

DRAFT MINUTES OF THE FIFTY-EIGHTH MEETING OF ACAF HELD ON 15 JUNE 2012

Present:

Chairman Dr Ian Brown

Members Dr Dozie Azubike
 Ms Angela Booth
 Mr Barrie Fleming
 Professor Ian Givens
 Professor Nigel Halford
 Mrs Chris McAlinden
 Dr David Peers
 Mr Richard Scales
 Mr Edwin Snow
 Mr Marcus Themans

Secretariat Mr Keith Millar (Secretary) – Food Standards Agency
 Miss Mandy Jumnoodoo – Food Standards Agency
 Dr Ray Smith – Food Standards Agency
 Miss Abrar Jaffer – Food Standards Agency

Assessors Mr Tim Franck – Food Standards Agency
 Mr Simon Craig – Food Standards Agency, Scotland
 Mrs Karen Robertson – Food Standards Agency, Scotland
 Mr Stephen Wyllie - Defra
 Dr Glenn Kennedy - Agri-Food & Biosciences Institute

Officials: Mr Gerry McCurdy – Food Standards Agency in Northern Ireland
 Mrs Kirsten Dunbar – Food Standards Agency in Northern Ireland
 Mr Anthony Higgins – Food Standards Agency in Northern Ireland

Speakers: Mr Declan Billington – Northern Ireland Grain Trade Association (NIGTA)
 Mr Alan McCartney - Department of Agriculture and Rural Development Northern Ireland
 Mr Stephen Nixon – Department of Agriculture and Rural Development Northern Ireland

1. The Chairman warmly welcomed delegates to the 58th ACAF meeting in Belfast and reminded them that there would be an opportunity to ask questions at the end of the meeting. He stated that he was delighted to be in Northern Ireland and was most grateful to the FSA in Northern Ireland and Queen's University for hosting the meeting.
2. Mr Gerry McCurdy (FSA in Northern Ireland, Director) also welcomed ACAF and stakeholders to the Belfast meeting. He noted that ACAF operates in a similar way to that of the FSA Board, working in open session and allowing local stakeholders to attend meetings. He hoped that all relevant parties could work together in ensuring feed safety especially in light of the presentations from NIGTA and officials from DARD. In addition, he said work being carried out by Professor Patrick Wall of University College Dublin and industry has helped to enhance feed safety. This is especially important in relation to local agriculture and feed industries in Northern Ireland. The Agri-food sector is worth £3 billion per annum, with 80 % of produce being exported and the annual feed production is over two million tonnes per annum. Mr McCurdy went on to say feed and food safety is a priority for all concerned.
3. Mr McCurdy thanked Professor Chris Elliott of Queen's University and his team for hosting the laboratory visits on the day prior to the meeting, and for allowing ACAF to hold its meeting in the Council Chamber of the University. He also thanked the ACAF Secretariat and staff from FSA in Northern Ireland for their efforts in the preparation for the ACAF event, and concluded by thanking stakeholders for taking time out from very busy schedules to attend the meeting.
4. Apologies for absence were received from, Ms Diane McCrea, Mr Tim Brigstocke, Professor Stephen Forsythe and Mrs Vicki Reilly (Welsh Assessor).
5. The Chairman noted that this was the last meeting for Ms Diane McCrea and Mr Marcus Themans. He thanked them for their commitment and valuable contributions whilst serving on the Committee. Mr Themans thanked the Chairman for his best wishes, saying that he had thoroughly enjoyed his time on the Committee.
6. In addition, due to restructuring within the Food Standards Agency in Scotland, the ACAF Chairman confirmed that this would be the last meeting for Mr Simon Craig (FSA Scotland Assessor). He thanked Mr Craig for his work on the Committee and wished Simon well in the future. The ACAF Chairman introduced Mr Craig's successor Mrs Karen Robertson.

Agenda Item 1 – Declaration of Members' Interests

7. 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. Mrs McAlinden said that she was reviewing a case in Ireland involving clinical signs/calf deformities observed in cattle. The actual incident took place over 4 years ago.

Agenda Item 2 – Draft Minutes of the Fifty-seventh Meeting (MIN/12/01)

8. The minutes were adopted.

Agenda Item 3 – Assuring Food Safety in Northern Ireland – Report and Recommendations of the Industry Feed Assurance Group

9. Mr Declan Billington (Managing Director of John Thompson and Sons Ltd) introduced paper ACAF 12/07 on the work that the Northern Ireland Grain Trade Association (NIGTA) was taking forward in assuring food safety in Northern Ireland following the publication of the report and recommendations of the Industry Feed Assurance Group (IFAG).

10. The IFAG was established to ‘de-risk’ the Agri-food supply chain. The Group had engaged Professor Patrick Wall of the University College Dublin to oversee the work. Membership of the Group consists of a number of industry associations, including the Agricultural Industries Confederation (AIC) who had provided technical support.

11. Key recommendations agreed by IFAG include sourcing of livestock and livestock products from quality assured farms; all feed suppliers should participate in the UFAS or an equivalent recognised scheme; the feed sector should combine its resources and move to strategic based sampling; and the industry and regulators should collaborate to share results of analysis, and identify businesses with enhanced controls so effort can be redeployed to areas of greater risk. Mr Billington said that the agri-food industry came together as one body to work on an integrated supply chain solution. IFAG agreed that it was important to have a practical, workable and affordable risk-based approach to ensuring feed safety.

12. Mr Billington explained that NIGTA was committed to develop a risk-based scheme open to all within the feed trade in Northern Ireland. NIGTA would also work with its counterpart in the Republic of Ireland to extend the scheme to manage risk further back in the supply chain at ports of entry, building on the existing UFAS/FEMAS platform. In addition, NIGTA is continuously updating and reviewing sampling plans at all stages of feed production to try to avoid incidents like the dioxin incident in 2008, and is carrying out this work in conjunction with the Irish Grain and Feed Association (IGFA) and Queen’s University. It is often the case that feed has been released into the feed chain before the results of analysis for contaminants are received. NIGTA therefore proposes to implement structured sampling plans at ports to increase time available for testing before feed actually reaches the farm and increasing sampling of materials which historically, or by their nature, are known to cause significant events. Mr Billington

explained that work was underway to build a risk model by each sub-sector, i.e. importers, premix manufacturers, fats/oils blenders and compounders. Queen's University has undertaken a survey to establish baseline testing within industry and to calculate sampling requirements on a statistical basis. The results of the survey are to be presented to IFAG with the aim of progressing the initiative quickly.

13. Mr Billington said the proposed scheme will require additional finance by industry and there was an increased risk of detection of technical breaches giving rise to reputational and product recall risk (with associated recall and disposal costs). However, corrective action and sanctions by regulators should be undertaken in such a way as not to undermine consumer confidence or disrupt the food chain more than is necessary to protect animal and human health.

Discussion

14. Following a question from the ACAF Chairman, Mr Billington said that the system for analysis was not yet operational. The AIC is carrying out risk-based sampling in Great Britain, which NIGTA intends to build upon. Regarding dioxin sampling, Mr Billington envisaged this will be implemented shortly, with the balance of tests expected to commence in the New Year. He noted that in the Republic of Ireland processors were not required to participate in feed assurance schemes. It was hoped that eventually, the industry in the Republic of Ireland would participate in such schemes.

15. Mr Billington explained that at ports, testing is carried out at point of unloading. Sampling is based on the Grain and Feed Trade Association guidelines. He said more robust sampling may deliver a more effective testing plan. Mr Billington noted research is being carried out at Queen's University related to sampling and analysis.

16. A Member of the Committee commented that the work being carried out by NIGTA was important and addressed issues identified by the Committee in its consideration of gaps in controls in the feed chain. NIGTA was developing a strategic risk-base sampling system, the purpose of which was to identify where problems existed and to try and resolve these across the feed chain. There are benefits if industry players work together, one of which will help to quantify testing volumes and schedules. In response to a question, Mr Billington said that although cost of analysis was important, it was critical that the delivery of results was timely.

17. One Member of the Committee commenting on the logic of part-screening of materials asked what was being done to identify home-grown raw materials. Mr Billington said that NIGTA had asked Queen's University to undertake research in this area. Mr Billington noted that with regard to farm sales of cereals, best practice guidelines, (including being a member of an assurance scheme), should be followed, especially when selling to other farms. However, a gap in feed safety may exist as regards home-mixing. Home-mixers were not members of NIGTA; however, this sector

was covered by the Red Tractor Scheme. Mr Billington acknowledged that former foodstuffs were not being considered as part of the NIGTA initiative and this anomaly had been highlighted in the report of the Northern Ireland Industry Feed Assurance Group. However, these products should be covered as part of the Feed Materials Assurance Scheme (FEMAS).

18. The ACAF Secretary commented that the initiative was not just an issue relevant to Northern Ireland but was also a British Isles issue. He thanked Mr Billington, Professor Pat Wall and Mr Owen Brennan for bringing this important issue to the attention of the Committee and requested that once further progress on this industry initiative had been made the Committee should receive an update presentation. The ACAF Secretary noted that NIGTA's work in co-operation with Queen's University was on-going. He agreed that he and his Agency colleagues would work with all interested parties including those in the Republic of Ireland and the industry on this initiative.

Action: ACAF Secretariat

Agenda Item 4 – Feed Incident Management in Northern Ireland from and Enforcement Perspective

19. Mr Alan McCartney (DARD) introduced paper ACAF/12/08. He said that feed incident management was critically important not only from an animal and public health perspective, but also from the economic well-being of the feed sector and wider agri-food economy, (which was worth some £3 billion plus per annum to the Northern Ireland economy). He stated that DARD would shortly be consulting upon its Strategic Plan for the period 2012-2020. DARD's work associated with animal feed falls under the third strategic goal, i.e. to enhance animal, fish and plant health and animal welfare. DARD will work with stakeholders using risk-based surveillance to detect contamination of the feed chain as early as possible and maintain robust controls and contingency plans for preventing and controlling major contamination incidents. The work is of great importance to DARD's Minister and Departmental Board, who have both welcomed the industry's initiative entitled – Assuring Food Safety.

20. Mr McCartney explained the structure within DARD, his Branch being responsible for implementing over 80 pieces of often complex EU and national legislation across 10 diverse technical areas. DARD faces challenges in balancing delivery of its core regulatory work, but at the same time they have to be able to adapt flexibly to incidents. To assist DARD, processes have been put in place such as documented procedures, appropriate records of inspection, investigation and sampling, and good training. DARD also engages with external and internal stakeholders in a productive manner.

21. Mr McCartney referred to DARD's contingency plan for incidents concerning animal feed. He said that the plan was reviewed at least annually and tested regularly. In 2011 the contingency plan was trialled on two occasions; once for an internal simulated exercise; and once during the Food Standards Agency's Operation Larkspur. He explained that there were many positives in how DARD's incident management plan operated in these circumstances, but equally there were lessons to learn. These lessons were of both a strategic and an operational nature, which as part of a wider review of all their contingency arrangements DARD was building into its plans and wider supporting procedures.

22. Mr McCartney invited Mr Stephen Nixon to explain how DARD investigates and manages feed incidents. He then explained the requirements and principles under EC Regulations 178/2002¹, 882/2004², and 183/2005³. Mr Nixon noted that successive feed crises have shown that failures at any stage in the feed chain can have important economic consequences. The complexities of feed production and the complexity of the feed distribution chain mean that it is difficult to withdraw and recall feed from the market.

23. Referring to DARD's Feeds Contingency Plan, Mr Nixon said that as part of incident handling for each major event an assessment of risk is carried out, an incident management team is established, an investigation is carried out by Agri-food Inspection Branch (AFIB) (formerly Quality Assurance Branch (QAB)), with detention and analysis of products as appropriate. Where breaches are determined, disposal and or recall action is undertaken and prosecution considered.

24. Mr Nixon referred to the dioxins incident that occurred in 2008. He noted that this incident was headline news across Europe and the communication of risk issues was important and often difficult. Similarly, during the palm kernel incident in 2011 the Contingency Plan was implemented. DARD was notified by industry of arsenic being detected in palm kernel expeller. The contaminated consignment was sent for destruction and the next consignment was analysed. To demonstrate the issues of media reporting Mr Nixon read out an article published during the German dioxins incident (2011) which vastly exaggerated the risk to consumers.

25. Mr Nixon demonstrated, through extracts from further press articles, that official controls must be implemented and incidents managed even in the case of technical breaches. He reported that the EU authorities had confirmed within 3 days of the

¹ Regulation (EC) No 178/2002 Of The European Parliament and of the Council - laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety

² Regulation (EC) No 882/2004 of the European Parliament and of the Council - on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules.

³ Regulation (EC) No 183/2005 Of The European Parliament and of the Council - laying down requirements for feed hygiene

commencement of the Irish Dioxin incident in 2008 that it was effectively a technical breach with minimal risk to humans or animals. The press headlines Mr Nixon identified from a global perspective in December 2008 portrayed a pork industry awash with toxic products which was totally at odds with reality. Mr Nixon stated that it was appropriate for EU enforcement authorities to act on technical breaches, but that the resulting reputational and financial costs to the industry from technical breaches could result, and in previously publicised instances had resulted, in damage running into hundreds of millions of pounds.

26. In summary Mr McCartney said that DARD was always seeking to improve their response to incidents by learning lessons from others and also from their own experience.

Discussion

27. When asked by a Member of the Committee about the relationship between industry, enforcers and how DARD was addressing laboratory capacity, Mr McCartney said that this work was being taken forward by DARD's Science Branch and Agri-Food & Biosciences Institute. In response to another question on whether sampling procedures were acceptable for the detection of hotspots, Mr Nixon said there was awareness of non-uniformity of samples and that a Commission working group was considering this issue in Brussels. Mr McCartney and Mr Nixon commented that media reporting does influence how incidents are managed. It was important that DARD acted to manage incidents swiftly and, in so doing, endeavour to limit damage to the industry. Mr McCartney added that during an incident, a 'multi-disciplinary incident management team' is established that includes DARD's senior press officer who will ensure damage limitation. Following a question from a Member of the Committee, Mr Nixon said that the categorisation of the risk table for different species could be developed further. For example, an incident in a dairy herd poses a higher risk than one with meat producing animals, as milk is collected daily and quickly enters the food chain.

28. The ACAF Secretary commented that the level of preparedness implemented by DARD appeared to be robust. However, the findings of the FVO audit undertaken in May 2012 would either support (or not) the ACAF Secretary's views.

Agenda Item 5 –Initial Feedback from the Food and Veterinary Office audit

29. Mr Gerard Smyth (FSA in Northern Ireland) provided the Committee with an oral presentation on the initial findings of the European Commission's Food and Veterinary Office audit in Northern Ireland that took place from 21 to 30 May 2012 to evaluate the implementation of requirements for organic fertilisers and soil improvers and for feed, including the feed ban.

30. Mr Smyth said that the audit had focused on HACCP, co-products, undesirable substances, additives and lists of registered and approved feed business operators (FBOs).

The auditors indicated they were happy with progress that had been made, however a number of issues were identified. These included the completeness of lists of approved premises, the auditing carried out by DARD on HACCP plans and the carryover of coccidiostats.

31. A draft report of the audit was expected to be received before the end of June 2012. Following the receipt of the draft report, Mr Smyth said that the Agency would prepare an action plan to address the recommendations and would keep stakeholders fully informed. The final report of the audit is expected towards the end of August or early September 2012 and would be publicly available. Mr Smyth thanked the feed industry for its help and co-operation during the audit.

Discussion

32. In response to a question from the ACAF Chairman on whether the FVO team would refer to the recommendations of the audit carried out in November 2011 to Great Britain, the ACAF Secretary said that the audit team would compare the recommendations from the 2011 with their findings in Northern Ireland. The ACAF Secretary said that the Agency's Animal Feed and Animal By-products Branch will work closely with colleagues in DARD and FSA in Northern Ireland to implement the recommendations made by the FVO. He added that at the end of 2012, there will be a general audit to the UK where the FVO audit team will be seeking an update on progress to implement the recommendations from the audit of Great Britain in 2011 and the audit of Northern Ireland in 2012.

33. With respect to the presence of packaging material in feed the ACAF Secretary informed the Committee that he was to meet with a major food recycler with the intention of discussing the introduction of a *de facto* tolerance in the UK, similar to tolerances introduced in two other Member States. He has informed the Commission of his intention.

Agenda Item 6 – Matters Arising from the Minutes of previous meetings

34. This item was deferred to allow time for questions from delegates.

Agenda Item 7 – Any Other Business

35. The ACAF Chairman thanked Members of the Committee and the Secretariat for their help in responding to a query from Dorothy Craig (Chairman of the Veterinary Residues Committee) on the relationship between residues of thiouracil and brassica-rich animal feed.

36. He said that the final response was sent to Mrs Craig on 20 April 2012 stating that there is probably an increasing trend in the use of brassica-derived feed (e.g. rapeseed by-products) for certain livestock categories. This assertion was backed by information provided by ADAS, which was enclosed with the response to Mrs Craig.

Date of the next meeting

The ACAF Chairman stated that the next meeting of ACAF would take place on 19 September in Aviation House, London.

Information Papers

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

- EU Developments (ACAF/12/09); and
- update on the work of other advisory committees (ACAF/12/10).

ACAF Secretariat
August 2012

Question and Answer Session

Michael Walker (former FSA Board Member) – requested information on action being taken by the European Commission on guidance for feed additive labelling.

Dr Smith replied that problems existed on this issue as the guidance and the legal requirements were not in alignment. The guidance will not be progressed further until a resolution has been reached in Brussels.

Simon Williams (Agricultural Industries Confederation) – commenting on the presentation from Mr Billington, noted that the risk from home-mixing could affect the whole industry should one small business fail to protect feed safety.

Liam Hyde (Department of Agriculture, Food and the Marine) – commenting on the presentation on assuring food safety, said the proposed developments will greatly enhance the overall management of risk in the feed chain and should be encouraged.

Mr Hyde also said that he had participated in Exercise Larkspur. The interaction had been both useful and stimulating. In addition, regular bilateral meetings between colleagues in Northern Ireland and Great Britain were held which aided co-operation during incidents. In addition, an early warning protocol on feed incidents between both the Republic of Ireland and Northern Ireland was in place.

Commenting on the initial feedback from the FVO audit, Mr Hyde confirmed that the Republic of Ireland had also recently been inspected by the European Commission's FVO team as part of a new series of audits. The audit team looked at HACCP design, identification of risks, management of risks and also cross-contamination issues. Unlike previous audits, there was increased emphasis on controls on feed business operators handling feed and technical grade products, oils and fats, drying, food recycling and transporters.