

**DRAFT MINUTES OF THE FORTY SIXTH MEETING OF ACAF HELD
ON 5 JUNE 2009**

Present:

Chairman Dr Ian Brown

Members Dr Dozie Azubike
 Dr Paul Brantom
 Mr Tim Brigstocke
 Dr Bruce Cottrill
 Dr Gil Domingue
 Mr Barrie Fleming
 Professor Nigel Halford
 Professor Ian Givens
 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
 Mrs Vimala Sarvananthan – Food Standards Agency

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

Officials Dr Ray Smith – Food Standards Agency
 Dr Nick Renn – Veterinary Medicines Directorate

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 Mrs Heather Headley.

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. Professor Halford declared that he was due to start a 12-month project funded by Biotechnology and Biological Sciences Research Council and Plant Bioscience Limited on amino acid signalling in wheat.

Agenda Item 2 – Draft Minutes of the Forty Fifth Meeting (MIN/09/01)

4. Comments on the minutes of the meeting held on 4 March 2009 were:
 - paragraph 35 – to amend the sentence to emphasise that the withdrawal period for nicarbazin in the form of maxiban is five days;
 - paragraph 47 although the minutes accurately reflected what was said at the meeting, the Secretary of State for Environment, Food and Rural Affairs Hilary Benn would make the decision and announcement on the future of the Veterinary Medicines Directorate; and
 - ensure that paragraph numbers are consistent.
5. The minutes were adopted subject to the changes referred to above.

Agenda Item 3 – Codes of Practice for the Control of Salmonella in Animal Feeds – Oral update from the Defra Assessor

6. The Defra Assessor (Mr Wyllie) referring to ACAF Paper 09/07, noted that, following the public consultation in January 2009, Defra had been responsive to comments received. Key changes included:
 - condensing three codes into one with annexes, thus reducing duplication and overall length;
 - improving consistency of wording; and
 - expanding the section on advice about sampling.
7. Mr Wyllie pointed out that the Committee had been sent a pre-publication version of the Code. However, some further editorial changes were still required prior to publication. He thanked colleagues for their assistance in producing the Code and asked the Committee for its comments and advice on:
 - the text of the document;
 - how best to publicise the document; and for
 - the Committee's endorsement.

Discussion

8. Mr Wyllie confirmed that any editorial changes suggested by the Committee would be included in the document prior to its publication. One Member congratulated Mr Wyllie for making the Code more accessible. However, the Member suggested that a final scan of the usage of the word 'should' and 'must' was necessary to ensure consistency. Mr Wyllie said that the working group had looked critically at the use of these words, but agreed to review. One Member pointed out that there are two links on the Defra website on disinfectant guidance that could be included in the

cleaning section of the Code. The Member also suggested that Defra should carry out future research in two areas:

- organic disinfectants and formaldehyde; and
- conditioners, especially their usage and validation methods.

9. Another Member said that the drafting team had considered a list of organic disinfectants and the Veterinary Laboratories Agency had been approached for input. The Member noted that the Code relates to all feedingstuffs not all of which are heat-treated. He promised to send Mr Wyllie details of validation methods.

Action: ACAF Member

10. With respect to section 7.10 (a) of the Code on sampling, a Member asked about training and the standards required. The Member thought it was the responsibility of feed business operators to ensure operatives were properly trained. It was noted that industry was rolling out training courses through assurance schemes. One Member suggested that standard operating procedures might be one solution to ensure appropriate standards in sampling. Another Member noted that, although training was an important subject, this fell under the category of risk management, and was outside the remit of the Committee. The ACAF Secretary, suggested that the Committee could advise on training and that this subject could be discussed at a future meeting.

Action: Secretariat

11. Mr Wyllie said that a press release highlighting changes will be issued at the launch of the Code. A Member suggested that local authorities could issue a simple introduction leaflet about the Code. Another Member agreed to discuss distribution of the Code with the Responsible Use of Medicines Alliance and suggested that Mr Wyllie might wish to attend one of their future meetings. It was also noted that the Agricultural Industries Confederation and British Egg Industries Confederation would be advising its members of the publication of the Code. The ACAF Secretary added that the launch publication date would be staged managed so that appropriate officials are notified. He suggested that the copies of the finalised Code should be sent to ACAF members, and the Food and Feed Hygiene Unit of DG SANCO (European Commission), so that the Code can be shared with other Member States.

12. It was noted that although ownership of the Code was held by Defra, the FSA had been part of the drafting team and had contributed to some of the costs associated with publication of the Code. The ACAF Secretary said that the Code would assist the FSA on initiatives such as reduction of foodborne diseases. Also, ACAF's endorsement of the Code will add weight to the document. The FSA Wales Assessor noted that it appeared that only the National Farmers Union had endorsed the Code despite there

being two unions in Wales. This may lead to issues when disseminating information in Wales. One Member also asked whether the document would be translated into Welsh. It was agreed translation would be considered.

Action: Secretariat/Defra

13. The Chairman sought the Committee's endorsement of the Code. All Members were supportive. Mr Wyllie then asked Members to submit any editorial comments to the Secretariat within a week of this meeting. Hard copies of the Code will then be made available and links will appear on both the Defra and FSA websites. A Defra press release will announce the launch of the Code and Defra and FSA will hold discussions with relevant stakeholder groups prior to the launch of the Code to clarify points that had been raised during the consultation. The ACAF Secretary agreed to inform Members when the Code was launched.

Action: Committee/Secretariat

Agenda Item 4 – Feed Hygiene: Guidance to Stakeholders on the reduction of administrative burdens

14. Mr Franck referred to ACAF paper 09/08. The Agency had drafted guidance to assist primary producers (farmers) to comply with the record-keeping requirements of the EC Feed Hygiene Regulation (183/2005). This was in response to a central government initiative by the Better Regulation Executive (BRE), which aimed to reduce the administrative burdens on businesses including record keeping requirements. The BRE costings had indicated that the cost to farmers of complying with the record-keeping requirements of Annex I of EC Regulation 183/2005 was in the order of £58 million, but a subsequent study sponsored by the Food Standards Agency indicated that this was a significant overestimate. However, it is good practice to assist businesses to comply with the legislation and government departments are encouraged to provide guidance.
15. Mr Franck sought the Committee's views and comments on the guidance, including how the wording can be improved. He pointed out that the aim was to assist farmers, and a conscious effort had been made to keep the language user-friendly but at the same time address the requirements of the legislation.
16. In an attempt to minimise any burdens, the draft guidance emphasised that farmers do not necessarily need to create new records but utilise existing systems or sources of information. Mr Franck noted that the legislation required a degree of interpretation on what information should be maintained by farmers, but it was important that the guidance should not go further than what the legislation requires. Mr Franck stated that there may be a case for combining guidance on record-keeping requirements under the Feed Hygiene Regulation and the Food Hygiene Regulation (852/2004), as they were similar.

17. Mr Franck advised Members that in line with government procedures, the guidance document will be subject to an impact assessment and a public consultation exercise. The guidance will also be trialled with a number of farmers.
18. In addition to comments on the words and format, Mr Franck said it would be helpful to receive the Committee's views on how the guidance document could be distributed.

Discussion

19. One Member said the document should emphasise that it was for guidance only, and the intention was not to introduce new legislative requirements. The Member also noted that detailed record-keeping requirements on the use of biocides might deter some farmers from using such products.
20. Another Member agreed that the document should clearly describe why farmers needed to keep records and should be expressed in clear and user-friendly language. However, one Member asked if there was a need for such guidance, as under existing practices Trading Standards and Animal Health inspectors check farmers' records. The ACAF Secretary said that the impetus for the draft guidance came from the Cabinet Office, who believe that record keeping was an administrative burden on farmers. The message the Food Standards Agency wanted to give is that record-keeping should be simple and, wherever possible, existing systems should be used.
21. A Member noted that peel off tabs from feeds could be used as part of the record keeping system. The Chairman suggested that farmers use day diaries where entries can be recorded and labels can be associated with the relevant entries. One Member suggested that the text indicating that no GM seeds are currently authorised for commercial plants should be removed, as this position may change over time.
22. A Member suggested that the text indicating that record-keeping 'should usually be available as part of a business's normal accounting procedures and can be sourced from invoices, receipts and feed labels' should be moved to the beginning of the guidance. Two other Members suggested minor modifications to the text.
23. Following a question on how long records should be kept the Northern Ireland Assessor said that with relation to veterinary medicines products in feed, the legislation requires records to be kept for five years. It was noted that there was a high number of dairy, pig and poultry farms that belonged to assurance schemes where there was a requirement for the maintenance of records. It was agreed that the document should be on one page of A4.

Agenda Item 5 – Horizon Scanning Workshop: future food production for healthier eating – opportunities and challenges

24. Dr Smith updated Members on preparations for the horizon scanning workshop entitled ‘future food production for healthier eating opportunities and challenges’, which was scheduled to take place in London on 24 June 2009. Dr Smith confirmed that six Members of ACAF were to attend the event and that Dr Givens would be one of the presenters.
25. The event was by invitation only and between 80-100 attendees from academia, the food and feed industry, other government departments, and consumer groups were expected to attend. The aim of the event is to identify key developments in the production of healthier foods. Members of the General Advisory Committee on Science (GACS) and other advisory committees had been invited to address these areas. Dr Smith said that a report of the event will be published on the FSA website. Publication in an appropriate peer reviewed journal would also be explored.

Discussion

26. The Chairman, although unable to attend the event, was fully supportive of the concept. Members hoped that the event would be successful and requested further details. Members suggested that there was an opportunity for the workshop to follow-up on issues raised in the Cabinet Office’s ‘Food for Life’ report.
27. The ACAF Secretary noted the Committee’s views and agreed to report these to the organisers of the event. Additionally, he suggested that ACAF could consider maintaining an interest in these and other related initiatives.

Action: Secretariat

28. The Chairman also agreed, to raise the Committee’s views with the GACS Chairman on an informal basis.

Action: Chairman

Agenda Item 6 – Food and Veterinary Office (FVO) Mission on Feed Law and Feed Hygiene – oral report from Mr Tim Franck

29. Mr Franck reported that the FVO had sent the UK competent authorities a formal commissioning letter detailing the scope of the forthcoming mission, the legislation it will cover, the geographical spread and the type of feed businesses and enforcement authorities the mission is to cover. The mission commences on 16 June 2009 and ends on 26 June.
30. The mission aims to evaluate how the UK has implemented and enforced the legislation and the performance of enforcement authorities. These are local authorities in Great Britain, the Animal Medicines Inspectorate (AMI)

which covers coccidiostats and histomonostats and the Department of Agriculture and Rural Development in Northern Ireland (DARD). The FVO has specifically mentioned that the evaluation will cover the implementation of the EC Feed Hygiene Regulation and the EC Feed Additives Regulation; these Regulations were adopted subsequent to the last FVO audit mission to the UK. The mission will not include TSE controls, GMOs, medicated feed legislation or pet foods.

31. Mr Franck stated that the FVO want to visit:

- one approved feed mill (where coccidiostats and histomonostats are used), and two registered feed mills;
- two intermediaries supplying premixtures and additives;
- two farms (primary producers) one of which is an on-farm mixer;
- one feed business operator whose activity consists in collecting, handling and/or processing food industry co-products and then supplying them to feed business operators;
- one food business operator despatching co-products to the feed industry; and
- at least one port.

32. The FVO has requested meetings with four local authorities, DARD, the AMI and the FSA. The mission will commence with an opening meeting (which will be cleared by the head of FSA's Animal Feed Unit / ACAF Secretary) followed by visits to authorities in England, Wales and finally Northern Ireland.

33. Since the previous ACAF meeting the FSA's Animal Feed Unit had compiled an itinerary matching local authorities with feed businesses that the FVO want to visit. The itinerary, together with a pre-mission questionnaire containing some 90 pieces of information, had recently been submitted to the FVO. The FVO had subsequently provided comments on the itinerary.

Discussion

34. Mr Franck said that the FVO inspectors are full-time officers employed by the European Commission and are experienced in carrying out audits. As the mission progresses, the inspectors can ask for additional information. The FSA Wales and Defra Assessors added that the inspectors expect any serious deficiencies identified during the mission to be acted upon immediately. The FVO will prepare a report outlining recommendations for improvements. Mr Franck said the FSA should have received the FVO's recommendations and will have drawn up an action plan on how it intends to respond to these before the next ACAF meeting in September 2009.

35. The ACAF Secretary informed the Committee that one of the recommendations from the previous FVO mission in 2003 resulted in the setting up of the Animal Feed Law Enforcement Liaison Group. Should any deficiencies be identified during the mission, these can be used to support future work of that Group in order to strengthen enforcement activities.
36. It was agreed that the Committee would be updated on the outcome of the FVO mission at its next meeting in September 2009.

Action: Secretariat

Agenda Item 7 - GM Issues

37. Dr Brantom reported that ACAF's GM Sub-group had received very few questions and therefore the sub-group had not met since the European Food Safety Authority (EFSA) had taken over the lead in assessing dossiers for the authorisation of new GMOs. The ACAF Secretary pointed out that previously, the ACAF GM Sub-group and ACRE were asked to consider dossiers. Following publication of each favourable EFSA Opinion, the Commission has three months to draw up a proposal for legislation, which is then submitted to the Standing Committee for voting. All formal EFSA Opinions are placed in the public domain. Issues of significance are brought to the attention of the Committee via its regular EC Development papers.
38. The ACAF Secretary gave an update on GM activities in Europe. The next meeting of the Standing Committee (SCoFCAH) on GM issues is scheduled for 29-30 June 2009. He said that votes are expected on the following new GM varieties.
- LL Rice 62;
 - Maize 51922 x NK 602;
 - Maize 59122 x NK602 x 1507;
 - Insect resistant MON 81934; and
 - Insect resistant Cotton GHB 616.
39. Approval of these varieties would be for food and feed use but not for cultivation. If the varieties are approved, they could possibly be placed on the market by the end of 2009.
40. The ACAF Secretary also said that the European Commission are seeking a technical solution in respect of the presence of unauthorised varieties in imported food and feed. He hoped to be in a position to provide more information to the Committee at its September 2009 meeting.

Discussion

41. One Member noted that there was no commercial cultivation growth of GM varieties in the UK, but that Spain had been growing insect resistant GM maize (Bt-176 and more recently MON 810) for a number of years. The same GM maize line is also grown in small quantities in Romania, Poland, Germany and Bulgaria.

Agenda Item 8 – Matters Arising from the previous meetings*Future of the Veterinary Medicines Directorate (VMD)*

42. Dr Renn confirmed that on 5 May 2009 the retention of the VMD as an executive agency of Defra was confirmed. Dr Renn said that Defra was now considering whether trading fund status was appropriate for the VMD.

Agenda Item 9 – Any Other Business*Future out of town meeting - 2010*

43. The ACAF Secretary said that the Committee's out of town meeting in 2010 would be held in England. He asked Members to forward to the Secretariat any suitable venues and places to visit as part of the event.

Action: Members

EC Regulation on Marketing and use of Feed – Review of Tolerances

44. The FSA Assessor noted it was expected that the Regulation on Marketing and Use of Feed would be adopted in late June 2009. There were a number of consequential work pieces for the Commission to complete, including a review of tolerances for the analysis of feeds. A Member noted that there are variations in residues from bioethanol plants and farmers should be made aware of this. Another Member noted that farmers have concerns that the existing derogation on moist feeds might not be retained. The ACAF Secretary said it may be possible to take a pragmatic view in terms of enforcement with respect to derogations.

Information Papers

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

- EC Developments (ACAF/09/09); and
- Update on the work of other Advisory Committees (ACAF/09/10).

Dates of future meetings

46. The Chairman reminded the Committee that the next meeting would be held on 23 September 2009 in Aviation House, London.

**ACAF Secretariat
July 2009**

Question and Answer Session**Mr Meilir Edwards – Senior Trading Standards Officer – Denbighshire**

Mr Edwards said, regarding the guidance for farmers on record-keeping, a four page document would not be well received by the farming community, especially in relation to reducing the burden on farmers. A one page document would be preferable. Mr Edwards also questioned the necessity of the requirement in the guidance to provide a record of batch number, date of purchase and rates of treatment for biocides applied on the farm. Mr Edwards said that in Denbighshire approximately one-third of farm holdings belonged to a recognised farm assurance scheme.

The FSA Assessor acknowledged the need to keep the guidance as simple as possible.

The ACAF Secretary said that one way forward might be to produce two documents: a short version for farmers/enforcers and another more detailed one for Cabinet Office purposes.

Mr Gareth Vaughan – President of the Farmers' Union of Wales

Mr Vaughan urged for a cautious approach to GMOs on behalf of the agricultural industry that had spent millions on assurance schemes, which had produced Welsh Lamb, Welsh Black Beef, Aberdeen Angus Beef and Lion Brand Eggs.

All these products are perceived by the consumer to be good quality that are easily identifiable by a large and growing sector of society as something different to the ordinary.

Whilst some observers may perceive that the fears of the general public about GMOs are unfounded and unsubstantiated, and perhaps irrational, Mr Vaughan's point was that we are where we are. For example, a young mother looking to feed her family with something wholesome and healthy has little or no regard for science and will automatically err on the side of caution.

Mr Vaughan recalled how Edwina Currie's comment on salmonella in eggs was an example of over reaction. Mr Vaughan said that we should only move forward on GMO production with caution after adequate public education in order to avoid putting the industry at a competitive disadvantage.

Ms McCrea said that a lot of work had been done in relation to labelling; however, more was still needed. She referred to work being carried out by the Sustainability Committee of the Welsh Assembly.

**Mr Meilir Edwards – Senior Trading Standards Officer –
Denbighshire**

Mr Edwards suggested that within Wales inconsistencies in feed and food enforcement may be highlighted during the forthcoming FVO Mission.

The ACAF Secretary noted that the Animal Feed Law Enforcement Liaison Group held two meetings a year. He encouraged Welsh authorities to become members of this Group, which aims to encourage a consistent approach to feed law enforcement throughout the UK. All papers for the Group were available on the FSA website. The ACAF Secretary invited Welsh authorities to contact the Welsh Assessor for further details.