DRAFT MINUTES OF THE FIFTY-FIFTH MEETING OF ACAF HELD ON 28 SEPTEMBER 2011

Present:

Chairman	Dr Ian Brown
Members	Dr Dozie Azubike Dr Paul Brantom Ms Angela Booth Mr Tim Brigstocke Dr Bruce Cottrill Mr Barrie Fleming Professor Stephen Forsythe Professor Nigel Halford 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 Dr Ray Smith – Food Standards Agency Mrs Stephanie Cossom – Food Standards Agency
Assessors	Mr Simon Craig – Food Standards Agency, Scotland Mr Stephen Wyllie - Defra
Officials:	Mrs Janis McDonald 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 end of the meeting.

2. Professor Charles Milne (FSA Scotland Director) also welcomed ACAF to Aberdeen. He noted that UK advisory committees provide valuable support to Government, including devolved administrations, and applauded ACAF for its decision to come to Scotland.

3. Apologies for absence were received from Professor Ian Givens, Ms Jayne Griffiths (FSA Wales Assessor), Mrs Vicki Reilly (FSA Wales), Dr Glenn Kennedy (Northern Ireland Assessor) and Mr Gerard Smyth (FSA Northern Ireland).

4. The Chairman welcomed Ms Angela Booth to her first meeting. He invited Ms Booth to provide a short background on her career history to date. Ms Booth said that she is the Commercial Services Director of ABN (part of the AB Agri Group) a leading British manufacturer of pig and poultry compound feed. Over a 25 year career she has had a number of roles, covering: animal nutrition, feed quality and feed safety in the UK and overseas.

5. The Chairman noted that this was the last meeting for Dr Bruce Cottrill and Dr Paul Brantom. He thanked them for their work on the Committee and their valuable expertise. Additionally, he thanked Dr Cottrill for his support as the Deputy Chairman of the Committee.

Agenda Item 1 – Declaration of Members' Interests

6. 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 received a four year Biotechnology and Biological Sciences Research Council (BBSRC) LINK grant, for a project entitled 'genetic improvement of wheat to reduce the potential for acrylamide formation during processing'. Mr Tim Brigstocke confirmed that he is a Director of the Responsible Use of Medicines in Agriculture Alliance (RUMA) and a member of the Veterinary Residues Committee. Edwin Snow declared that he had become a personal member of the Agricultural Industries Confederation (AIC). In addition, he is a member of the AIC's Legal Affairs & Scientific Committee, the Chairman of the AIC Feed Material Assurance Scheme (FEMAS) Working Group and member of the FEMAS Steering Group. Ms Angela Booth confirmed that she was a manufacturer of medicated feed and that the company she worked for (AB Agri) was involved in the marketing of biofuel co-products.

7. The ACAF Chairman said that he had recently ended his chairmanship of the Pesticide Residues Committee. He is currently an ex-officio member of the General Advisory Committee on Science and a member of the Advisory Committee on Toxic Substances of the Health and Safety Commission. Dr Brown also said that he had been asked to serve on the Global Food Security and Foresight Workshop. Dr Brantom said that he had been appointed Chairman of Defra Expert Committee on Pesticide Residues in Food (formerly the Pesticides Residues Committee).

Agenda Item 2 – Draft Minutes of the Fifty-fourth Meeting (MIN/11/02)

8. The minutes were adopted subject to two minor changes.

Agenda Item 3 – Medicated feed issues

9. Mrs McDonald of the Veterinary Medicines Directorate informed Members that a proposal by the European Commission for new legislation following the review of Directive 90/167 on the preparation, supply and use of medicated feedingstuffs was expected in 2012. The proposal would run in tandem with the review of the Veterinary Medicinal Products (Directive 2001/82). Mrs McDonald noted that there was uncertainty as to what format the legislation will take. Options include:

i. a new Directive;
ii. a new Regulation; or
iii. an amendment of EC Regulation 183/2005 on Feed Hygiene, EC Regulation 767/2009 on Marketing and Use of Feed and EC Directive 2002/32 on undesirable substances to include medicated feed.

10. Mrs McDonald said that the aim of the review was to cut unnecessary administrative burdens regarding feed, to harmonise the marketing of medicated feed in the European Union at an appropriate safety level and to reflect technical progress. As part of the review, the European Commission had commissioned a study to evaluate the production and use of medicated feed in the EU. The report[1] was published in February 2010.

11. The UK's position on the review is as follows:

- the UK welcomes the review;
- the new legislation should continue to safeguard public and animal health;
- any change should be proportionate and not impose undue burdens on industry;
- the new legislation should be transparent (the existing Directive is unclear about its intentions in places); and
- the new legislation should be in harmony with existing legislation regarding feed additives, including coccidiostats and histomonostats (Regulation 1831/2003).

Mrs McDonald explained that the Commission consultation had highlighted several issues. The transposition of Directive 90/167 had led to significant implementation differences throughout the EU, meaning that feed business operators are unable to use medicated feed at the same level in all Member States.

[1] Report can be found on:
http://ec.europa.eu/food/food/animalnutrition/labelling/medicated_feed_report_20100224.pdf

This is because there is variability between Member States in standards imposed on production. This creates differences in availability, costs and effectiveness of medicated feed.

12. The Veterinary Medicines Directorate wants the following points to be taken into consideration in the new legislation.

- manufacturing principles and requirements should be in harmony with Annex II of the Feed Hygiene Regulation 183/2005 (include HACCP and use consistent feedingstuffs terminology);

- labelling requirements for medicated feeds should be clear;

- the activities and approval of distributors should be clarified (distributors should be able to supply premixtures and medicated feedingstuffs provided they are approved to do so, as is currently the case in the UK);

- the new legislation should specify permitted analytical tolerances (the Veterinary Medicines Directorate considers that tolerances should apply as they are for additives in Regulation 767/2009); and

- permitted levels of carry-over should be set, (it is important they are set out in the undesirable substances legislation, similar to those that apply to coccidiostats).

13. On antimicrobial resistance, Mrs McDonald outlined that there is international concern over the loss of antimicrobial efficacy in human treatment. The development of antimicrobial resistance in veterinary medicine has also led to concerns about the continuing availability of antibiotics. Measures to reduce the development of antimicrobial resistance are being considered within the revision of the veterinary medicines legislation. This includes label warnings, restrictions on use and withdrawal of some classes of antimicrobial products.

14. In relation to the review of Directive 90/167, Mrs McDonald said that one of the Commission's primary concerns for the revision of the medicated feedingstuffs legislation is whether contamination from feed containing antimicrobials to subsequent batches of untreated feed (carry-over) will cause antimicrobial resistance in animals. The Commission intends to provide a strategy document on antimicrobial resistance. The setting of acceptable levels of carry-over is now being debated. Ideally, these should be based on scientific evidence and addressed in the same way as those set for coccidiostats. Industry bodies are intending to lobby the Commission further for scientific assessment of substances in order to set carry-over limits. VMD is in support of this initiative.

15. Mrs McDonald said that there is evidence to suggest that reduction in the use of antimicrobial medicated feed does not equal a reduction in antimicrobial use in veterinary medicine.

16. Following the submission by the Commission of an impact assessment in the Spring of 2012, a proposal on the new legislation is expected in the fourth quarter of 2012.

Discussion

17. Mrs McDonald noted following questions from the ACAF Chairman, that the drivers for the review of Directive 90/167 were to ensure better harmonisation across the EU and to ensure that legislative requirements were better defined.

18. Some Members said that at feed mills controls were in place to ensure that levels of feed additives added to feed during production were correct, and that subsequent production runs had limited carry-over. There was a variable detection level for antimicrobials, with some laboratories being unable to detect levels in feed due to the methodology involved and set up of laboratories. The UK feed industry is generally able to achieve less than 1% carryover of anti-microbials/coccidiostats into non-target feed, which (in the case of coccidiostat carryover into feedingstuffs intended for sensitive species) is in accordance with the legal requirements.

19. One Member noted that questions raised in the consultation were not reflected or were being addressed in the Commission's aims. Mrs McDonald thought that most issues raised during the consultation would be addressed by the Commission. However, the Commission had confirmed in a meeting with the VMD that they did not wish to make changes which would affect the availability of medicated feeds.

20. The ACAF Secretary said that although the VMD was the lead Government body for this area of work, the Food Standards Agency had a clear locus in the negotiations. Whatever form the legislation would take, these would need to dovetail with legislation on feed hygiene and the marketing and use of feed. The Committee confirmed that it would be willing to provide any advice as required during the future negotiations.

Agenda Item 4 – Animal By-products - Update

21. Mr Stephen Wyllie (Defra assessor) reminded Members that in December 2009 his colleague Neil Leach had provided ACAF with an update presentation on animal by-product controls. He explained that since that presentation, Regulation (EC) 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption had come into force. It repealed Regulation (EC) 1774/2002 (Animal by-products Regulation) and the detailed implementing rules in Commission Regulation (EU) No 142/2011 had also come

into force. Domestic legislation providing implementing and enforcement powers for the EU legislation also came into force in March 2011. Mr Wyllie noted under the new Regulation, there were no changes to the ban on feeding of catering waste or the ban on feeding processed animal protein to animals of the same species; but, as before, there were some derogations. In the Summer of 2010 a consultation on the domestic legislation took place which concentrated on limited areas for derogations and enforcement powers.

22. The main area of consensus in replies to the consultation was that opportunities for feeding animal by-products should be maximised where it was safe to do so. There are derogations set out in various authorisations[2]. Mr Wyllie provided the following examples of the derogations in relation to feed:

- milk, and milk products and colostrum;
- zoo and similarly kept animals (now widened to include Category 1);
- feeding of Category 3 material to pets; and
- feed for fish, and use as bait, including of invertebrates.

Further information on the above derogations can be found at:

http://archive.defra.gov.uk/foodfarm/byproducts/documents/authorisations.pdf

23. Mr Wyllie explained that under the Animal By-products rules some 'former foodstuffs' (i.e. waste food no longer intended for human consumption, originating from food manufacturers and retailers) can be fed to livestock. Unlike catering waste, it is feasible to put arrangements in place to keep eligible material separate from ineligible material. Eligible materials include surplus bread, cakes, confectionery (not containing gelatine of ruminant origin), and vegetables and fruit that originate from premises with established separation procedures to prevent contact with raw meat, fish and other animal by-products. Mr Wyllie noted that a number of supermarkets are already substantially increasing the amount of surplus food (mainly bakery products) going to animal feed.

24. Mr Wyllie confirmed that in May 2011 the Food and Environment Research Agency (FERA) had commenced a one year project on food and catering waste. The project aims are to:

- review current procedures for handling food waste taking into account best practice in the UK and internationally;
- describe the amount and nature of food waste, including catering waste in the UK;

[2] http://archive.defra.gov.uk/foodfarm/byproducts/documents/authorisations.pdf

- assess the potential risks to human and animal health that might arise from the use of food and catering waste in animal feed;
- compare the economics and sustainability of current processes for food and catering waste disposal with its potential use in animal feed; and
- the final report will describe options for sustainable and safe use of food and catering waste.

25. On the future prospect of the use of catering waste in animal feed, Mr Wyllie said that when the ban was considered with the revision of the EU ABP Regulation, the European Commission said that "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 bio-gas plants or for the production of biofuels".

26. Nevertheless, the Government is committed to keeping the position on the ban under review in light of research. It recognises that if risks can be addressed, the 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." Mr Wyllie noted that any future change to the regulations would require fresh evidence that feeding could be done safely, which would require a risk assessment by EFSA followed by subsequent agreement of European Council and Parliament. Therefore, any changes to the legislation were unlikely to be made in the near future.

Discussion

27. One Member, noting work being carried out by FERA, thought there may be some confusion in using the term 'catering waste' and these products should ideally, be referred to as co-products. On answering a question from the ACAF Chairman, Mr Wyllie noted that under the TSE Regulations former foodstuffs that contained ruminant gelatine could not enter the feed chain. To add to the Committee's knowledge in this area, Mr Wyllie agreed to provide Members with the EFSA opinion on the inclusion of gelatine in feed. One Member said, the EFSA opinion had noted that the risk of TSE from gelatine was negligible.

Action: Mr Wyllie

28. The Committee said it was keen to be kept abreast of future developments in this area.

Agenda Item 5 – Biofuels – update of position paper

29. Mrs Stephanie Cossom (ACAF Secretariat) said that as a result of presentations on biofuels it had received in March and June 2010 the Committee had agreed to revise its position paper on this subject that had been published in 2008. Members were asked to

provide their comments on an inter-sessional paper (ACAF/11/06) which provided an update on developments in biofuels. Mrs Cossom explained that Paper ACAF/11/15 had taken on board Members' comments and that the Secretariat was now seeking the Committee's approval to place a revised position paper on biofuels onto the ACAF website.

Discussion

30. Members agreed that, subject to any final comments or drafting suggestions, they were happy to endorse the revised position paper. Members would send the Secretariat their comments before the end of October 2011.

Action: ACAF Members

31. It was also noted that future discussions on this issue should include the views of plant breeders, as changes to their growing patterns could affect animal feed.

Agenda Item 6 – *Salmonella*

32. Dr Ray Smith (ACAF Secretariat) said that the purpose of the paper (ACAF 11/16) was to provide Members with an update on new developments on Salmonella contamination of animal feed and to also seek the Committee's re-endorsement of the policy line taken by UK officials in negotiations.

33. Dr Smith said that the Committee had discussed microbiological risks associated with feed in 2005. Additionally, in April 2006, the Committee had received a presentation from an Agency official where it was suggested that four issues should be used when considering possible microbiological criteria for feed, namely:

(a) specific criteria (e.g. limits) should be established only where they would enhance protection of public or animal health;
(b) risks should be assessed in context to ensure that any criteria to be applied are proportionate (e.g. whether the risk of exposure to a particular pathogen is greater through grazing than via feed);
(c) criteria should not place an unnecessary burden of testing on feed businesses; and
(d) whether the criteria could be used to verify and validate hazard analysis critical control point (HACCP) systems in place.

34. At its April 2006 meeting, the Committee concluded that any criteria adopted should be proportionate to the risk and be applied sensibly. ACAF also agreed that it would be better to use preventative HACCP-type approaches, rather than set numerical limits.

35. Dr Smith said that in 2008 the European Food Safety Authority (EFSA) Panel on Biological Hazards (BIOHAZ) published its microbiological risk assessment in feedingstuffs for food-producing animals.[3] In December 2008, the European Commission started formal discussions with Member States aimed at setting microbiological numerical criteria for feed. The UK, along with most other Member States, said that they did not think that this approach was proportionate to the risk to the consumer, and that they preferred a HACCP-type approach as considered by EFSA. Dr Smith confirmed that the Commission was now re-thinking its approach, but it had not put forward any new proposals.

36. Dr Smith informed Members that in October 2009 Defra had published its 'Code of Practice for the Control of Salmonella during the Production, Storage and Transport of Compound Feeds, Premixtures, Feed Materials and Feed Additives'.[4] This Code had been endorsed by Defra, Devolved Administrations and by both ACAF and the FSA. Finally, Dr Smith confirmed that EU feed stakeholder groups had indicated their willingness to provide the European Commission with a draft set of common principles to control the presence of Salmonella in feed. These principles would be inspired by those used in the UK Code of Practice.

Discussion

37. Following a question from the ACAF Chairman, a Member noted that under the Microbiological Criteria in Foodstuffs Regulations (EC 2073/2005), guideline levels for testing food to determine the presence of Salmonella had been historically set at 'presence in 25g'. Dr Smith added that the European Commission were thinking of setting a criterion of 'absence of the bacterium in 50g'; however, this would be more onerous to feed business operators and it had not been adequately demonstrated that feed was an effective vector for the transmission of Salmonella into food. A Member said that during analysis only the Salmonella genus is being detected. The number of Salmonellas that are pathogenic are relatively small, e.g. *Salmonella enteritidis* has over 2,500 serotypes; only 5 of which can cause illness in humans. Another Member noted that since the introduction of Assurance Schemes, there has been a continual decrease in the number of Salmonella-related incidents.

38. Members were also made aware that where there was a Salmonella-related food poisoning outbreak in humans, it was difficult to trace back the source of the outbreak to feed. The ACAF Secretary agreed to report back to the Committee discussions with the BPEX (who represents pig levy payers in England) following a Member's comment that

[3] http://www.efsa.europa.eu/en/efsajournal/pub/720.htm

[4] http://archive.defra.gov.uk/foodfarm/farmanimal/diseases/atoz/zoonoses/documents/reports/salmonella-feed-cop.pdf

the BPEX, had recently held a meeting on the Salmonella control plan and the feed chain, which may be useful to ACAF's discussions.

Action: ACAF Secretariat

39. Members agreed to re-endorse the current line taken by UK officials in negotiations using a Hazard Analysis Critical Control Point (HACCP)-type approach, as considered by the European Food Safety Authority and as set out in the UK Code of Practice.

Agenda Item 7 – Matters arising from the minutes of previous meetings

Proposal to relax certain provisions of the current animal feed ban

40. Mr Stephen Wyllie noted that at the Committee's June 2011, his Defra colleague Patrick Burke had provided Members with an update presentation on the TSE Regulations. At that meeting, the Committee was informed that the European Commission had in 2010 published its TSE Roadmap 2 entitled, 'A strategy paper on Transmissible Spongiform Encephalopathies for 2010-2015'. The document outlines areas where possible changes to EU TSE-related measures could be made, underlining that any amendments will assure a high level of food safety, be stepwise, and be supported by scientific advice. The strategic goals include reviewing specific measures of the total feed ban when certain conditions are met. This includes consideration of lifting the ban on the use of non-ruminant processed animal protein (PAP) in non-ruminant feed, without lifting the existing prohibition on intra-species recycling, subject to robust channelling controls for PAP and the availability of validated analytical tests to determine the species origin of PAP in feed.

41. The Commission is seeking views on a draft legislative proposal to make these changes. The Committee was supportive of the Commission's initiative, but raised some issues relating to the availability of validated analytical tests. The Committee requested further updates on progress of this area of work, in order to provide advice to assist the UK negotiating line.

42. Mr Wyllie provided Members with the following European Commission's indicative timetable for adoption and coming into force of the proposed legislation:

- 26 September – Working Group discussion;
- Mid-October – discussion in SCoFCAH Biological Safety;
- Mid-November – vote in SCoFCAH Biological Safety;
- Spring 2012 – adoption following European Parliament and Council Scrutiny; and

- July 2012 – entry into force.

43. Mr Wyllie confirmed that colleagues in Defra would be seeking an agreed UK Government position with Ministers. He also noted that most non-ruminant PAP produced in the UK is currently used in pet food.

44. Members noted the FSA Board's position not to support a relaxation to certain provisions of the feed ban. Members agreed their wish to receive updates and monitor developments in this area.

Gaps in feed safety

45. The Committee's ACAF Assessor (Tim Franck) noted that, at its June 2011 meeting, the Committee received a paper on potential gaps in feed safety controls and was asked for its views. The Committee identified three areas where it required further information, these were:

- identification of feed businesses;
- imports; and
- competence of Feed Business Operators (FBOs).

46. Mr Franck said that it was his intention to draw up a paper on identification of FBOs for the Committee's December 2011 meeting. As part of the forthcoming Food and Veterinary Office (FVO) audit mission, the UK had been compiling a revised central list of feed business operators, based on returns and other data from local authorities. This work had provided a better understanding of the gaps and coverage in identification of FBOs.

47. Papers on the other two areas referred to above will be presented at future ACAF meetings.

Presentation on copper supplementation in animal feed

48. The ACAF Chairman said that, following a meeting with relevant stakeholders on 2 June 2011, the guidance note on copper supplementation for bovine cattle had been published on ACAF's website. Members noted that the list of endorsements were notably shorter than originally intended. The ACAF Secretary agreed to liaise with the writers of the document to ascertain how other organisations had advertised the document.

Action: ACAF Secretariat

Annual Performance and feedback

49. Miss Jumnoodoo thanked Members for submitting their completed annual appraisal forms to the ACAF Secretariat. She said that the forms would be sent to the Chairman for final sign off.

Appointment of a Deputy Chairman

50. The ACAF Chairman said that Professor Ian Givens had been nominated to be the new Deputy Chairman of the Committee in place of Dr Bruce Cottrill. Members agreed to this nomination and Professor Givens was elected to the post.

Agenda Item 8 - Any other business

Food and Veterinary Office visit to the UK

51. Mr Franck noted that, at its June 2011 meeting, Members were informed that the FVO audit on feed law enforcement would take place from 15-25 November 2011. The FVO provided notification of its audit plan including what it wished to cover. There will be two audit teams who will cover Scotland, England and Wales. Part of the audit is to ascertain how enforcement checks are carried out at feed business establishments. The FVO inspectors intend to visit:

- points of entry for imports;
- compound feed mills;
- intermediaries (selling or buying feed additives/premixtures);
- businesses recycling human food products; and
- food businesses that supply co-products to the feed industry.

52. Mr Franck said that the Agency had been preparing for the FVO audit, including completing a pre-visit questionnaire that outlines any changes that have taken place following earlier audits (e.g. guidance provided to local authorities, information on the number and types of inspections and data on sampling and analysis).

53. One of the recommendations from the FVO visit that took place in 2009 focused on the presence of adventitious packaging material in feed produced from recycled human food. EU legislation stipulates a zero tolerance for the presence of packaging material in feed. During the last audit, the FVO visited a business that recycled surplus food for feed use that did not comply with the legislative requirement. During 2010, the Committee had considered this issue and had agreed that human food recycling operations provided an important environmental benefit. At the request of the Committee the Agency had written to the European Commission requesting that it ask the European Food Safety Authority (EFSA) to carry out a risk assessment. Mr Franck thought that the Commission and EFSA had appeared reluctant to progress such an assessment. However, the Commission now appears to be more open to progress the issue and as such had requested more information on food recycling activities in Member States.

54. As an interim measure the Agency has asked independent consultants to carry out a broad risk assessment in this area. Preparations for the FVO audit have also included visits and meetings with food recyclers to discuss issues and for them to improve

standards. Operations observed indicate that some of the businesses are largely successful in removing packaging with only *de minimus* amounts remaining. The Agency has also worked with the Food and Drink Federation (FDF), who already had guidance for its members, to help them comply with feed legislation. Mr Franck noted that the FDF guidance was being revised; it will contain additional advice to food businesses to assist them to minimise the amounts of packaging in material that they supply for processing for feed use.

55. Mr Franck agreed that Members would be provided with a further update on the FVO audit at the December 2011 meeting.

Chairs of Scientific Advisory Committees (SAC) meeting with Sir John Beddington

56. The ACAF Chairman informed Members he had attended a meeting with other SAC Chairs and Sir John Beddington on 5 September 2011. Following the main meeting, a discussion had taken place on hazard risk and communication. This was a useful discussion and the ACAF Chairman said that Sir John Beddington was particularly interested in the work of other SACs, especially on the areas of communication of hazards and risk to the general public and other and government departments.

Date of the next meeting

57. The ACAF Chairman confirmed that the Committee's next meeting would be held on 14 December 2011 in Aviation House.

Information Papers

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

- EU Developments (ACAF/11/17); and
- update on the work of other advisory committees (ACAF/11/18).

ACAF Secretariat
December 2011

Question and Answer Session

Alexander Döring (FEFAC) - commenting on the feed ban discussions, Mr Döring said that FEFAC had written to the EU Commissioner for Public Health and Consumer Policy, saying that it was premature to lift the feed ban for non-ruminant PAPs for monogastric, non-herbivore food producing land animals as only the aquaculture sector would be able to meet the criteria suggested in the European Commission's proposal. In addition, the analytical controls were not sufficiently robust and that a quantification method allowing the setting of a practical tolerance at multi-purpose feed mills was required to increase public confidence in the safety of EU produced products.

Mr Döring made a further comment on the German dioxin incident that occurred in December 2010. He thanked the FSA for its proportionate response to proposals made by the European Commission to mitigate a similar incident occurring. Mr Döring noted that the Commission was now moving to a more proportionate direction. However he asked at what point would ACAF/FSA consider the proposals put forward by the Commission as being proportionate? If no harmonised approach could be agreed at EU level would national controls be adopted?

The ACAF Secretary said that the views of ACAF were included in the UK position during negotiations. Dr Smith added that the UK could support four of the measures proposed by the Commission. However, the UK was unable to support the proposal of a mandatory monitoring programme, which would set quotas for sampling and in some cases the frequency of testing would be 100%. Any proposal should be on a risk basis in line with the feed hygiene legislation. The UK thinks the current controls are adequate but could not prevent fraudulent practices. On national legislation, the Belgium authorities had put in place controls following the dioxins incident in 1999. Dr Smith was not aware of other national measures that have been adopted in any other Member States.

George Jamieson (National Farmers Union Scotland) – commented that in respect of medicated feed he was worried that politicians would use proposals inappropriately and that could result in problems similar to those when the legislation on pesticides were reviewed. He conceded that there may be some isolated occasions where medicated feed is used inappropriately. However, any decisions on the legislation would need to be proportionate and science-based.

Bob Pass (The Malt Distillers' Association of Scotland) - commenting on the biofuels paper suggested that some clarification was required to indicate that the paper covered liquid transport biofuels.