

## MINUTES OF THE SEVENTY SECOND MEETING OF ACAF HELD ON 23 FEBRUARY 2017

### Present:

**Chairman** Dr Ian Brown

**Members** Miss Michelle Beer Ms Angela Booth  
Ms Ann Davison Prof. Stephen Forsythe  
Prof. Wendy Harwood Mrs Christine McAlinden  
Dr David Peers Mr Edwin Snow  
Prof. Robert Smith

**Secretariat** Mr Keith Millar (Secretary) Food Standards Agency  
Miss Mandy Jumnoodo Food Standards Agency  
Dr Mark Bond Food Standards Agency

**Assessors** Mr Alan McCartney Department of Agriculture, Environment and Rural Affairs NI  
Ms Claire Moni Food Standards Scotland  
Mrs Karen Pratt Food Standards Agency  
Mr Stephen Wyllie Defra  
Mr John Hirst FSA Wales

**Officials** Ms Annie Green Veterinary Medicines Directorate

**Speakers** Ms Harriet Parke Eunomia  
Mr Toby Parker United Fish Industries  
Dr Patrick Miller Food Standards Agency

1. The Chairman welcomed delegates to the 72nd 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 Mr Geoff Brown, Professor Ian Givens, Mr Peter Francis, and Dr Tim Riley.

### Agenda Item 1 Declaration of Members' interests

- Dr Peers now works for RSK ADAS Ltd following the acquisition of ADAS by RSK Group;

- Miss Beer had recently taken a position at Plymouth City Council;
- Ms Booth had become a member of FERA's Scientific Advisory Group;
- The ACAF Chairman confirmed that he had been asked to take on a governance role for doctors at the Atomic Weapons Establishment in Aldermaston; and
- Ms Davison said that the National Consumer Federation had asked her to contribute to blogs.

## **Agenda Item 2 – Draft Minutes of the Seventy first Meeting (MIN/16/03)**

3 The minutes were adopted, subject to the following changes:

- Pg 9 – Para 33 – amend first sentence to read– another Member of the Committee thought that over-supplementation of horses could be an issue; and
- Pg 14 – Para 54 – amend first sentence to read – another Member, noting that BSE emerged with little notice, asked whether there would be any indication of new emerging diseases.

Action: ACAF Secretariat

## **Agenda Item 3 –Refuse Derived Fuels**

- 4 The FSA Assessor (Karen Pratt) introduced paper 17/01. The Committee had discussed the issue of refuse derived fuel (RDF) on two previous occasions. Mrs Pratt provided details of the investigations the ACAF Secretariat had carried out on the issue, explaining that there was growing awareness of the problem and there was evidence of ports addressing these, e.g. developing handling protocols. However, from port visits Mrs Pratt acknowledged that the effectiveness of controls still varies.
- 5 In terms of enforcement responsibilities, Mrs Pratt explained that the Environment Agency (EA) was the responsible enforcement authority and will issue permits with conditions related to environment / hazards (e.g. fire / effects on the local population), but focussed on environmental issues at and around the port. However, local authorities (Trading Standards and Port Health officers) have enforcement responsibilities for feed and food at ports.
- 6 Mrs Pratt asked the Committee to discuss findings of the ACAF Secretariat and the suggested recommendations in paper 17/01.
- 7 Mrs Pratt also reminded Members that the Committee had had an opportunity to comment on the Industry code and that Harriet Parke (Eunomia – Secretariat to the Industry Group) had kindly agreed to come along to give an update on the Working Group's discussions.

8 Ms Parke thanked the Secretariat and the Committee for their comments which were part of a wider consultation with Defra<sup>1</sup>, the EA, Welsh Government, National Resource Wales (NRW), Scottish Environment Protection Agency (SEPA) and other relevant bodies. Generally, comments received had been positive. Key subsequent changes to the Code included:

- inclusion of a glossary;
- recommendation of a minimum number of layers that should be used to wrap bales;
- reference to maximum storage times; and
- the Code would be available to non-members.

9 Ms Parke said that the Industry Group aimed to finalise the Code by 10 March 2017 and would welcome endorsement from regulators.

## Discussion

10 In response to questions from the Members of the Committee, Ms Parke made the following points:

- the Industry Group did not represent everyone in the industry and the Code would operate as voluntary practice;
- compliance with the Code would be part of the ToR for membership of the Group – although at this time there were no planned site-based audits to verify compliance. If instances of explicit non-compliance were identified, they would be raised with the relevant member who was non-compliant. The first step was to get a Code in place to set out what good practice should look like;
- issues of leaching at portside and during transport have been considered in the Code. The Code advises regular checking and turning of the bales. When the RDF is sent in containers, issues of leakage and fermentation and degradation are minimised;
- improved recommendations have been made on limiting pest damage. Ms Parke undertook to check if there was any explicit reference to bird damage. Requirements regarding pest control would be part of the permit conditions;
- the Group had made recommendations on the number of layers and the quality which is also related to the handling processes. Ms Parke agreed to raise the point made by the Member to the Committee on wrapping quality and thickness used by operators;
- requirement that operators should liaise with food and feed storage operators before commencement of spraying to identify any potential issues.
- recommendation of zoning in ports so that food and feed are kept far away from RDF stores; and

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<sup>1</sup> Department of Environment, Food and Rural Affairs

- the Industry working group had recommended that the Code should be adopted. The Code was currently going through individual sign-off procedures, so by 10 March the document would be signed off by the main Group, prior to circulation to regulators for endorsement. Ms Parke said that the Industry Group would want ACAF to endorse the Code prior to ACAF's June meeting.

Action: Ms Parke

11 A representative from GAFTA<sup>2</sup> thanked ACAF for taking up the issue.

The representative added that the following concerns on the regulatory system remained from its perspective:

- that the EA should consider the need to identify nearby/adjacent premises (e.g. food/feed stores) when setting permit conditions. When RDF is stored in warmer weather, the use of insecticides can contaminate nearby feed/food;<sup>3</sup>
- on-going concerns about members who were not members of the RDF group. Issues in the past often with smaller business units; and
- the EA needed to step up surveillance and audit on this activity.

12 Members of the Committee made the following comments:

- EA permits only consider environmental impacts, Trading Standards are concerned with animal feed, this would require liaison to ensure feed safety. FeBOs<sup>4</sup> have no control over external contamination, but have a responsibility to ensure that the feed is safe;
- first step was to have an effective Code; but ACAF needs to monitor for future demonstration of uptake and compliance;
- must ensure that any regulatory gaps are filled;
- the Code should have a flow diagram that includes responsibility for legislative control so there are no gaps.

13 The Defra Assessor said that ACAF's main focus has been the storage of RDF at ports. RDF could contain catering waste and the operator needs to ensure separation of the waste from livestock and feed throughout its production and transport. The Defra Assessor then said that although there had been anecdotal suggestions of RDF being stored on farms, this had been checked and no evidence of this had

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<sup>2</sup> Grain and Feed Trade Association

<sup>3</sup> After the presentation the FSA Assessor clarified with Ms Parke that a requirement to liaise with feed and food owners would be included in the Code. The GAFTA representative was informed of this requirement.

<sup>4</sup> Feed business operators

been found. There was however a need to consider the whole chain, especially as RDF could also be imported into the UK in the future and the risks associated with imported catering waste could be higher than locally produced catering waste.

- 14 The ACAF Secretary acknowledged the extremely useful co-operation of the industry, GAFTA, Eunomia and regulators during the investigations made by the ACAF Secretariat. He asked whether ACAF would be able to see a finalised Code in advance of its June meeting so that it could consider endorsement. Ms Parke confirmed that at present individual sign-off procedures were being enacted with a view to final sign off on 10 March 2017. The document would then be available for circulation to regulators for endorsement. Therefore, the Industry Group would want endorsement from ACAF prior to its June 2017 meeting.
- 15 The ACAF Chairman commented that the Committee may have some additional comments once it had seen the finalised Code. He asked about the timescales that RDF should remain at dockside. Ms Parke said that the references in the Code were for cumulative storage times. Mrs Pratt added that permits usually state maximum time that RDF could be stored at dockside; however, the EA did not have a remit for zoning and therefore there was a need for greater communication between the EA and other relevant enforcement bodies.
- 16 It was agreed that the Committee would revisit this issue at its June 2017 meeting.

#### **Agenda Item 4: A description of the UK (and Irish) fishmeal and fish oil industry with reference to production methods and global supplies**

- 17 Mr Toby Parker; representing United Fish industries (UFI) introduced paper 17/02 and outlined the benefits of fishmeal and fish oil before describing individual processes to produce fishmeal and fish oils from fish trimmings. Processing could include all parts of the fish not used for human consumption. Mr Parker advised that UFI used reputable suppliers of high quality material, with traceability systems in place, emphasizing that all staff played a role in quality assurance. He also advised that UFI did not process the following raw materials – ‘IUU’ – Illegal, unlisted, unrecognised fish or IUCN<sup>5</sup> red listed fish for example, these included species of tuna and sea bass, diseased fish were

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<sup>5</sup> International Union for Conservation of Nature

excluded also. In concluding his presentation Mr Parker referred to the ban on feeding fishmeal to ruminants and questioned why this status had not changed.

## **Discussion**

18 In response to questions raised by Committee Members, Mr Parker responded as follows:

- he had a slight variance with the global fishing figures previously presented by Professor Glencross at the Committee's June 2016 meeting and indicated that supermarkets, through public perception, would not accept fish fed with insect / avian protein;
- salmon producers wanted to produce salmon as cheaply as possible; however, fishmeal and fish oil are an expensive part of this feed ration; such is the demand for salmon that producers are always looking for less expensive ingredients;
- since the introduction of the 2003 feed ban on fishmeal in ruminants, the situation had not changed due to the concern over mammalian contaminants. Tests for detection of meat and bone meal were improved but not 100% accurate;
- "novel" protein sources were always being sought for use in salmon / fish feed and as it was becoming difficult to source GM-free raw materials, fishmeal and fish oil would become more of a strategic feed inclusion in fish feed rations; and
- to achieve a consistent product, the relevant feed materials were blended before processing.

19 Members also raised the following points:

- noting 10% inclusion for fishmeal or fish oil in diets, a member stated that salmon had issues with consuming soya due to allergenicity problems; and
- more could be done to reduce the presence of other contaminants in the feed chain (e.g. unprotected fishmeal lying on the ground could be a contamination issue).

## **Agenda Item 5 - Feed additives**

20 Miss Jumnoodoo reported that, at the Committee's 27 October 2016 meeting, an agreed action point was raised following a presentation by Geoff Brown about on-farm compliance for feed additive use. The presentation provided an overarching background on feed additives and possible over-supplementation.

21 Members were asked for views on ways to communicate with feed industry sectors to emphasise the importance of compliance with maximum permitted levels set for trace elements in feedstuffs. The majority advocated the development of a guidance document which could also be used by local authorities, industry and farmers.

22 Mrs Benson of the Agency's Animal Feed Delivery Team was asked by the Secretariat to update Members on the agreed conclusions and she reported that the issue was clearly multi-faceted and needed a multi-faceted solution. She proposed a short, medium and long term strategy involving relevant industry bodies and local authorities. She also suggested that one of the workstreams could be the development of industry-led guidance facilitated by FSA and developed in partnership with local authorities.

## Discussion

23 Further discussion took place covering a number of issues including:

- a possible presentation being put together that could be used at various events;
- a further reduction in the use of trace elements and additives for environmental reasons, which could lead to deficiencies without the ability to supplement as legislation may not permit;
- the need to quantify the extent of the problem which would support a multi-faceted approach;
- APHA access to expertise that could assist;
- the difficulty in determining maximum permitted limits (MPLs), or finding good sources of reference information; and
- it was noted that veterinary use is outside the feed additive MPL scope and special consideration should be given when formulating rations.

24 EC Regulation 767/2009 requires the added amount and name of certain feed additives incorporated in feeds to be declared on feed labels. This requirement applies to additives, which are subject to an MPL in feeds, including trace elements. ACAF had previously considered that labelling with the added amount of the compound did not provide farmers with sufficient information on the total amount of trace elements in feed. The declaration of the total amount of trace element was necessary for users of feed to comply with the statutory MPLs applicable to trace elements in feed. The total amount would also make it more effective for official controls to be applied to MPLs of trace elements. The Commission are now considering reverting to the label referring to the total amount of trace elements.

25 Mark Bond advised that the Commission had pressed for general reductions across trace element MPLs – e.g. zinc, iodine, copper and iron and that EFSA was focusing more on environmental aspects

including potential for antimicrobial resistance (AMR). On selenium, the UK geo-landscape was fairly unique in the EU, leading to a potential significant deficiency in sheep flocks in the UK. A current proposal on the prohibition of zinc oxide as a veterinary medicinal product was currently under Commission consultation arising from negative environmental impacts, including AMR.

## **Agenda Item 6 – Update on triennial review of SACs reporting to the FSA**

26 Dr Patrick Miller (Head of the Agency’s Chief Scientific Adviser’s Team) stated that the SAC Review recommendations had been agreed in March 2016 and discussed by the FSA Board in May 2016. However, following the UK decision to exit the EU, the FSA now needed to re-evaluate its approach to the review, including the specific recommendations in respect of ACAF and ACNFP<sup>6</sup>. He added that the FSA’s future needs for expert advice in these and other areas depended on the outcome of negotiations on the UK’s relationship with the EU and on the UK’s regulatory approach after its exit.

27 Dr Miller confirmed that the FSA would continue to focus on food safety and protection of consumers through proportionate, evidence based regulation and that independent expert advice would remain a key element of its approach. He also clarified that whatever regulatory regime was put in place would be based on established principles of risk analysis with risk assessment at its core. Dr Miller confirmed that the Agency had paused the implementation of the recommendation regarding the status of ACAF and ACNFP until the future picture on FSA’s future needs for advice was clearer.

28 On the establishment of the FSA’s new Science Council, Dr Miller said that the Agency was near to completing the recruitment process with a view to launching the Council by the end of the financial year.<sup>7</sup>

## **Discussion**

29 Members and Assessors raised a number of questions/issues which included the following:

- the role of ACAF in trade agreements and (and possibly other SACs) embracing consumer representation;
- the importance of engagement with devolved administrations in any future alternative structures;

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<sup>6</sup> Advisory Committee on Novel Foods and Processes

<sup>7</sup> The launch of the Council was announced on 9 March 2017, and further details are available on the Council webpages: <https://science-council.food.gov.uk/>



- ACAF’s role in providing advice to UK agriculture departments and Ministers in the devolved administrations, along with the role Ministers have in the ACAF appointment process;
- the importance of the Committee’s engagement at local level in “out of town” meetings;
- the important work that has assisted industry and regulatory bodies in ensuring safe feed, the importance of which (in terms of impacts) further downstream in the supply chain remains critical.

30 Dr Miller agreed to consider all the points raised by the Committee.

### **Agenda item 7 – Matters arising from the minutes of previous meetings**

31 The ACAF Chairman noted the following actions from previous meetings:

#### *Insect protein as a potential animal feed*

32 At the October 2016 meeting, the ACAF Secretary agreed to liaise with AB Agri to help answer and clarify points made by a Member on whether processing would mitigate all microbiological risks. The ACAF Secretariat has contacted AB Agri and is awaiting a response.

33 Also at the October 2016 meeting, the ACAF Secretariat agreed to see if a presentation made at Chief Veterinary Office meeting was in the public domain. The ACAF Secretariat thanked the Defra Assessor who confirmed that the presentation was not available in the public domain.

#### *Any other Business – Antimicrobial Resistance (AMR)*

34 During discussion under any other business, at the 27 October 2016 meeting, an official from the VMD said that they would ask VMD colleagues with expertise in AMR if they would provide a presentation to the Committee on this subject. This is being arranged for a future meeting.

35 At the October 2016 meeting, a member of the Committee who is co-opted onto the ACMSF AMR subgroup agreed to seek an update from a recent meeting. The ACAF Secretariat had subsequently liaised with the ACMSF Secretariat who had agreed to provide an update on all AMR subgroup meetings held during 2016. The ACAF Secretariat had forwarded this onto Members for information.

### **Agenda item 8 - Any Other Business**

### *Clinical chemistry and haematology testing in APHA*

36 A Member of the Committee had notified the ACAF Secretariat of a letter they had received from the Animal and Plant Health Agency, as they were uncertain of the ramifications of Government surveillance of livestock metabolic disease and vitamin and mineral deficiency or toxicity.

37 Referring to ACAF Paper 17/06 the Defra Assessor said that the review was not about reducing laboratory testing but about delivering services that were efficient, cost effective and sustainable and continued to provide laboratory testing to the highest quality standard. APHA would continue to carry out surveillance for disease with the particular emphasis on being able to recognise new and emerging diseases. He also reported that clinical chemistry was not core government work and could be carried out by many other organisations, including the private sector. Most of the clinical chemistry tests undertaken at Shrewsbury were delivered in support of disease diagnostics and surveillance and form a useful part of APHA's portfolio in terms of maintaining relationships with Private Veterinary Surgeons, but an increasing number of laboratories could now undertake these tests.

### *SAC Chairs meeting 22 February 2017*

38 The ACAF Chairman said that the main discussions at the SAC Chairs meeting had focussed on what will happen as a result of the UK's exit from the EU. The ACAF Chairman said that he would try and ensure that the work of the Committee was showcased at every opportunity available.

### *Mycobacterium bovis – ACMSF discussions*

39 A Member of the Committee referred to discussions on *mycobacterium avium* subspecies paratuberculosis (MAP) – draft risk assessment in relation to food - held at the ACMSF October 2016 meeting. Discussions indicated that viable MAP could be detected in powdered infant formula. The Member wished to draw the findings to the Committee's attention due to the use of calf milk replacer.

### **Information Papers**

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

- EU Developments (ACAF/17/03);
- Update on the Work of Other Advisory Committees (ACAF/17/04); and
- Animal and Plant Health Agency (APHA): Laboratory Testing (ACAF/17/06).

**Date of the next meeting**

41 The next meeting is due to take place on 14 June 2017 at the offices of FSA Wales in Southgate House, Cardiff.

ACAF Secretariat

May 2017