

**DRAFT MINUTES OF THE FORTY FIFTH MEETING OF ACAF HELD
ON 4 MARCH 2009**

Present:

Chairman Dr Ian Brown

Members Mr Tim Brigstocke
 Dr Bruce Cottrill
 Dr Gil Domingue
 Mr Barrie Fleming
 Professor Nigel Halford
 Mrs Heather Headley
 Professor Ian Givens
 Mr Edwin Snow
 Mr Marcus Themans

Secretariat Mr Keith Millar (Secretary) – Food Standards Agency
 Miss Mandy Jumnoodoo – Food Standards Agency
 Mr Raj Pal – Food Standards Agency

Assessors Mr Tim Franck – Food Standards Agency
 Mrs Jayne Griffiths – Food Standards Agency, Wales
 Mr Stephen Wyllie - Defra
 Dr Glenn Kennedy – Agri-Food & Biosciences Institute, Northern
 Ireland

Officials Dr Ray Smith – Food Standards Agency
 Mr Gerard Smyth – Food Standards Agency, Northern Ireland
 Mrs Janis McDonald – Veterinary Medicines Directorate

Speakers Mr Alisdair Wotherspoon – Food Standards Agency
 Mr Andrew Spencer – Food Standards Agency

1. The Chairman welcomed visitors to the ACAF meeting and reminded them that there would be an opportunity to ask questions at the close of the meeting.
2. Apologies for absence were received from Dr Dozie Azubike, Dr Paul Brantom, Ms Diane McCrea, Mr Richard Scales and Mr Stewart Herd (FSA Scotland).

Agenda Item 1 – Declaration of Members' Interests

3. 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. Mr Fleming declared that he no longer worked for Elanco and was currently working as an independent poultry advisor. He

also declared an interest under agenda item 8. Professor Halford declared that he was due to start a LINK project funded through Defra and BBSRC looking at ways to reduce the levels of acrylamide produced during the roasting and frying of potatoes and their processing into chips and crisps.

Agenda Item 2 – Draft Minutes of the Forty Fourth Meeting (MIN/08/04)

4. Comments on the minutes of the meeting held on 3 December 2008 were:
 - paragraph 21 – to amend the sentence to emphasise that there has been a dramatic reduction in BSE cases – the Defra Assessor agreed to provide suitable wording.
 - paragraph 49 to amend ‘level of melamine below the limit of detection’ to ‘level of melamine below the maximum limit’.
5. The minutes were adopted subject to the changes referred to above.

Agenda Item 3 – Horizon Scanning Workshop: Future food production for healthier eating – opportunities and challenges

6. Alisdair Wotherspoon (FSA Chief Scientist’s Team) stated that the initial idea for the workshop originated from ACAF and the Scientific Advisory Committee on Nutrition (SACN) who had been developing a joint ACAF/SACN workshop. However, the scope of the workshop fits well with the work of the recently established General Advisory Committee on Science (GACS) on horizon scanning and the broad scope of the workshop is intended to engage across a range of scientific advisory committees (SAC) interests.
7. The proposed aim of the workshop was to identify and discuss likely developments in primary production over the next 10-20 years, which would lead to ingredients/foods that would support the Agency’s objective of promoting healthier diets. The workshop will be looking for a broad range of inputs and aim to identify the most realistic developments in the wider economic, social and environmental context.
8. It was proposed that the workshop should commence with a consideration of the broader landscape, looking at the health, economic and industry drivers for example, developments in animal/fish feeding and crop development that would lead to healthier primary produce. Groups would be looking at specific areas of primary production and try and identify the most realistic developments (or the ones that are the most desirable from a health point of view). A final plenary session, will allow for broader discussions.
9. It is envisaged that over a hundred people from academia, committees, other government departments, industry, consumer organisations and

NGOs, etc will be invited to attend. The Agency understands that this workshop will only scratch the surface of the issue but hopes to stimulate and encourage further discussions. A detailed report of the workshop will eventually be placed on the Agency's website and would be used as a stimulus for further discussion. Publication in a peer-reviewed journal would also be explored.

10. SAC secretariats will be asked to suggest potential speakers and attendees for the event, ensuring a diversity of views and perspectives.

Discussion

11. The Chairman acknowledged that this was an exciting opportunity. However, he suggested that the programme needed to include an introduction looking at the epidemiology of the relationship between diet, health and longevity. One Member also suggested that it would be useful to have an economic overview as research and new developments are mostly driven by financial constraints. Other Members suggested that it would be useful to consider and debate the societal benefits from new technology and the developmental opportunities for placing new products in the marketplace. In response to questions on the objectives of the workshop, and whether the outcome of the workshop would influence the Agency's policy, Mr Wotherspoon noted it was envisaged that the event would enable GACS and the other relevant scientific advisory committees to be better informed of, and be in a better position to advise the Agency on, future developments and their implications and to identify issues which require further work or exploration. Although the Agency may not necessarily fund new research initiatives, it may be able to encourage others to fund these in its future interactions with them.
12. Mr Wotherspoon also confirmed that the event would be by invitation only. However, there would be a public note on which comment and further input would be invited. A Member stressed that the outcome of the event was incredibly important and, to ensure a balance of views, retailers should be involved in the event. Another Member added that farmers should also be represented via the National Farmers Union or similar organisations. It was noted that although this was a worthy initiative the challenge would lie in changing consumers' eating habits. The Chairman agreed with this view and added that the workshop should include input from social scientists. Mr Wotherspoon confirmed that diet and nutrition would be the main focus of the workshop, as opposed to zoonoses. During the ensuing discussions, Members and the Secretariat identified possible speakers.
13. Finally, it was agreed that the views expressed at the workshop should be able to be underpinned by scientific evidence, and the focus should be on achievable outcomes. The event is scheduled for the 24 June and possible venues are currently being considered.

Agenda Item 4 – FVO Mission

14. Mr Franck pointed out that the Food and Veterinary Office (FVO) is a Commission body based in Grange, Republic of Ireland. It is responsible for evaluating Member State compliance with EC legislation and assessment of feed law enforcement systems. It achieves this mainly by carrying out inspections throughout the EU. The last time the FVO conducted a major mission on animal feed was in 2003. The FVO's subsequent recommendations were taken into account by ACAF in the Committee's review of feed law enforcement.
15. Animal feed legislation is included in the FVO's annual programme of audit missions for 2009. At a preliminary meeting with UK officials the FVO outlined in general terms the scope of the mission on feed. The mission will focus on the way the UK authorities have implemented EC legislation and its enforcement. This will include, in particular the Feed Hygiene Regulation, the Feed Additives Regulation and the Undesirable Substances Directive. The FVO wishes to visit premises in England, Wales and Northern Ireland (other missions in the annual programme will include Scotland). The mission will include visits to feed mills, farms (including on-farm mixers) intermediaries (traders/merchants) and a food business operator supplying or recycling by-products for use in the feed industry. The mission will commence on 15 June and will last for two weeks.
16. Mr Franck said the Agency would be in a position to consult the Committee on the FVO's recommendations and the UK's response before the September meeting of the Committee.

Discussion

17. Mr Franck said that the Agency will be given a deadline to respond to the recommendations before the final FVO report is published on the FVO's website. A copy of the report will be provided to the UK as well as to the European Commission.
18. Mr Franck said that the FVO usually collected information on Member State enforcement activities by way of a pre-mission questionnaire. It would select premises to inspect based on various criteria, including information from Member States and previous missions.
19. Mr Franck and the Defra Assessor said that the FVO mission team usually consists of two full time FVO officials and one or two national experts who are chosen because of their knowledge of the subject area of the audit. These experts act on behalf of the European Commission. The ACAF Secretary gave an undertaking to report back to the Committee following the completion of the mission.

Action: Secretariat

Agenda Item 5 – Codes of Practice for the Control of Salmonella in Animal Feeds – Oral update from the Defra Assessor

20. The Defra Assessor said that the public consultation on the voluntary Codes of Practice for the Control of Salmonella in Animal Feeds ended on the 30 January 2009. Fourteen responses, including one from ACAF had been received and in general these responses were supportive of the Codes. The responses identified a number of emerging themes:

- large parts of the existing three Codes are very similar. It was suggested that the Codes be consolidated into one with annexes for different sectors (e.g. feed manufacture, storage and transport);
- there was a need to be clear and consistent in the use of terms, such as “must” and “should” and “feed”, “finished feed”, “feed materials”, etc.;
- some comments welcomed a less prescriptive approach with respect to sampling and advocated a Hazard Analysis Critical Control Point (HACCP) approach;
- some respondents wanted advice on the most common and dangerous types of salmonella, and techniques for decontaminating feeds. A number of respondents said it would be helpful to have a list of recommended disinfectants; and
- there was a concern that the Codes included additional requirements for farms (e.g. the application of HACCP). However, these requirements were largely reflected in the existing Codes, which had been applied via some farm assurance schemes.

21. Mr Wyllie confirmed it was Defra’s intention to consolidate the codes into one code with annexes. Although this would involve various editorial changes, the substance of the guidance would not change and therefore there would be no requirement to carry out a further public consultation on the amalgamated Code. Mr Wyllie added that it was not Defra’s role to recommend disinfectants, so it was not the intention to include a list of such products in the Code. Mr Wyllie also added that at the Committee’s June meeting there would be an opportunity to see and discuss the revised Code, which he hoped ACAF and the FSA could endorse.

Discussion

22. The Defra Assessor confirmed that there would be an opportunity for any comments the Committee raised at its June meeting to be reflected in the text of the Code. A Member of the Committee said that version 6 of the Lion Code of Practice contained a list of food grade disinfectants and

suppliers of such products, and this might be used to respond to the request for information on suitable disinfectants.

23. The Defra Assessor agreed to ensure that the Code would be circulated to the Committee in sufficient time for them to consider before the June meeting.

Action: Defra Assessor

Agenda Item 6 – EFSA’s Opinion on Vitamin A

24. Dr Smith reported that in February 2009 the European Food Standards Authority (EFSA) had published an Opinion on vitamin A. Vitamin A is added to manufactured feed generally to meet an animal’s dietary requirements. Dr Smith said that vitamin A is one of the few vitamins that has maximum limits set under EC feed additive legislation. In 1991 limits in feed were set to address a possible link with human birth defects.
25. Dr Smith noted that Dr Cottrill had been working with the Scientific Advisory Committee on Nutrition (SACN) since 2004 to investigate a possible link between osteoporosis and high dietary exposures to vitamin A. The work suggested that high vitamin A intake was generally linked to consumption of liver, especially by the elderly. One possible risk management option would be to reduce levels of vitamin A consumed by livestock.
26. To help in its deliberations, the UK asked the European Commission to request an assessment from EFSA. Dr Smith reminded the Committee that the issue had previously been discussed, most recently in November 2005 when it was agreed that the Committee would continue its discussion once EFSA had published its advice.
27. The EFSA Opinion from an animal feed perspective suggests amendments to the maximum limits for vitamin A, especially in feed for pigs. Dr Smith said that on 19 February 2009, the EFSA Opinion was discussed by Member States at a meeting of the Standing Committee of the Food Chain and Animal Health (SCoFAH). At the meeting the Commission indicated that it intended to change the existing controls for vitamin A (basically a lowering) as had been suggested by EFSA. It was likely that there will be a vote in April to decide on whether these changes should be made.
28. Dr Smith stated that the Agency intended to ascertain whether EFSA’s proposed changes were in line with commercial animal feeding practices in the UK, and had therefore arranged for a short study to be undertaken to compare the maximum levels proposed by EFSA with current feeding practices in the UK. He invited the Committee to comment on the recent EFSA Opinion, in particular the proposed changes to the maximum permitted limits.

Discussion

29. The Chairman asked whether the link between hypervitaminosis and osteoporosis had been proven. If so, the risk management options would be to provide advice to consumers or reduce the amount of vitamin A to animals. One Member noted that the levels of vitamin A currently added to feed are well established and that there are no reports of deficiencies in the livestock fed. The Member mentioned that breeders have concerns about the levels proposed by EFSA and the Agricultural Industries Confederation (AIC) was to provide the Agency with further information on these concerns.
30. One Member stated that the current dietary requirements for animals were not well defined. Another Member commented that there appeared to be little recent data on this issue. Therefore, setting limits without relevant supporting data could prove problematical.
31. The ACAF Secretary suggested that the Committee should seek the views of Professor Andrew Chesson and Dr Paul Brantom (Chairman and member of FEEDAP) before giving a definitive view on this important subject area. The Committee supported this suggestion.

Action: Secretariat

Agenda Item 7 – EC Regulation on Marketing and Use of Feed – Oral Update from Tim Franck

24. Mr Franck said that negotiations on the proposed Regulation on Marketing and Use of Feed had reached the final stages. He said that the French Presidency (representing the position of Member States), the Commission and the European Parliament (EP) had held a series of meetings and agreed a common position on the text of the Regulation in December 2008. This position was put to the EP at its plenary meeting in February 2009 and the EP had adopted the Regulation by a large majority.
25. It is expected that the text will be adopted without further debate by the Council of Agriculture Ministers at either its March or April 2009 meeting. Following its adoption, the Regulation will be translated into all the languages of the European Union before publication in the *Official Journal of the European Union*. The Regulation will come into effect twelve months after its publication.
26. Mr Franck then provided an update on the key points in the proposal that had been of concern to the Committee.

27. The onerous requirement to declare the ingredients of compound feed by their percentage weight of inclusion would be repealed and the previous option to declare ingredients in descending order by weight only would be restored. Mr Franck noted that manufacturers would be required to provide percentage ingredients to customers on request subject to a tolerance of +/- 15% and intellectual property right considerations.
28. Previously, the Committee had voiced concerns that there should not be a positive list of feed materials, i.e. feed businesses could only use or market materials if they were on an approved list of feed materials. The EP rapporteur had wanted the proposed Catalogue of feed materials made into a positive list (i.e. all feed materials would need to be approved by Member States and entered in the Catalogue before being permitted onto the EU market). However, this provision was not taken up, instead feed businesses marketing feed materials not on the Community Catalogue must notify such materials for inclusion on a register maintained and published by the European feed industry.
29. Mr Franck noted that the Committee had said that the continued use of nutritional supplements (e.g. boluses, pastes and drenches) should be ensured. Mr Franck confirmed that the proposed Regulation recognised the existence and use of these products and they would be subject to an authorisation procedure similar to that which currently applies to dietetic feeds.
30. Under existing legislation there is a derogation relating to moist feeds, whereby suppliers of material with a high moisture content (over 50%) do not have to declare the moisture content of such feeds or other analytical constituents such as protein. Mr Franck reported that the UK delegation was in the lead in pressing for the retention of this derogation and had attracted support from many Member States. The derogation had substantially been retained. However, a caveat has been included to the effect that the purchaser of the material will be required to state in writing that he/she does not require the information on moisture and analytical constituents. The Commission has stated it will review the tolerances (i.e. limits of variation for the analyses of moist feeds to make them more liberal).
31. Finally, Mr Franck outlined the next steps in the process. He said the eventual EC Regulation would be directly applicable and therefore large parts of the existing provisions in the national Feedingstuffs Regulations will need to be revoked.

Discussion

32. The Chairman noting that the Committee had received three updates on progress made during the negotiations said there had been some substantial gains that reflected the Committee's concerns. Mr Franck said the Regulation was likely to be adopted by June. The Agency intends to draw

up guidance for stakeholders highlighting the main provisions of the Regulation and the Committee will receive a copy of this as an attachment to the EC developments information paper at its June meeting.

Action: Secretariat

Agenda Item 8 – Distribution of e-Leaflet on Reducing the levels of Nicarbazin in British Chickens

33. Mr Spencer advised Members that the e-leaflet followed a government and industry initiative to communicate key recommendations to the poultry industry on reducing levels of detectable nicarbazin. He noted that nicarbazin is a specified feed additive used to treat coccidiosis. The initiative supported the general Agency aim to further increase awareness regarding nicarbazin and encourage UK industry to follow good practice so that the incidence and levels of nicarbazin currently found can be further reduced.
34. Mr Spencer said that the Agency already had ideas for disseminating the e-leaflet including writing to integrators, farmers and distributing the leaflets at conferences. Nevertheless, he was keen to obtain the views of the Committee on how best to disseminate the leaflet.

Discussion

35. Mr Spencer confirmed that the withdrawal period for nicarbazin containing feed for chickens is five days and confirmed that there was no significant food safety issue with the levels of nicarbazin currently being found. One Member agreed that there would be no food safety issues. Nicarbazin accumulates in the liver where the highest levels are found (accumulation of nicarbazin in livers is 10-20 greater than in muscle); however, the majority of chicken livers in the UK are not consumed.
36. The Northern Ireland assessor pointed out that some Member States apply a zero tolerance for the presence of nicarbazin. It was also noted that the Commission was proposing to set maximum limits in non-target feeds and also to set maximum residue limits in products.
37. As regards dissemination of the e-leaflet, one Member suggested using the poultry press, the 'red tractor' assurance food standards and the Responsible Use of Medicines in Agriculture (RUMA) network. The ACAF Secretary agreed to furnish Mr Spencer with contact details for RUMA.

Action: Secretariat

38. One Member pointed out that the use of mobile phone text messages had proved particularly beneficial when notifying disease outbreaks. The Defra website could also be a useful tool.

39. The Northern Ireland Assessor noted that a similar initiative had taken place across Ireland, where each poultry farmer was given a booklet. One Member regretted that in England there was no longer a traditional extension service which would have been useful in spreading the word about this initiative. The Defra Assessor noted that there were links to the Agency on the Defra website. He offered to put appropriate colleagues in Defra in touch with Mr Spencer. Mrs McDonald agreed to speak with colleagues in the Animal Medicines Inspectorate who may be able to assist in the dissemination of the e-leaflet.

Action: Defra Assessor and Mrs McDonald

40. Mr Spencer said the Agency was also producing hard copy posters for placing on farm office notice boards. A Member suggested that processors and poultry vets may also be useful in disseminating the e-leaflet.

Agenda Item 9 – GM Issues

41. The ACAF Secretary suggested that as the Chairman of the Committee's GM sub-group was not present, an oral up-date on the sub-group's activities would be given at the June 2009 meeting.
42. The ACAF Secretary gave an update on GM activities in Europe. He confirmed that there had not been any votes in relation to GM food or feed. The next meeting of the Standing Committee (SCoFCAH) on GM issues was scheduled for 30 March 2009 and the ACAF Secretary would be requesting an update from the European Commission on its proposed technical solution in respect of the presence of unauthorised varieties. He said that there may also be votes on new GM varieties.
43. The ACAF Secretary also reported that the Commission plans to conduct an evaluation of the EC legislative framework on GM food and feed. He advised that the existing legislation was now six years old and since its implementation the Community had enlarged. The review will consider how the legislation has operated since it came into force.

Cabinet Office's 'Food Matters' Report

44. At the December 2008 meeting, the ACAF Secretary mentioned that the Agency, working with Defra, had been asked by the Cabinet Office to prepare an analysis of the extent to which changes in the market are putting a strain on the regulatory system for GM products (including animal feed) and the implications for UK consumers. Defra was also drawing up a parallel report on the implications for UK livestock. The ACAF Secretary said the reports would be sent to the Cabinet Office in late March or early April. As part of its analysis, the FSA had hosted and chaired meetings with relevant stakeholders (including consumer groups, caterers, animal feed industry/farming organisations, food retailers, food manufacturers,

enforcement authorities and non-government organisations). An ‘omnibus’ meeting was held on 24 November 2008 to discuss a first draft of the Agency’s report. The ACAF Secretary agreed to share the contents of the report with the Committee when it was in the public domain.

Action: Secretariat

Agenda Item 10 – Matters Arising from the previous meetings

Carry over of allergens

45. As reported at the Committee’s December 2008 meeting, the Secretariat had been working with the Agency’s Allergens Branch to progress a scoping study to investigate the prevalence of the use of peanuts in animal feed. As part of the scoping study Dr Bruce Cottrill had been asked to consider the use of groundnuts in animal feeds. His findings indicated that in the UK groundnuts were not routinely used in animal feeds.
46. When asked by the Chairman whether groundnuts were used outside the UK, Dr Cottrill said that China and India were the main countries where groundnut meal was used in feed. Dr Smith reminded the Committee that this issue had arisen in response to concerns that peanut allergens had been expressed in human breast milk. The Committee concluded that as peanuts were not routinely used in feed manufactured in the UK, the issue of peanut allergens in livestock products did not arise. However, if the Agency’s Allergen’s Branch had any new evidence it should pass this to the Committee for further consideration.

Future of the Veterinary Medicines Directorate (VMD)

47. Mrs McDonald confirmed that most consultees were in favour of retaining the VMD as an executive agency of Defra, with trading fund status in the future. Mrs McDonald indicated that the Defra Minister Jane Kennedy would make a decision and announcement shortly.

Action: VMD

Melamine contamination of Feed from the People’s Republic of China (PRC)

48. At the December 2008 meeting, the ACAF Secretary had agreed to contact the Agency’s Incidents Branch to seek clarification on whether detailed information contained in the Rapid Alert System for Food and Feed (RASFF) could be made available. Advice obtained confirmed that RASFF was a closed system and that operators are contacted on a need to know basis. The ACAF Secretary expressed appreciation for the rapid action taken by the feed industry in notifying the Agency and its subsequent follow-up action in relation to this incident. He said that the European Commission had praised the Agency for the way it had handled the incident. He said this was due to the swift response of the Agricultural

Industries Confederation and relevant feed business operators and was a glowing example of how good traceability is essential in resolving incidents, withdrawals etc.

49. Dr Smith added that the European Commission and other Member States had acted quickly and the Commission had issued a number of Commission Decisions. All relevant consignments of food and feed originating from the PRC are required to be checked for the presence of melamine.
50. One Member asked whether the Commission Decisions included the 3 hydrolysed products of melamine (cyanuric acid, ammeline and ammelide). Dr Smith said that the limits for melamine were sufficient to protect consumers. The Defra Assessor noted that Defra had introduced a number of measures, including placing the Veterinary Laboratories Agency (VLA) on high alert to detect urinary tract infections in animals.

Agenda Item 11 - Any Other Business

There were no items raised under this agenda item.

Information Papers

51. The Chairman drew the Committee's attention to the following information papers:
- EC Developments (ACAF/09/03);
 - Potential for carry-over of allergens for animal feed into derived animal products (ACAF/09/04); and
 - Update on the work of other Advisory Committees (ACAF/09/06).

Dates of future meetings

52. The Secretariat reminded the Committee that the next meeting would be held on 5 June 2009 in North Wales at the St George's Hotel in Llandudno. She thanked colleagues in FSA Wales for their help in organising the accommodation arrangements and educational / training visits scheduled for the day before the meeting. Members will be sent further details of the finalised itinerary in due course.

**ACAF Secretariat
March 2009**