

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

54th Meeting of ACAF on 1 June 2011

Discussion Paper

UPDATE ON THE TSE REGULATIONS

Action Required:

The Committee is requested to:

- (a) note the information set out in paragraphs 1-12;
- (b) comment on the European Commission's draft proposal for a partial relaxation of the ban on the feeding of processed animal protein (PAP) to farmed animals.

**Patrick Burke
TSE Team, Defra
May 2011**

UPDATE ON THE TSE REGULATIONS

Purpose

1. To provide the Committee with an update on a European Commission draft proposal to amend Regulation (EC) No. 999/2001 to permit the feeding of processed animal protein derived from non-ruminants (e.g. pigs, poultry) to non-ruminants of a different species.

Background

2. Regulation (EC) No. 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (TSEs) bans the feeding of processed animal protein (PAP) to all farmed animals. However, there are various derogations which allow the feeding of permitted proteins (e.g. milk, eggs) to all farmed animals and the feeding of restricted proteins (e.g. fishmeal, blood products) to pigs, poultry or fish. . The ‘total feed ban’ was introduced in 2001 to reinforce earlier bans intended to prevent ruminants (e.g. cattle, sheep and goats) eating ruminant meat and bone meal via cross contaminated feed. It was not introduced because of concerns about TSEs in pigs, poultry or fish (non-ruminants).

TSE Roadmap 2

3. The European Commission’s TSE Roadmap 2¹ published in 2010 outlines possible amendments to EU TSE rules over the period 2010-15 to ensure that they are proportionate to the risk, while assuring a high level of food safety. Amendments to EU TSE rules will be taken following a stepwise approach supported by scientific advice from the European Food Safety Authority (EFSA). The TSE Roadmap 2 considers the possibility of lifting the ban on the feeding of processed animal protein (PAP) derived from non-ruminants (e.g. pigs, poultry, fish) to non-ruminants of a different species. This is subject to the availability of validated tests to determine the species of origin of PAP and correct channelling of PAP from different species. **Annex 1** provides details of the current provisions of the total feed ban. **Annex 2** provides details of total PAP production in the EU.
4. At the February 2011 Agriculture Council, Poland² called on the Commission to ease the total ban on feeding PAP to pigs and poultry. Poland argued that the relaxation of the ban would increase the competitiveness of EU farmers

¹ http://ec.europa.eu/food/food/biosafety/tse_bse/docs/roadmap_2_en.pdf

² <http://register.consilium.europa.eu/pdf/en/11/st06/st06619.en11.pdf>

and reduce the need to import soya from third countries. The Commission³ replied that it was preparing a proposal which could be presented for adoption once the necessary public health conditions were met.

Commission Draft Proposal

5. On 13th and 14th April 2011 the Commission presented draft proposal SANCO/10843/2011 (**Annex 3**) for discussion with Member States. If adopted, this would allow the feeding of all PAP including blood meal derived from non-ruminants to non-ruminants of a different species subject to tight channelling and testing controls. Regulation (EC) No.1069/2009 bans intra-species recycling of PAP in land animals (except fur animals) and bans the feeding of farmed fish with PAP (fishmeal) derived from the farmed fish of the same species.
6. The European Union Reference Laboratory for animal protein in feed (EURL-AP) gave an update on the validation of a new DNA test to determine the species of origin of PAP in feed. The EURL-AP intends to finish the validation in 2011. The Commission advised that it was also looking to amend Regulation (EC) No.152/2009 to include an updated microscopy method and the new DNA test method.
7. Member States gave preliminary comments on the draft proposal. There was a range of views. Several Member States were concerned about the additional impact on competent authorities already operating at maximum capacity. Several Member States wanted a simpler proposal with less derogation. Some Member States felt that the proposal was premature given the current state of the tests. Some Member States had reservations and wanted a cautious approach. Some Member States were supportive but felt that there would be little or no benefit because of the costs involved. Some Member States supported the proposal but wanted a transitional period. Some Member States supported the proposal without reservations. Some Member States were seeking internal opinions.
8. The Commission intends to reflect on the scope of the draft proposal and to continue discussions with Member States in parallel with the validation of the DNA test. It anticipates taking a vote on the draft proposal in late 2011 with a view to it coming into force in 2012, subject to a validated DNA test being in place. If agreed at the Standing Committee on the Food Chain and Animal Health, there would be three-months of scrutiny by the European Parliament and EU Council.

³ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/agricult/119436.pdf

Impact of Partial Relaxation of Feed Ban

9. The key arguments for a partial relaxation of the total feed ban are environmental, sustainable and economic (**Annex 4**). Relaxation would reduce the scale of the EU protein deficit and the EU's dependency on imported and unsustainable, environmentally damaging protein/mineral sources. It would also create markets for material which currently carries a disposal cost. From a strictly UK perspective, it is not yet clear how much difference a relaxation would make. This is because the vast majority of pig and poultry PAP produced in the UK appears to be used for pet food and fertiliser rather than to be destroyed.

Risk Assessment

10. The draft Commission proposal cites European Food Safety Authority (EFSA) advice⁴ from 2007, that (i) to date, no TSEs have been identified as occurring in pigs or poultry under natural conditions; (ii) taking account of the decreasing trend in BSE in the EU and the current control measures, the risk of transmitting BSE to pigs by using poultry PAP and vice versa is negligible; and (iii) in this scenario any increase in the exposure risk of BSE to humans would be negligible. EFSA also advised that the scarcity of available data does not allow the definite conclusion on the absence of TSE in pigs or in birds and that if TSE in birds or pigs is identified in the future as occurring under natural conditions, its assessment of risk will no longer be valid.
11. In October 2008 the UK's Spongiform Encephalopathy Advisory Committee advised⁵ that the inclusion of PAP in feed to non-ruminants (e.g. pigs, poultry or fish) even if it results in low-level contamination of ruminant (e.g. cattle, sheep or goat) feed, is unlikely to lead to a level of amplification of BSE infectivity via intra-species recycling that would be sufficient to generate a self-sustaining BSE epidemic. SEAC also advised that avoiding intra-species recycling of animal material via animal feed, whilst not preventing the emergence of new TSEs, should prevent the amplification of established and emerging TSEs and avert further TSE epidemics arising in farmed animals.
12. The TSE Roadmap 2 notes that it is impossible to consider the complete elimination of risk as a realistic measure; costs and benefits have to be carefully weighed in order to ensure proportionality.

Action Required

13. The Committee is requested to:

⁴ <http://www.efsa.europa.eu/en/efsajournal/pub/576.htm>

⁵ <http://webarchive.nationalarchives.gov.uk/20110205132946/http://www.seac.gov.uk/statements/feedban-oct08.pdf>

- (a) note the information set out in paragraphs 1-12 above; and
- (b) comment on the European Commission's draft proposal for a partial relaxation of the ban on the feeding of processed animal protein (PAP) to farmed animals.

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Annex 1 – Current Provisions of the Total Feed Ban

	Farmed animals other than fur animals			Pets and fur animals
	Ruminants (e.g. cattle, sheep, goats)	Non Ruminants except fish (e.g. pigs, poultry, horses)	Fish	
PAP except blood meal and fishmeal	NA	NA	NA	A
Blood meal from ruminants	NA	NA	NA	A
Blood products from ruminants	NA	NA	NA	A
Gelatine from ruminants	NA	NA	NA	A
Hydrolysed proteins other than those from non-ruminants or from ruminant hides and skins	NA	NA	NA	A
Blood meal from non-ruminants	NA	NA	A	A
Fishmeal	NA*	A	A	A
Blood products from non-ruminants	NA	A	A	A
Di and tricalcium phosphate of animal origin	NA	A	A	A
Hydrolysed proteins from non-ruminants or from ruminant hides and skins	A	A	A	A
Gelatine from non-ruminants	A	A	A	A
Egg, egg products, milk,	A	A	A	A

milk products, colostrums				
Animal proteins other than those mentioned above	NA	A	A	A

NA= Not authorised; A= Authorised

*Milk replacers containing fishmeal and intended only for unweaned ruminants are authorised.

Annex 2 – Processed Animal Protein Production in the EU

The total PAP production in the EU* in 2009 was 2.2 million tonnes, as shown in the table below.

Product	Production in 2009 (tonnes)	Proportion used in pet food
Poultry PAP	372,000	98%
Feather meal	215,000	50%
Porcine PAP	375,000	92%
All other PAP, mixed including ruminant	1,245,000	44%

*The data are for the 19 EU Member States that are members of the European Fat Processors and Renderers Association and only exclude Member States with relatively low production.

Reference: EFSA Journal 2011; 9(1):1947 Revision of the quantitative risk assessment (QRA) of the BSE risk posed by processed animal proteins (PAPs)⁶

Annex 3 - Draft Commission Regulation amending Annex IV to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies as regards animal feeding of processed animal proteins derived from non-ruminant animals (SANCO/10843/2011)

Annex 4 – Benefits of Partial Relaxation of Total Feed Ban

There are potential animal dietary benefits, environmental/sustainability benefits and financial benefits from a partial relaxation of the total feed ban, which are summarised below:

Dietary Benefits

⁶ <http://www.efsa.europa.eu/en/efsajournal/pub/1947.htm>

- PAP is a valuable protein source. It contains high levels of good quality protein as well as B-vitamins and high levels of calcium, phosphate and manganese.

Environmental/Sustainability Benefits

- Current options for using pig and poultry PAP in the EU include incorporating it in petfood or fertiliser, use in compost or biogas production, or disposing of it by incineration or to landfill. According to a 2002 European Commission report⁷, the total feed ban resulted in the destruction of 16 million tonnes of animal by-products per year.
- There is increasing international demand for protein. In 2011, the European Parliament adopted a resolution on the EU Protein Deficit⁸. There are also competing international demands for mined mineral sources (phosphates) to feed livestock and to fertilise crops including biofuels.
- In 2009, the European Feed Manufacturers' Association (FEFAC)⁹ estimated that the EU imported 77% of its protein feed requirements (18m tonnes proteins) annually and that this could be reduced by 0.7-1.2m tonnes if the ban on the feeding of non-ruminant PAP is lifted. 98% of the imported soya bean meal is sourced from Brazil and Argentina, which are major producers of genetically modified soya. Some experts have linked increased EU demand for soya as a result of the EU feed ban to deforestation in South America¹⁰.
- FEFAC also proposed that relaxation of the feed ban to allow the feeding of non-ruminant (e.g. pig, poultry) PAP to fish could reduce the aquaculture industry's dependency on fishmeal, which is generated from wild fish.
- As livestock digest animal protein more efficiently than soya protein, nitrogen and phosphorus excretion in the faeces is reduced, reducing the environmental impact of the slurry.

Financial Benefits

- FEFAC has advised that animal feed is the most important cost factor for livestock farmers (purchased compound feed accounts respectively for 48% and 86% of the production cost of pigs and poultry).
- The ability to feed pig and poultry PAP to pigs, poultry and fish would offer the opportunity for new markets for PAP, which currently have a disposal

⁷ http://ec.europa.eu/food/fs/bse/bse47_en.pdf

⁸ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0084+0+DOC+XML+V0//EN&language=EN>

⁹ <http://www.fefac.org/file.pdf?FileID=22145>

¹⁰ <http://ivem.eldoc.ub.ruq.nl/FILES/ivempubs/publart/2007/AgricEcosEnvElferink/2007AgricEcosysEnvirElferink.pdf>

cost. These benefits would have to be considered against any costs of establishing new channelling systems.

- The EU ban on feeding PAP exceeds the World Animal Health Organisation (OIE) recommendations for BSE controls. This means that Third Countries producer-exporters have a competitive advantage over EU producers.
- Currently it is illegal to export PAP from the EU to third countries for uses which are banned in the EU. A relaxation of the EU feed ban would support the establishment of new export markets for PAP.

Further Reading

Advisory Committee on Animal Feedingstuffs (2011) Sustainability: Aspects of Feed Production and Use.

<http://www.food.gov.uk/multimedia/pdfs/committee/acaf1102.pdf>