

**DRAFT MINUTES OF THE FORTY SEVENTH MEETING OF ACAF  
HELD ON 23 SEPTEMBER 2009**

Present:

Chairman      Dr Ian Brown

Members      Dr Dozie Azubike  
                  Dr Paul Brantom  
                  Dr Bruce Cottrill  
                  Mr Barrie Fleming  
                  Professor Nigel Halford  
                  Mrs Heather Headley  
                  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  
                  Mr Raj Pal – Food Standards Agency

Assessors     Mr Tim Franck – Food Standards Agency  
                  Mrs Karen McCallum-Smith – Food Standards Agency, Scotland  
                  Mr Stephen Wyllie - Defra  
                  Dr Glenn Kennedy – Agri-Food & Biosciences Institute, Northern  
                  Ireland

Officials      Mr Ron Cheesman – Food Standards Agency  
                  Mrs Janis McDonald – Veterinary Medicines Directorate

Speaker       Mr Alisdair Wotherspoon – Food Standards Agency

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 Mr Tim Brigstocke and Mrs. Jayne Griffiths (Welsh Assessor).

**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. Diane McCrea declared that she had recently been appointed as a consumer representative on Defra's Cost Sharing and Responsibility Group. Marcus Themans confirmed he had been appointed Chairman of the Shropshire Rural Hub, responsible for information transfer and overseeing Rural Development funding in Shropshire and the West

Midlands. Mr Themans is also a regional Member of the Strategy for Sustainable Food and Farming. Professor Ian Givens declared he had been appointed as a member of an EFSA Committee on GM animals and feeds. Professor Halford said that he was to start a studentship which was being part funded by Jordans - Ryvita. He was also taking part in a debate at the Royal Society of Arts being run by the Soil Association. Dr Bruce Cottrill reported that he was assisting the FSA in evaluating the guidance note to farmers on record-keeping (see Agenda Item 3).

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

4. Comments on the minutes of the meeting held on 5 June 2009 were:
  - paragraph 24 – to amend the last sentence to record that Professor Givens had originally been approached to be one of the presenters; and
  - paragraph 32 bracketed sentence - amend ‘cleared’ to ‘chaired’.
5. The minutes were adopted subject to the changes referred to above.

#### **Agenda Item 3 – Feed Hygiene: Guidance to Stakeholders on the reduction of administrative burdens**

6. The FSA Assessor (Mr Franck) noted that the Committee had considered the guidance that the Agency had drawn up to help farmers comply with the record-keeping requirements of Annex I of the Feed Hygiene Regulation (183/2005) at its last meeting. This was in response to a central government initiative on reducing administrative burdens on industry, including record keeping requirements.
7. At its June 2009 meeting, Members suggested that to assist farmers, the guidance note should be reduced in length to one page. The document had therefore been amended to fit on one page with a link to a longer document for farmers wanting further information. Mr Franck said that the Agency would trial the guidance on a small number of farms (mainly un-assured farms – as those farms which are part of assurance schemes should already be following the requirements of the Regulation). The aim of the trial is to estimate the time taken to comply with the record-keeping requirements if the guidance is followed. The results of the trial will be used to help draw up a formal Impact Assessment, which together with the guidance will be subject to a 12 week public consultation.

#### *Discussion*

8. The Committee thanked Mr Franck for reducing the document to one page and a Member suggested that other Government departments should adopt the format of a one-page note. Another Member said that it should be made clear whether the list of record-keeping requirements set out in the guidance

was complete and also suggested that a reference to traceability be included as a way of explaining why records are required to be kept. Mr Franck agreed to reflect on these points.

Action: Mr Franck

9. Members asked for clarification on the requirement for farmers to keep records of GM seeds. GM seeds could be used for a number of reasons including for planting and cultivation of a GM crop, for on-farm production of animal feed, or for feeding directly to animals. GM plant material other than seeds might also be used as fodder. The ACAF Secretary agreed to liaise with the Commission to ask for clarification on this record keeping requirement. Members would be informed of the outcome of this enquiry through electronic correspondence. In addition, Members will receive a final version of the Guidance by correspondence.

Action: Secretariat

10. Another Member said that the guidance was also aimed at arable farmers producing feed crops, which may explain the reference to GM seeds.

#### **Agenda Item 4 – Food and Veterinary Office (FVO) Mission on Feed Law and Feed Hygiene – oral report from Mr Ron Cheesman**

11. Mr Cheesman referred to ACAF paper 09/16, which contains a copy of the Executive Summary from the FVO's draft report and its 17 recommendations. He drew Members attention to paragraph 2 of the Executive Summary, which summed up the FVO findings as:

- the official control system for feed operates in accordance with most of the requirements of the official feed and food regulations; and
- the level of official control undertaken by local authorities varies significantly based on available resources to such an extent that there are notable gaps in enforcement, particularly regarding import controls, arrangements for sampling some undesirable substances and certain banned additives.

12. The report highlighted a number of positive findings which included:

- an improvement in co-ordination and co-operation between the competent authorities responsible for feed enforcement;
- the various competent authorities responsible for feed have a good understanding of their roles, with no gaps in enforcement;
- official controls follow documented procedures;
- good levels of compliance with feed hygiene requirements at primary production; and
- traceability systems put in place by feed business operators were effective.

13. Mr Cheesman said that many of the positive findings were the result of action taken in response to past recommendations from ACAF and work by the Animal Feed Law Enforcement Liaison Group (AFLELG). Mr Cheesman reported that amongst the 17 recommendations, the FVO identified a number of serious weaknesses in the way in which official controls were being carried out. These were serious enough for the FVO to notify their Commission colleagues in DG SANCO of their findings, leading to a meeting of senior UK officials and the Commission in Brussels to agree how to improve the situation. Mr Cheesman then outlined the deficiencies and proposals for improvement.

Insufficient controls at major points of entry

14. The FVO reported that official controls were too narrowly focused on feed materials to the exclusion of other products such as minerals and additives used in feed. Mr Cheesman said that the Agency intends to address this recommendation by: publishing guidelines for local authorities on import controls; provide training for local authority officers; continue with arrangements to encourage sharing of information between the different local authority officials; share good practice between local authorities; require authorities with responsibility for official control imports to make returns detailing the level of activity they undertake; and by using this data to inform audits of local authorities by the FSA.

*Discussion*

15. A Member of the Committee commented that there was considerable variability in the way individual authorities prioritised resources, therefore the FVO's findings although disappointing were not surprising.
16. Mr Cheesman noted that the FVO had also identified deficiencies in HACCP systems examined by the FVO, in particular the problems associated with controlling the presence of packaging material in feed. Mr Cheesman also confirmed that the FVO had identified that some local authorities were not devoting sufficient resources to feed law enforcement. The Agency intends to address the FVO's findings by holding further meetings with industry stakeholders, especially those involved in turning surplus foods into feed, and by continuing to roll out training for enforcement officers on HACCP and feed safety management systems. The Agency will also continue to raise the profile of feed law enforcement with local authorities to ensure sufficient resources are made available in this area.

*Discussion*

17. One Member of the Committee queried whether the FVO acknowledged that assurance schemes were a useful tool to help compliance of official feed controls. Mr Cheesman stated that assurance schemes played an important role in achieving compliance and were used to modify the frequency of inspections to feed mills. However, assurance schemes are not official

control bodies for the purposes of the EC Regulation 882/2004 on official feed and food controls. One Member declared that she was a Board Member of Assured Food Standards and asked about the feedback mechanisms for reporting deficiencies identified to assured schemes. Mr Cheesman confirmed that discussions with assurance schemes had taken place and that feedback mechanisms were in place with local authorities via LACORS.

18. The ACAF Chairman noted that the FVO Mission did not identify any serious implications for public health. However, he suggested that ACAF could work with stakeholders on helping the Agency achieve the recommendations in the FVO report. He and other Members acknowledged concerns about how local authorities prioritised their work and resources, but agreed that it was not within ACAF's remit to consider these issues. The ACAF Secretary suggested that the Committee should focus on practical actions that could be taken. The Defra Assessor asked whether any action by Defra was required. Mr Cheesman confirmed that no specific Defra involvement was required, but general co-ordination was to be encouraged. He also noted that through AFLELG, the Animal Health Team and LACORS had prepared a memorandum of understanding which encouraged closer working between these bodies.

19. It was agreed that Mr Cheesman would prepare a discussion paper for ACAF's next meeting outlining work streams that the Committee can take forward.

Action: Mr Cheesman

20. Mr Cheesman confirmed that the Agency was preparing an action plan, together with other Government departments and LACORS, in response to the FVO's recommendations. He also noted that the FVO will revisit the UK to ensure that the action plan has been implemented with resulting improvements.

#### **Agenda Item 5 – Follow up to the GACS Horizon Scanning Workshop – oral update from Alisdair Wotherspoon – Chief Scientist Team**

21. Mr Wotherspoon reported that the Horizon Scanning Workshop took place in June 2009. A paper including a report on the outcomes of the Workshop had been presented to the General Advisory Committee on Science (GACS) at its September 2009 meeting. Mr Wotherspoon acknowledged that the Workshop's aims were overly ambitious and it had proven to be a challenging although stimulating day. As expected at the outset, it was only possible to scratch the surface of the main themes, but a broad range of interesting issues had emerged. The event was well attended with a wide range of expertise, although it was acknowledged that it had not been possible to cover all areas adequately, e.g. food retailers were not able to identify suitable representatives for the day of the workshop. However, some good work had been achieved.

22. GACS had reviewed the report from the event and noted that the initial idea for the event had come from discussions of ACAF and SACN. GACS therefore asked ACAF to identify some practicable ideas that came from the Workshop that could be developed.

### *Discussion*

23. The Chairman, although unable to attend the event, stated that the idea for the event was good. However, the focus became lost possibly due to the remit becoming too broad. Members who attended the event generally agreed that the day was enjoyable albeit somewhat frustrating which, for some, was due to the poorly structured method employed on the day. Members agreed that the committee should consider the key issues that evolved.
24. Mr Wotherspoon said that the report of the event would require some editing before finalisation, including the addition of an executive summary. The ACAF Secretary suggested that the Secretariat working with those Members who attended the event could draw up a paper which outlines the key ideas and how these can be prioritised as work streams. Other relevant committees could also be approached as necessary.

Action: Secretariat

### **Agenda Item 6 – Forward Work Programme Review (including Horizon Scanning)**

25. Miss Jumnoodoo thanked Members for their comments and suggestions, which had enabled her to produce paper ACAF/09/12. This paper had been divided into two sections: Annex I which comprised ongoing work, standing items, items to be monitored on a periodic basis and items for deletion; and Annex II which covered new items of work suggested by Members. Following discussion Members agreed the following changes to its Work Programme:

#### Item numbers to be amalgamated

**2 and 22 (Non-feed use of additives (boluses, additives in water, etc) and Categorisation of non-feed additives).** – it was noted that boluses, etc were now within the scope of EC Regulation 767/2009 on the placing on the market and use of feed. Manufacturers will need to obtain authorisation for their products and the Committee will be informed of these changes through the regular EC Developments papers.

**8 and 18 (Wherever possible to forge closer links with other advisory committees and to tackle common interest and Explore links with Farm and Animal Welfare Council)** – the Chair welcomed the opportunity to work more closely with other committees.

15 and 25 (**Future developments in biotechnology (e.g. use of second generation GMOs) and possible links with GM nutritional work and GM Issues**) – the Committee noted that item 15 was a fast developing area; however, no substantial work could at present be brought to the Committee's attention. It was also noted that the presence of second generation GMOs on the market was imminent. The Committee agreed that this work area should be amalgamated with item 25.

Item numbers to be deleted

12 (**Potential carry-over of allergens from animal feed into derived animal products**) – work on this item had been completed and therefore this item could be deleted from the work programme.

13 (**EC's intention requirement to phase out coccidiostats and histomonostats as feed additives by 31 December 2011**) – the Committee had provided advice to the VMD on this item and therefore felt no further actions were required. This item could therefore be deleted from the work programme.

17 (**Developments in pig and poultry feeding systems**)

Item numbers to be moved to monitoring section of work programme

5 (**EC Feed Hygiene Regulation (183/2005) and related issues**) – the Committee noting that the Commission may make proposals including possible changes to the Annexes to the feed hygiene regulation, agreed this item should be moved to the monitoring section.

6 (**Herbal additives**) – as it was unclear when EFSA would issue a view on a study on herbal additives published in 2007, the Committee agreed this item should be moved to the monitoring section.

7 (**SACN's Vitamin A report**) – the ACAF Secretary advised Members that the Commission had sought the views of Chief Veterinary Officers (CVOs) following publication in February 2009 of an EFSA Opinion on vitamin A. Following advice from CVOs, the Commission will await the re-assessment of vitamin A under Article 10 of Regulation 1831/2003 before considering whether the current maximum permitted levels for this feed additive should be changed.

9, 10, 23, 19 – (**To be aware of animal welfare implications arising out of the use of certain feeds or feed management, Feed issues relating to organic production, Review of TSE controls and consideration of future risks... Meat and Bone meal, and Establish if there are any feed implications from the research work carried out to assess the potential for multiple residues of pesticides...**) the Committee agreed that these items should be retained. Mrs

McDonald agreed to liaise with colleagues for further information on work item 19.

Action: Mrs McDonald

20 and 24 (**EC review of feed additives under EC Regulation 1831/2005 and Commission proposals to establish max limits for coccidiostats in non target feed...**) – the Committee agreed that both items should be moved to the monitoring section as separate items.

Other Work items

1 (**The manipulation of animal feed to enhance the nutritional value of food**) - the Committee agreed that further work on this item was still needed. Some Members were interested to learn about research within this work area currently being undertaken in UK universities. Professor Givens agreed to provide a list summarising the key research being carried out.

Action: Professor Givens

11 (**Nanoscience**) - the Secretariat agreed to provide the Committee with a copy of an EFSA Opinion on nanoscience. Members will also be sent a copy of a relevant House of Lords Select Committee paper when it is available.

Action: Secretariat

16 (**Developments in analytical techniques for forage analysis**) – Mr Brigstocke to clarify status of this work item.

Action: Mr Brigstocke

21- (**The use of pre- and pro-biotics in animal feed and the effect on animal health ...**) it was agreed that former Member, Dr Gil Domingue, would be asked to clarify the background and need for this work item. Members understood that there was an increase in the use of pre/probiotics in response to the removal of antibiotics from feed. The Defra Assessor noted that work was being carried out in Europe on the use of pre/probiotics to help combat issues such as campylobacter. It was agreed that Defra, VMD, and Dr Smith of the Agency's Animal Feed Unit should collaborate with a view to providing a paper on this issue for the Committee's consideration.

Action: Dr Smith/Defra/VMD

26. The Committee agreed that all other work items should remain as suggested in Paper ACAF/09/12.

New Work



27. The Committee agreed that the following new work items should be placed on its work programme:

- changes to animal by-product rules – it was agreed that the Defra Assessor, liaising with the ACAF Secretariat, would arrange for an official from Defra's policy team to provide a presentation to ACAF on this item.

Action: Defra Assessor/Secretariat

- climate change impact on feed production – the Committee agreed that this item and the item below were important issues to be addressed. Professor Givens agreed to arrange for a speaker to provide a presentation to the Committee on these two items.
- environmental impact of food production from animals and animal diets/feeds.

### **Agenda Item 7 - GM Issues**

28. Dr Brantom reported that ACAF's GM Sub-group had been asked by ACRE to consider an EFSA Opinion on Austria's evidence for a safeguard clause on GM Maize MON 863. EFSA had considered the data provided by the Austrians and had considered that no new evidence had been submitted and safety was not in question. The GM Sub-group had agreed with the EFSA Opinion.

29. 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 19 October 2009. He said that the following two new GM varieties for food and feed use but not for cultivation would be voted on:

- GM maize MON 88017
- GM maize 59122 x NK603

30. If the varieties are approved, they could possibly be placed on the market by the end of 2009.

31. The ACAF Secretary also said that the European Commission is still seeking a technical solution in respect of the presence of unauthorised varieties in imported food and feed. He reported that both Defra and the FSA had been actively lobbying the Commission to reach a decision on this issue.

32. The ACAF Secretary advised Members that on the 16 September 2009 the FSA had announced that it had created a GM Consumer Engagement Group to be chaired by Professor John Curtice.

## **Agenda Item 8 – Matters Arising from the previous meetings**

*Code of Practice for the Control of Salmonella in Animal Feeds (paragraphs 6 – 13 MIN 09/02)*

33. The Defra Assessor thanked the Committee and the Food Standards Agency for their input into the Code of Practice. He confirmed that the Committee's comments had been incorporated in the document. He also thanked Mr Edwin Snow for providing a copy of the validation methods.
34. The Defra Assessor also stated that officials from Defra and the FSA had met with the NFU and other stakeholders to address some outstanding issues, which had now been resolved.
35. Preparations for the launch of the Code in October were in the final stages and Mr Wyllie said that Defra would be working with the FSA to agree a co-ordinated press launch. Defra will also be considering how to use the Code in future EC negotiations. Copies of the Code will be available to Members at its December 2009 meeting.
36. Miss Jumnoodoo confirmed that all other actions in MIN 09/02 had been completed.

## **Agenda Item 9 – Any Other Business**

*GACS Meeting 8 September 2009*

37. The Chairman reported on discussions at the GACS meeting held on 8 September 2009. He said that the Committee had discussed the Horizon Scanning Workshop and had reached similar conclusions as ACAF. GACS had also discussed the complex issue of risk assessment and risk management and the input of scientific advisory committees. He has been asked by the Chairman of GACS to sit on a working group to explore the responsibility of SACs on aspects of risk management. The ACAF Chairman agreed to update Members on the working group's discussions.

Action: ACAF Chairman

## **Information Papers**

38. The Chairman drew the Committee's attention to the following information papers:
  - EC Developments (ACAF/09/13); and
  - Update on the work of other Advisory Committees (ACAF/09/14).

**Dates of future meetings**

39. The Chairman reminded the Committee that the next meeting would be held on 3 December 2009 in Aviation House, London.

**ACAF Secretariat  
November 2009**

Question and Answer Session**Helen Lucas – Helen Lucas Associates**

Ms Lucas said that she had been employed by the FSA to conduct a quinquennial review of ACAF. As part of the review she will be holding interviews with ACAF Chairman, several Members, the Secretariat and a range of relevant stakeholders.

**Hannah Moule – National Farmers Union**

Ms Moule reported that Assured Farm Standards was updating its farm feeding code of practice in line with new legislation.