

ADVISORY COMMITTEE ON ANIMAL FEEDINGSTUFFS

55th Meeting of ACAF on 28th September 2011

**Presentation Paper: EU Animal By-Products Regulation
1069/2009/EC (ABPR) and feed issues**

**Stephen Wyllie (Defra Assessor) on behalf of Neil Leach
(Defra)**

**Veterinary Medicines Directorate
September 2011**

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Background

- New ABP regulation(1069/2009) and detailed implementing rules (142/2011) came into effect March 2011
- Domestic legislation providing implementing and enforcement powers for the EU legislation also came into force that month (Animal by-products(Enforcement) (England) regulations 2011- along with similar legislation in rest of UK).
- EU regulation directly applicable with limited ability to derogate. No change to directly applicable ban on feeding of catering waste or ban on feeding processed animal protein to same species .
- Consultation on domestic legislation which took place in summer 2010 concentrated on limited areas for derogations + enforcement powers

Outcome of consultation and derogations on permitted uses for feeding

- Following consultation, consensus was to maximise opportunities for feeding ABPs where safe to do so
- Derogations set out in various authorisations at:
<http://archive.defra.gov.uk/foodfarm/byproducts/documents/authorisations.pdf>
- Examples in relation to feed:
 - milk, and milk products and colostrum
 - zoo and similarly kept animals (now widened to including cat 1)
 - Feeding of category 3 material to pets
 - Feed for fish, and use as bait, including of invertebrates

Feeding of “former foodstuffs”

- Under ABP rules can feed certain so called “former foodstuffs” - waste food no longer intended for human consumption originating from food manufacturers & retailers - to livestock.
- Unlike with catering waste it is feasible to put arrangements in place to keep eligible material separate from ineligible material
- Eligible material includes surplus bread, cakes, confectionary (not containing gelatine of ruminant origin), vegetables and fruit- must originate from premises with established separation procedures to prevent contact with raw meat, fish and other animal by-products.
- Aware that some of larger supermarkets are already substantially increasing amount of waste food going to animal feed
- Mainly bakery waste - more straightforward to keep separate in store from ineligible food waste and arrangements are in place to ensure that separation is maintained throughout the chain

Research by FERA on food and catering waste : Project FO0218

Project began in May this year. Completion due May 2012. Details at:
<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=17580&FromSearch=Y&Status=2&Publisher=1&SearchText=waste&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>.

Main components of research are:

- Review of current procedures for handling food waste taking into account best practice in the UK and internationally.
- Description of the amount and nature of food waste, including catering waste in the UK
- Assessment of the potential risks to human and animal health that might arise from the use of food and catering waste in animal feed.
- Comparison of economics and sustainability of current processes for food and catering waste disposal with its potential use in animal feed
- Final report to describe options for sustainable and safe use of food and catering waste.

Use of catering waste in animal feed –future prospects

- When ban considered with revision of EU ABP regulation, European Commission said “the potential risks especially to animal health largely outweigh the benefits from such practice. In addition, the rules on animal by-products offer substantial ways of using catering waste, such as in biogas plants or for the production of bio-fuels”.
- Nevertheless, Government committed to keeping position on ban under review in light of research. Recognition that if risks can be addressed use for animal feed: “has potential to enhance the sustainable use of the food waste resource, reduce waste, promote resilience to climate change and enhance the natural environment “
- However , need to be clear that any future change to regulations would require fresh evidence that feeding could be done safely, probably requiring an EFSA Opinion, followed by subsequent agreement of European Council and Parliament. Therefore not likely in short term