearly separated units which are not all managed as organic during the conversion period;
 - ii) **there is a new requirement that some operators will have to develop an Environmental Management System** to improve their environmental performance. The rationale for this is to meet consumer expectations that organic

products are produced in a more environmentally friendly way. However, as the detail will be in a delegated act it is currently unclear whether this will be useful and what level of burden it may put on producers;

iii) **Retroactive recognition** –existing legislation permits the competent authority to retroactively recognise parcels of land that have not been treated with prohibited substances. Mr Turner advised that whereas the new proposal removes that provision it does states that no conversion period is necessary for cases where the land has been left fallow for at least the period required for conversion. However, there is no definition of fallow;

iv) **Presence of non authorised substances** - the proposal introduces new provisions and where any non-authorized products or substances are present beyond given levels the product cannot be marketed as organic. So, any products contaminated with unauthorised substances, even if unintentionally, would still lose their organic status. Mr Turner explained that more detail on these provisions will be detailed in delegated acts; and

v) **Transitional rules** - Article 40 outlines some important transitional rules to be introduced via a delegated act – they would last until December 2021. The transitional rules allow for the use of a percentage of non-organic feed.

19. Mr Turner said that **the removal of exceptions to the rules** is one of the UK's biggest concerns – the use of 5% non-organic feed being one of them. However, there is the possibility of exceptional production rules in the event of catastrophic circumstances. This could potentially cover feedingstuffs so could potentially enable the use of non-organic ingredients for feed in the event of catastrophic circumstances. It is unclear what the labelling requirements for feed will be under the delegated Act. However, Mr Turner said that under the organic certification chapter, retailers now come under the control system. The Proposal introduces an option of group certification to encourage small operators to join the sector. The proposal also introduces a limit to one Certification Body (CB) per operator for the same group of products to try to reduce fraud. Each feed producer could only be certified by one CB.

20. Mr Turner advised that the European Commission has introduced measures to reinforce the control system, introducing a risk based approach meaning that organic operators with a proven compliant record can be physically inspected less frequently than annually. This would free up resources that would be concentrated on those areas and operators presenting the highest risks. The Commission has clarified the existing provisions on irregularities and infringements. There are also some changes to the trade regime, in indicating that the current system of equivalence for third countries would be replaced with reciprocal trade agreements and the system of equivalence for control bodies would be replaced with a compliance system. The EU currently has eleven equivalency agreements with third countries but only five are mutual (Canada, Japan, Switzerland, US and NZ) – all the others are unilateral.

There are also sixty-one recognised CBs in third countries for the purpose of equivalence – all of which can certify products for export to the EU. However, it is unclear how imports of feed will be treated.

21. Mr Turner said that Defra has held a number of informal consultation meetings with industry and sent a summary document and an assessment of the impacts to a wider group of stakeholders asking for written comments. Stakeholder views have shaped the UK position. There was generally a high level of concern about the proposal. Defra has had a meeting to specifically discuss feed issues with the AIC organic farming working group. This highlighted concerns on the lack of ability to produce the percentage of organic feed required for the region (whether region is defined more tightly or not) and therefore supply was unable to meet demand.
22. Mr Turner noted that the UK is concerned that the proposal does not fully meet the Commission aims of simplification and reducing burdens and actually has the opposite effect. Additionally, the formal Impact Assessment. Does not adequately assess the likely impacts. A first read through by working parties has now been completed. The UK's views and concerns are well aligned with most other MSs. Mr Turner expected that the European Parliament and Council positions would be available by the end of 2014. He asked for ACAF to provide Defra with any information or advice that would help the UK negotiations.

Discussion

23. In response to a question from the ACAF Chairman on whether the Soil Association had been involved in the negotiations, Mr Turner confirmed that all interested parties had been involved since March 2014. Following a question from a Member of the Committee on the effects of the composition of organic feed in meeting dietary requirements of animals, Mr Turner requested a separate discussion outside the meeting, as the points made by the Committee Member had not been previously raised. In response to a question from another Member of the Committee, Mr Turner confirmed that businesses can have their own standards provided that they meet EU requirements.
24. In terms of possibility of low level presence of non-authorized feed additives, which are allowable in conventional products, Mr Turner referred to Article 20 of the Regulations noting that the UK view was that this article should be removed. Following comments from two Members of the Committee on the practicalities and costs of organic feed, Mr Turner said that Defra was liaising with its economists to look at the impacts to produce more detailed assessments. One Member of the Committee commented that the way to investigate the full range of organic food consumers' views would be to commission research. Account should also be taken of the government's red tape challenge. Consumers would want to see a balance between cost and stringency. In response to a question from the ACAF Scientific

Secretariat on the criteria and authorisation process for feed materials used in the organic sector, Mr Turner said that the process had not been set out in the proposals. The ACAF Secretary offered to provide assistance with preparation of the impact assessment in terms of the feed/livestock industry. Mr Turner noted that an informal consultation document had been circulated and he would send it to the Secretariat for circulation to the Committee.

Action: Secretariat

Agenda Item 5 – AIC’s Feed Adviser Register (ACAF/14/21)

25. Mr John Kelley (Agricultural Industries Confederation (AIC)) introduced ACAF paper 14/21 on the Feed Adviser Register (FAR). He explained that the FAR had been launched on 1 May 2013 and aims to provide a professional register for feed advisers in the UK. The register acts, in part, as a vehicle to reduce green-house gas emissions in the UK.

26. The key objectives of the FAR are to:

- (i) attain a common level of competency with regards to environmental considerations;
- (ii) to include a registration of all personnel who provide feeding management advice to livestock farmers; and
- (iii) to keep up-to-date the ‘collective’ skills knowledge base via the FAR’s website.

27. Membership covers feed advisers, traders and shippers/forwarders. Members will need to have practical feed adviser experience. There is annual renewal and an obligation for continual personal development. Continuation as a member entails completion of a self-declaration letter and after two years, members are required to complete an on-line core competency template. Mr Kelley said that the feed advisory group was considering whether members will need to complete an online interactive learning tool in the third year of their membership. Currently, AIC is trying to identify gaps in core competency which will drive courses required. By the end of 2014 all advisers in the Register will be given core competency guidance notes. A study outlining how FAR has contributed to reduction of greenhouse gases is expected to be published in 2014/15. Discussions have also taken place with Red Tractor to promote the formal recognition of FAR by this assurance scheme.

Discussion

28. In response to a question from the ACAF Chairman on the independence of members on the Register, Mr Kelley said there was a need to ensure that advisers were competent and that the core competencies were adequate. He noted that 8% of Members were independent and that each adviser joins the Register on an individual basis. A Member of the Committee was interested in how robustly the entry qualifications were checked. Mr Kelley said that every application was examined and any anomalies identified are checked. He added that as the Scheme was

relatively new, the requirements for members would be reviewed and revised as appropriate.

29. Following a further question from the ACAF Chairman, Mr Kelley confirmed that membership costs were £70 and £95 per annum for AIC and non AIC members. In response to a question from a Member of the Committee, Mr Kelley confirmed that farmers were receiving the best possible advice from FAR members. Additionally, he said that there were written criteria for how members lose their membership; however, no-one so far, had left the scheme. Following a further question from a Member of the Committee, Mr Kelley said that FAR had some engagement with veterinary societies. Finally, on the issue of indemnity, Mr Kelley said that this would be for individual companies to arrange. Mr Major added that FAR makes it clear that it does not indemnify members.
30. The ACAF Secretary commenting on the Committee's work on gaps in feed safety recalled that the British Society of Animal Science (BSAS) had also created a register and suggested that the outcome of BSAS work might usefully be correlated and reconciled with the work of FAR.

Action: Secretariat

Agenda Item 6 – Forward Work Programme (ACAF/14/22)

31. Miss Jumnoodoo introduced paper ACAF/14/22 on horizon scanning and future work for ACAF. She asked the Committee to agree on the proposals for new work and the movement of items as suggested in the paper. Additionally, Miss Jumnoodoo sought the Committee's views on a number of questions that individual members of the Committee had raised during the preparation of the paper.

Discussion

32. Committee Members agreed that there was a need for the forward work plan to be transparent, to be categorised in order of priority (likelihood of risk, public concerns, and importance of legislation, etc.) and therefore suggested that the plan should have an introductory paragraph outlining its purpose. Members agreed that the item on the trace element status of feeds should be moved to high priority in light of the re-authorisation process and recommendations on maximum permitted levels from EFSA. Additionally, this item, together with the item on the manipulation of animal diets to enhance the nutritional value of food, should be combined into one heading. On the latter item, a Member of the Committee said that although the Committee had identified the issue it had not provided a solution to the issue. It was agreed that Members of the Committee would assist the Secretariat in preparing a paper that outlines the issue of feed additives and the manipulation of animal diets for discussion at a future meeting.

Action: Secretariat and designated Members of the Committee

33. On the issue of brominated flame retardants it was agreed that the Secretariat would discuss whether this item should remain on the forward work plan with colleagues in the Agency's Contaminants Branch. It was also agreed that the EU developments paper for the February 2015 meeting would include an update on TSE/BSE issues. A Member of the Committee suggested that ACAF should keep a watching brief on the issue of nanotechnology. The ACAF Secretary, noting a comment from another Member of the Committee on ACAF's role in food safety, said that any feed related issue that could be perceived as injurious to health will be of interest to the Committee. It was agreed that the forward work plan would be amended in light of the Committee's discussions.

Action: Secretariat**Agenda Item 7 – Update on feed additives**

34. Dr Ray Smith noted that as part of the re-authorisation process approximately 1,200 additives had been submitted. However, the new legislation includes a few new categories making the comparison of old and new additives inventories difficult. Of the 1,200 additives only about 1,100 were submitted to EFSA¹; for assessment, the remainder being either blocked or withdrawn. Dr Smith said that Member States and the Commission were considering a number of issues including trace elements (copper, zinc and iodine). He advised that following lobbying by the UK and other Member States, the Commission is considering its position for the maximum permitted levels (MPL) for iodine. Dr Smith said that EFSA had issued an opinion on zinc which suggested reductions in the maximum limits for this element in animal feeds. An opinion on copper was still awaited. Discussions were also taking place on the use of vitamins in water and toyocerin - a probiotic used in feed.

Agenda Item 8 – Matters Arising from the Minutes of previous meetings

35. The ACAF Chairman confirmed that there were no matters arising from the minutes of previous meetings.

Agenda Item 9 - Any Other BusinessRevision of the EU legislation on veterinary medicinal products and medicated feeds

36. Mrs Janis McDonald (Veterinary Medicines Directorate (VMD)) advised the Committee that the European Commission had issued its proposals on veterinary medicinal products and medicated feed, on 10 September 2014. The aim was to

¹ European Food Safety Authority

improve the health and wellbeing of animals, to tackle antimicrobial resistance (AMR) in the EU and to foster innovation. She stated that the proposals were mainly harmonising the rules and did not make significant changes to existing UK legislation, which was not the case for some other Member States. The UK, therefore, welcomed the proposals but would seek clarification from the Commission on some points. Mrs McDonald said the proposals introduced new rules on antimicrobial resistance in relation to carry-over and the use of antibiotics. Mrs McDonald explained that the UK will be seeking written comments from a wide range of stakeholders and as part of its engagement activities, VMD will be holding stakeholder meetings.

37. Finally, Mr Nick Renn (VMD) said that the first Council Working Group meeting on the medicated feed proposal was held on 10 October 2014.

Discussion

38. Following a question from a Member of the Committee on antibiotics used in human medicine which are related to the antibiotics used for animals, Mr Renn said that the veterinary use of these would be restricted.

39. The ACAF Secretary confirmed that the FSA's Animal Feed, TSEs and ABP Branch would work closely with the VMD on this issue and would report back to the Committee.

Action: Secretariat

40. The ACAF Chairman commented that there is consideration of a moratorium on certain classes of antibiotics prescribed to animals. However, this has to be finally decided. A Member of the Committee said that it was important to monitor the use of antibiotics and antimicrobial resistance in animals. Mr Renn noted that VMD was at the forefront of work on antimicrobial resistance. Following a question from a Member of the Committee on recording the use of antibiotics as opposed to sales, Mr Renn confirmed that the legislation does not require the recording of use but could be amended as part of changes to secondary legislation.

FVO Audit on Animal By-products

41. The ACAF Chairman noting that the European Commission's Food and Veterinary Office was carrying an audit on Animal By-products controls in the UK, requested an update at the next meeting.

Action: Secretariat

General Advisory Committee on Science

42. The ACAF chairman said that he would be attending a meeting of the General Advisory Committee on Science on 29 October 2014.

Dr Ray Smith

43. The Chairman and Committee Members expressed their appreciation to Dr Ray Smith for his valuable contribution to the smooth running of the Committee over the past 14 years and wished him well during his imminent retirement.

Date of the next meeting

44. The ACAF Chairman said that the next meeting would take place on 25 February 2015 in Aviation House.

Information Papers

45. The ACAF Chairman drew the Committee's attention to the following information papers:

- EU Developments (ACAF/14/23); and
- Update on the work of other advisory committees (ACAF/14/24).

ACAF Secretariat
January 2015