

**DRAFT MINUTES OF THE FIFTY-SECOND MEETING OF ACAF HELD ON 15
DECEMBER 2010**

Present:

Chairman Dr Ian Brown

Members Dr Dozie Azubike
 Dr Paul Brantom
 Mr Tim Brigstocke
 Mr Barrie Fleming
 Professor Stephen Forsythe
 Professor Ian Givens
 Professor Nigel Halford
 Mrs Heather Headley
 Ms Diane McCrea
 Mr Richard Scales
 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
 Mrs Stephanie Cossom – Food Standards Agency
 Ms Saleha Khatun – Food Standards Agency

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

Officials Dr Andrew Wadge, Food Standards Agency (part)
 Mrs Janis McDonald, Veterinary Medicines Directorate
 (VMD)

Speakers: Mr Andrew Spencer, Food Standards Agency
 Dr Jo Payne, Veterinary Laboratories Agency (VLA)
 Mr Peter Bone, Telsol Ltd
 Mr John Twigge, Frank Wright Trouw
 Mr Alexander Döring, FEFAC

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 Bruce Cottrill and Dr Ray Smith (ACAF Scientific Secretariat).
3. The Agency's Chief Scientist (Dr Andrew Wadge) briefly joined the Committee's afternoon session. Dr Wadge informed the Committee that he intended to attend Scientific Advisory Committee meetings from time to time because of the importance of science and evidence to the Agency. He then provided an update on Agency issues.
4. Dr Wadge commented that the safety of animal feed was an important issue and many of the most recent major food safety incidents were feed related. He asked the Committee to consider the causes of such incidents and what could be done to prevent further incidents. He encouraged the Committee to identify gaps in the Agency's knowledge and research needs.

Agenda Item 1 – Declaration of Members' Interests

5. 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. Professor Nigel Halford declared that he will shortly have two books published; one in 2010 entitled 'Energy Crops' and the other in 2011 entitled 'Genetically modified crops 2nd edition'. Professor Givens confirmed he had been awarded a new grant by the BBSRC and the DRINC consortium for a project on saturated fats. Mr Themans said that he had sold his food processing business and Ms McCrea declared that she had been invited to become the Chairman of the Soil Association Certification Limited, Certification Scrutiny Committee. Dr Brantom stated that he had resigned his membership of EFSA's FEEDAP Panel. Finally, the ACAF Chairman declared that he was to provide a presentation entitled 'Threats to consumer acceptance: acrylamide and other scares' to the University of Cambridge's Potato Growers Association on 16 December 2010.

Agenda Item 2 – Draft Minutes of the Fifty-First Meeting (MIN/10/03)

6. Comments on the minutes of the meeting held on 22 September 2010 were:
 - page 5 paragraph 24, add 'e' at end of Twigg;
 - page 7 paragraph 31, delete 'is' between were and not;
 - page 7 paragraph 32, amend Agriculture Food Council to Agriculture and Food Research Council; and

- page 9 paragraph 39, amend *E. coli* to read faecal contamination;

7. The minutes were adopted subject to the changes referred to above.

Agenda Item 3 –Presentation on Copper Supplementation in animal feed

8. Mrs Cossom reminded the Committee that they had discussed this issue at its 22 September 2010 meeting. At that meeting Dr Jo Payne provided a presentation to the Committee on concerns about what appears to be excessive supplementation of copper in the diet of dairy cows. Dr Payne also sought the Committee's agreement on the preparation of a Code of Practice for the industry, which could be further developed for farmers and vets.

9. The Committee agreed at its September 2010 meeting that, it required more evidence on:

- how much copper was being fed to dairy cattle;
- the optimum intake level;
- the size of the problem; and
- the potential human copper consumption from milk.

10. To address these points, the Secretariat in consultation with the VLA, VMD and FSA colleagues had prepared ACAF paper 10/17. Mrs Cossom stated that the paper set out the current regulatory controls on copper, the evidence of the problem and consumer intakes of copper from food of animal origin.

11. Mrs Cossom said that certain copper compounds were authorised as nutritional feed additives (trace elements). Their use was controlled by Regulation 1831/2003 on Additives in Animal Nutrition, Regulation 767/2009 on the Marketing and Use of Feeds and Regulation 183/2005 on Feed Hygiene. She explained that there appeared to be no data to indicate how many cattle may be receiving excess copper in their diets. It was estimated that the mean level of copper in dairy cattle diets was approximately 20 mg/kg dry matter, but this could vary considerably due to the range of copper supplements supplied.

12. Mrs Cossom stated that most copper additives had not recently been subject to a scientific assessment but would be shortly re-assessed for safety, quality and efficacy by the European Food Safety Authority (EFSA), under Article 10.2 of Regulation 1831/2003. EFSA assessed a chelated form of copper in 2008. In their opinion on the additive, EFSA had found low levels of copper present in milk. Organic forms of copper are more bioavailable than inorganic forms.

13. The Agency has assessed levels of copper in food from various surveys. Mrs Cossom noted that there were no concerns with dietary copper intakes of adult consumers, but there were some concerns in respect of infants and possibly toddlers that had a high consumption of liver in the 97.5 percentile. However, the Committee on Toxicology (COT) had considered copper intakes under the 2006 UK Total Diet Study and concluded that the 'mean and high-level dietary intakes of copper were unlikely to be a toxicological concern'. Mrs Cossom noted that since the September 2010 meeting Messrs Bone and Twigge had revised the optimum dietary level of copper for cattle from 18 mg/kg to 20 mg/kg dry matter.

Discussion

14. Several Members had technical queries relating to the dietary surveys referred to in ACAF/10/17. The Secretariat agreed to pass these queries to the COT Secretariat and will update the Committee by correspondence after the meeting.

Action: Secretariat

15. The ACAF Chairman and a Member of the Committee queried whether livers from over 30 month old cattle are allowed to enter the food chain. Dr Payne stated that the current TSE Regulations did not prevent livers from cattle of any age entering the food chain. However this was not the case between 1996 and November 2005 when there was a ban on OTMS cattle entering the food chain. The relaxation of the Regulations may have implications for the copper content of livers as older cattle may have higher liver copper levels; therefore the relaxation of OTMS cattle may result in an increase in mean copper content of liver for human consumption.

16. A Member noted that a study carried out by EBLEX (English beef and sheep organisation) confirmed that 47% of farms surveyed had copper deficiency in cattle and that it was important to identify and address the differing copper dietary requirements of dairy cattle and beef cattle.

17. The Chairman invited Mr Twigge to explain the amendment of the optimum dietary level of copper for cattle from 18 mg/kg to 20 mg/kg dry matter (DM). Mr Twigge explained that the figure of 18 mg/kg suggested a precision that was not supported by data. As maximum permitted levels of copper in cattle feed are 40 mg/kg DM, using half this amount suggested a good average level. The Committee noted that there were various known regions of the UK where high levels of copper antagonists were present in soil and Mr Twigge responded that while the 20mg/kg level was recommended in most regions, where antagonists were present then a recommended level of copper (40 mg/kg) was advised. Mrs Cossom also suggested that it was confusing to refer to copper levels on both a 100% DM and 88% DM basis, and that only one method should be referred to in the code of practice.

18. With regards to the proposed Code of Practice, Members agreed that the text needed to be drafted in plain English. It was suggested that three documents could be drafted: one for farmers; another for the feed industry; and one for veterinarians. However, the Committee agreed that it was more appropriate to have only two documents: a technical version; and non-technical version for farmers. Several Members suggested amendments to the code of practice to make it more user-friendly. Mrs Cossom proposed making editorial changes to the Code of Practice to take on board the Committee's advice to keep the text simple. The revised text would be circulated to the Committee for clearance before being passed to Messrs Bone and Twigge and Dr Payne for consideration by 21 January 2011.

Action: Secretariat

19. One Member of the Committee suggested that an online tool to calculate levels of copper being fed would be useful for the industry. Mr Twigge confirmed that a draft excel spreadsheet had already been prepared for this purpose. It was hoped that, with the agreement of the Committee, the spreadsheet could be uploaded on to the ACAF and other relevant websites.

Agenda Item 4 - Codex Task Force on Animal Feeding

20. The ACAF Secretary stated that Codex was an international governmental organisation under the auspices of the United Nations' Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO). Most food commodities had a formal Codex Committee, but issues on animal feed had not been allocated a dedicated Committee. Therefore, the Codex Alimentarius Commission had set up the Task Force on Animal Feeding. The ACAF Secretary referred to Annex II of paper ACAF/10/18 which provided the Terms of Reference for the Task Force. He thanked Members of the Committee who had provided suggestions on the Task Force's proposed work. The Task Force is due to commence its work in the second part of 2011, and to help prepare for this a stakeholder meeting had been arranged for January 2011. The ACAF Secretary invited the Secretary General to FEFAC (Alexander Döring) to say a few words about the Task Force.

21. Mr Döring described the work of the Task Force and suggested that the Task Force may wish first to draw up a priority list of feed hazards which would assist in focusing on which risk assessment methods are required. Mr Döring expected that more scientific data would be available at the preparatory stakeholder meeting. He said that there would be benefits for the UK to participate in the Task Force as there were currently gaps in EU risk assessment and management.

22. The ACAF Secretary stated that preparations for the Task Force were in the early stages. He wished to keep ACAF aware of developments, and as the UK was reliant on imports of materials for animal feed from non-EU countries, it was important to share and make importers aware of EU principles on best practice in order to ensure feed safety. Therefore, better education and communication of issues with third country suppliers would be useful. The ACAF Secretary agreed to keep the Committee informed of developments.

Action: Secretariat

Discussion

23. Following a question from the ACAF Chairman regarding representation on the Task Force, the ACAF Secretary explained that all member countries of the United Nations were eligible to participate in Codex fora. Some of these member countries do not have specific national legislation and therefore look to Codex for controls and relevant standards. Industry and consumer organisations were also well represented at Codex meetings. The ACAF Secretary explained that he would represent the UK in negotiations of the Task Force, involving all relevant stakeholders as necessary. He anticipated that the Committee would help to inform the UK negotiating stance.

24. A Member of the Committee reported that they had previously attended Codex meetings as an observer and supported the view that the Committee had a role in informing the UK line on the work of the Task Force.

25. A Member asked if GM issues were likely to be discussed by the Task Force. The ACAF Secretary and Mr Döring confirmed that GM issues were likely to be discussed in a different forum (e.g. Codex Task Force on Biotechnology). The Task Force would consider feed issues that are likely to have safety implications for animals and consumers of livestock products. Another Member asked what the scope and predicted achievement of the Task Force would be. The ACAF Secretary confirmed that the Task Force had specific tasks and a specific timeframe to complete the tasks (as set out in its terms of reference). In addition, Mr Döring referred to the work the previous Task Force had completed, i.e. the production of the 'Code of Practice on Good Animal Feeding' which was published in 2005. The new work of the Task Force will help to identify key hazards and gaps in risk assessment.

26. The ACAF Secretary stated that decisions of the Task Force (as in all Codex fora) are taken on a consensus basis. He added that Codex Standards can be used to resolve trade disputes brought to the attention of the World Trade Organisation.

Agenda Item 5 – Update on Nicarbazin issues

27. Mr Andrew Spencer of the Agency's Chemical Safety Division stated that the Committee had received an update on nicarbazin issues at its June 2010 meeting. He

reported that since that meeting, and following Opinions of the EFSA, the Commission had proposed maximum residue limits (MRLs) for 4,4'-dinitrocarbanilide (DNC) in the tissues of broilers. These had been agreed at a vote in a Standing Committee meeting in Brussels in July 2010. The MRLs agreed were:

- 15,000 µg/kg in fresh liver;
- 6,000 µg/kg in fresh kidney; and
- 4,000 µg/kg for fresh muscle and skin.

28. Mr Spencer said the MRLs were higher than levels found in the VMD's statutory survey. In addition, he reported that the Nicarbazin Project Group had been disbanded. Mr Spencer had consulted the Veterinary Residues Committee (VRC) who had confirmed that it would be content to liaise with ACAF on future issues relating to nicarbazin. The Agency would also consult with ACAF on any future issues on this subject and seek advice as appropriate.

Discussion

29. Several Members supported the introduction of MRLs which were based on recent scientific data. A Member of the Committee asked how the MRLs were determined. The Northern Ireland assessor commented that the MRLs were determined from scientific data provided to EFSA by the producer of the nicarbazin products.

30. A Member noted that the introduction of the MRLs would remove the current burdens imposed on enforcement officers, farmers and feed mills as previous MRLs were much lower.

31. The Northern Ireland assessor commented that the new MRLs were welcomed by the poultry industry, which may now extend the period over which they can use nicarbazin up to the point-of-slaughter. However, he expressed concerns that, if feed mills relaxed their current controls on feed scheduling, carry-over of nicarbazin into breeder rations would have a negative impact on hatchability. He claimed that as little as 1 ppm of nicarbazin in a broiler breeder diet can reduce egg hatchability. He also commented that, by comparison with the poultry MRLs, the maximum limits for carry-over of nicarbazin in non-target feed were very low and any relaxation of feed mill controls could lead to these limits being breached.

Agenda Item 6 – GM Issues

32. The ACAF Secretary reported that four new applications for use in the EU were discussed at the Standing Committee (SCoFCAH) on GM issues held on 14 December 2010. These were for the following three GM maize insect resistant/herbicide resistant varieties:

- MIR604 x GA21;
- BT11 x MIR604; and
- BT11 x MIR604 x GA21.

33. There was also discussion on a GM cotton variety (281-24-236x3006-210-23). The ACAF Secretary explained that cotton seed was used in animal feed and cotton seed oil was used in food. It was expected that the Commission would draw up proposals on the above varieties for possible votes in spring 2011.

34. The ACAF Secretary reported that the main discussion in the December SCoFCAH (GM) meeting was on a technical solution on the low level presence of GM materials in commodities imported into the EU. The Commission had issued a proposal that would permit a 0.1% tolerance of such material in consignments destined for animal feed. However, the proposal did not take account of material destined for food, which would be problematical for importers, as materials are often not prescribed for feed or food use until after import. A formal Ministerial mandate was awaited on this issue. It was anticipated that a vote on the Commission's technical solution proposal would take place at the February 2011 meeting of SCoFCAH (GM).

Discussion

35. The ACAF Secretary stated that little progress had been made in negotiations on a Commission proposal to allow Member States to restrict or prohibit the cultivation of GMOs in their territory. Defra was the lead department for this area of work and it was likely that negotiations would re-commence in Spring 2011. Some Member States had suggested that factors other than science and evidence needed to be considered.

Agenda Item 7 – Update on GACS Issues

36. The ACAF Chairman updated the Committee on the last meeting of the General Advisory Committee on Science (GACS) on 19 October 2010. He read out the contents of a letter to the Committee that had been discussed at GACS; it had been sent by the Agency's Chairman and reinforced the value to the Agency of the work of the scientific advisory committees.

37. The Chairman informed the Committee that there had been a discussion on a report from the Risk Assessment / Risk Management Working Group. SACs are asked to only provide advice on risk assessment, and not risk management options. To explore this issue further GACS had set up a Working Group which will produce a report to the Agency as well as the UK Government.

38. The Chairman also informed the Committee about a report from the Working Group on data and funding from other sources. The working group is yet to reach any formal conclusions on this work.

39. Finally, the Chairman gave an update on the Report from the sub-group on the review of nutrient content of organic and non-organic foods. Overall, the sub-group did not concur with the majority of the concerns raised by the Soil Association and the Organic Trade Board, and it considered that the review itself followed good practice. The sub-group proposed two recommendations for the Agency: that they should have a clear policy on release of underpinning data; and they should ensure wherever possible that interested parties know in advance that they will be given notice of impending release of results.¹

Agenda Item 8 – Matters arising from the minutes of previous meetings.

Forward Work Plan

40. The ACAF Chairman noted that, at the September 2010 meeting a new work item was proposed by a Member. This concerned a pilot project being run in abattoirs in Wales involving markers which had been incorporated in feed to identify the presence of faecal contamination. Members agreed that they required further information on this project before agreeing to its inclusion in the Committee's Work Plan. Details on the pilot study were circulated to Members on 16 November 2010.

41. Following comments from the Committee, the ACAF Secretary agreed to contact the pilot project organisers to confirm whether the pilot project fell within ACAF's remit.

Action: Secretariat

Agenda Item 9 - Any other business

FVO Mission to the UK June 2009 – follow up

42. The FSA assessor, Mr Tim Franck, provided an update on progress in addressing the recommendations resulting from the Food and Veterinary Office's (FVO) audit of feed law enforcement in the UK in June 2009. He explained that the FVO had recently undertaken a four day follow-up visit to review progress on this audit and others in the area of food and animal health enforcement. The FVO appeared generally content that the recommendations of the feed audit were being taken forward. Mr Franck said the recent

¹ The full detail of the GACS discussion on this topic can be viewed using the following link:
<http://gacs.food.gov.uk/gacsmeets/gacs2010/19october2010/gacsmins101019>

FVO review had not involved visits to enforcement authorities or feed establishments, but a further two week FVO mission on animal feed law enforcement would take place between 15-25 November 2011, which would include such visits.

43. The ACAF Secretary said that of the 17 recommendations made by the FVO following the mission to the UK in 2009, two were the responsibility of the Agency's Animal Feed Branch. He recalled that the Committee had considered the presence of packaging material in animal feed produced from surplus human foods at previous meetings. The ACAF Secretary had written to the European Commission with the Committee's recommendations, asking EFSA to provide an opinion on the safety of adventitious amounts of packaging material in animal feed. The Secretariat had yet to receive a response and it was unclear how the Commission intended to proceed. The ACAF Secretary also reported that a central list of feed business establishments had been completed (this was the other FVO recommendation under the control of Animal Feed Branch).

Date of the next meeting

44. The ACAF Chairman confirmed that the Committee's next meeting would be held on 2 March 2011 in Aviation House.

Information Papers

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

- EU Developments (ACAF/10/20); and
- update on the work of other advisory committees (ACAF/10/21).

ACAF Secretariat
February 2011

Question and Answer Session

George Perrott (Agriculture Industries Confederation) asked if the Committee could support a change to one of the requirements of Regulation 767/2009 on the Marketing and Use of Feed. This related to the labelling of additives in feed and the requirement, in the case of trace elements, to declare the added salt rather than the element (e.g. copper sulphate, rather than copper). He said this type of declaration does not provide meaningful information to purchasers and makes it difficult for users to comply with the maximum permitted levels of an additive.

Dr Monika Prenner (Pet Food Manufacturers' Association) said that the issue also applied to the labelling of pet food. Pet food manufacturers often varied the type of salts in their formulations according to supply and demand, and the labelling of the salt would have implications for the use of pre-printed labels, which is common in the pet food sector

Several Members suggested that the element could be declared under the voluntary labelling section. However, George Perrott stated that this would be very difficult to do for every single element that was required to be labelled.

The ACAF Secretary, with the Committee's agreement, proposed writing to the Commission to highlight this issue and suggest an alternative way forward.

Mr Alexander Döring confirmed that FEFAC were to host a meeting on the requirements of the Feed Hygiene Regulation in February 2011 (dates to be confirmed). He agreed to share the summary of the results of the meeting with ACAF Members.