Department of Agriculture Environment & Rural Affairs & Food Standards Agency in Northern Ireland: Consultation on Proposals to amend the Transmissible Spongiform Encephalopathies Regulations (NI) 2010

Who we are

BVA is the national representative body for the veterinary profession in the United Kingdom and has over 17,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.

The BVA’s Northern Ireland Branch brings together representatives of local veterinary associations, BVA’s specialist divisions, government, and research organisations in Northern Ireland. The Branch advises BVA on the consensus view of the Northern Ireland members on local and United Kingdom issues.

Our response has been formulated in close liaison with the Veterinary Public Health Association (VPHA), the Sheep Veterinary Society (SVS), the Goat Veterinary Society (GVS), the Association of Government Vets (AGV), and the British Cattle Veterinary Association (BCVA), who support this response.

Introduction

We strongly support a risk-based, proportionate approach that eliminates any unnecessary burdens, and support proposals which will contribute to TSE controls that are based on scientific advice and are considered proportionate to the risk to public and animal health in line with the European Commission’s TSE Roadmap 2, (2010-2015). We understand that the TSE Roadmap 2 officially ended on 31 December 2015 and, in the absence of a new EU TSE strategy document, the Commission wants TSE controls to be renegotiated in line with the outstanding items of the Roadmap. The aim...
is to continue to align TSE controls closer with the international standards of the World Organisation for Animal Health (OIE), if considered safe and backed up by scientific evidence, and we are supportive of this approach.

We recognise that the BSE risk has diminished significantly and the current levels of controls mean that the risk to the public remains very low. We welcomed the approval of Bovine Spongiform Encephalopathy (BSE) negligible risk status in Northern Ireland as testament to the years of hard work and joined-up efforts of DAERA with farmers, industry and vets – who are pivotal to the success of any disease control programme.

2.1 Amendment to feed controls:

Q1: If you work in the farmed fish industry do you intend to take up this derogation in the future?

Not applicable

Q2: Do you have any other comments on the proposal to adopt the EU derogation to permit the use of poultry and pig processed animal protein (PAP) in feed for farmed fish?

We support the proposal to permit the feeding of pig and poultry processed animal protein to farmed fish, as a potential high-quality source of sustainable protein. Pigs, poultry and fish are not known to be able to contract or pass on BSE naturally and therefore the proposal appears to be proportionate to the risk, in line with independent scientific advice from EFSA, and will simply represent the adoption in legislation of a derogation that was implemented administratively across the UK in June 2013. We are mindful of the need to continue to monitor the transmissibility of TSE from pigs, poultry and fish to ensure the risk is known and response proportionate.

2.2 Amendments to on-farm classical scrapie controls:

Q3: Do you have any comments on the amendments to on-farm controls for holdings where classical scrapie has been confirmed?

We support the proposal to adopt these amendments in domestic legislation on the basis that this would continue to ensure that scrapie controls are proportionate to the risk to public and animal health in line with the goals of the TSE Roadmap 2 and advice from EFSA. However, it should be recognised that the limited understanding of scrapie
in goats, compounded by the lack of available resistance genotyping in goats, means that in practice the initial options open to a goat keeper/owner are restricted to either whole herd slaughter, or slaughter of known clinical cases supported by on-going monitoring. The preferred approach is likely to depend on the individual and whether the goat(s) are being kept for commercial purposes or as companion animals.

2.3 Amendments to restrictions on the movement of sheep and goats on holdings affected by atypical scrapie:

Q4: Do you have any comments on the amendments to on-farm controls for holdings where atypical scrapie has been confirmed?

We support the proposal to adopt these amendments in domestic legislation on the basis that this would continue to ensure that scrapie controls are proportionate to the risk to public and animal health in line with the goals of the TSE Roadmap 2 and advice from EFSA.

2.4 BSE testing in abattoirs - Remove the requirement for abattoirs to have a Required Method of Operation (RMOP):

Q5: Do you have any comments on the proposal to remove the requirement for abattoirs slaughtering cattle that require BSE testing to have an approved RMOP?

We support the proposal on the basis that it is in line with Commission Decision 2013/76/EU and appears to be proportionate to the risk. We strongly support the proposed requirement for abattoir operators to agree a Standard Operating Procedure (SOP) with the FSA.
2.5 Alternative methods of spinal cord removal from sheep and goats over 12 months of age:

Q6: Is your business likely to be interested in implementing an alternative method of spinal cord removal for sheep and goats aged over 12 months, should an effective alternative become available?
Not applicable

Q7: Have you any idea of the cost, including any supporting evidence to your business of implementing an alternative method?
Not applicable

2.6 Amendments to the list of tissues from cattle that are designated Specified Risk Material (SRM) to reflect changes to EU legislation:

We support the amendment which reclassifies the definition of bovine SRM. We are satisfied that the proposal is adequately evidenced by the EFSA assessment of the BSE infectious load that might enter the food and feed chain if bovine intestine and mesentery from animals born and raised in the EU were reassumed for consumption.

Q8: Do you have any comments on the proposals to implement the changes made to the EU TSE legislation regarding SRM controls.

We are satisfied that the proposal is adequately evidenced by the EFSA assessment of the BSE infectious load that might enter the food and feed chain if SRM from animals born and raised in the EU Member States and regions with a negligible BSE risk were reassumed for consumption.
Q9: The FSA would like to gather any significant impacts (costs or benefits) that you may foresee – can you provide details?

Not applicable.

2.7 Clarification on Specified Risk Material (SRM) removal in slaughterhouses:

Q10: Do you have any comments on the proposal to change the wording relating to the removal of SRM in a slaughterhouse?

We support the proposed clarification on SRM removal in slaughterhouses in response to the issues raised during legal proceedings taken against a UK food business operator in 2013 for failing to remove SRM from ewe carcasses.

2.8 Amendment to the requirements for the application of the young lamb (YL) and young goat (YG) stamp:

Q11. Do you have any comments on the proposal to permit the occupier of the premises to be included as an option for applying the YL/YG stamp?

Allowing a Food Business Operator (FBO) to apply the YL or YG stamp without it being under the control of the an OV; an inspector; or a meat technician acting under the responsibility of an OV could create an incentive for fraud as it increases the potential value of the carcase. We therefore do not support this proposal.

2.9 Update valuation and compensation procedures for sheep and goats to align with cattle procedures:

Q12: Do you have any comments on the proposal to change the procedure in paragraphs 25 and 26 of Schedule 4 of the 2010 Regulations with regard to scrapie compensation for sheep and goats killed following confirmation of TSE, removing the valuation table?

We support the principle of updating valuations for sheep and goats, which have not been changed since 2006. To avoid confusion, and the potential for negotiation or confrontation which could lead to delays in the disease control process, it would seem prudent to apply some degree of consistency in compensation values.
2.10 Remove the requirement for written bilateral agreements to authorise the removal of Processed Animal Protein (PAP) derived from non-ruminant animals:

Q13: Have you any comments on the proposal to remove the requirement for written bilateral agreements for the export of non-ruminant PAP?

We support the proposal to adopt in legislation the amendment to the EU TSE Regulation which allows industry the option of legally exporting non-ruminant PAP and products containing such protein, without the need for a written agreement prior to exportation.

Q14: If you work in the feed industry, would you expect this proposal to open up new markets for your business?

Not applicable.

2.11 Amendment to EU rules to extend the scope of ‘aquatic animals’ permitted for use in processing fishmeal and inclusion in feed for aquaculture animals:

Q15: Have you any comments on the proposal to extend the definition of aquatic animals used for feed in aquaculture?

We understand that the use of meal produced from wild starfish and farmed aquatic invertebrates, other than molluscs and crustaceans, in feed for non-ruminant animals is not considered to represent a higher risk for the transmission of TSEs than the use of fishmeal. As such, we support the proposal to implement in legislation the amendment which came into force in EU law and was adopted in the UK on an administrative basis. However, we would urge DAERA to monitor the ecological impacts of implementing these changes.

Q16: If you work in the feed industry, and your business makes feed for farmed fish, would you expect your business to utilise meal produced from wild starfish and farmed aquatic invertebrates?

Not applicable
2.12 To take advantage of an EU derogation that will permit the use of Processed Animal Protein (PAP) derived from insects in feed for aquaculture:

Q17: Have you any comments on the proposal to permit the use of PAP derived from insects in feed for aquaculture?

We support the proposal to enable the feed industry to use processed insect protein in feed for aquaculture on the basis that EFSA scientific opinion has concluded that the occurrence of prions in non-processed insects is expected to be equal or lower to current protein sources as long as insects are fed on substrates that do not harbour material of ruminant or human origin. As the processing of insects may further reduce the occurrence of biological hazards we believe that the proposal is proportionate to risk.

Q18: If you work in the farmed fish industry would you take advantage of this amendment? Please give your reasons.

Not applicable

2.13 To take advantage of an EU derogation that will permit the export of Processed Animal Protein (PAP) derived from ruminants:

Q19: Have you any comments on the proposal to amend the EU rules for the export of ruminant PAP?

We believe that caution should be exercised. Although the removal of the prohibition on the export of processed animal protein derived from ruminants is subject to certain conditions, to ensure that the products do not contain meat-and-bone meal, we would value clarification on how this will be supported by an effective control system, including risk-based checks.

Q20: If you work in an industry which produces ruminant PAP, do you expect to take advantage of this amendment?

No applicable.
2.14 Appeals – Strengthening arrangements for Independent Appeals Procedure:

Q21: Do you have any comments on the proposal to include a new paragraph in the Regulations to strengthen the arrangements for an independent appeals procedure?

We support the proposal.

2.15 Schedule 3 – Paragraph 3 Slaughter of a Suspect Animal – Re-Instatement of paragraph:

Q22: Do you have any comments on re-instating the paragraph into Schedule 3 (paragraph 3 (1)5), which will bring together, under one paragraph, the measures required by the veterinary inspector when a bovine is suspected with TSE?

We support the proposal.

2.16 Share the cost of BSE sampling of fallen stock cattle between the farming industry and the taxpayer:

Q23: Have you any comments on the proposal to transfer the cost of sampling fallen cattle over 48 months of age from the taxpayer to the farming businesses which will allow a more equitable sharing of the cost of BSE surveillance between the farming industry and the taxpayer?

We support the proposal to transfer the cost of taking fallen stock samples for mandatory BSE testing from the taxpayer to the farming businesses that already have to submit carcases for sampling and processing. Our support is on the basis that this would result in a more equitable sharing of the cost of BSE surveillance, with the average annual cost per holding anticipated to be negligible.

Q24: If you do not agree with sampling costs being transferred from the taxpayer to industry, can you propose an alternative way for how costs should be shared?

Not applicable.
2.17 Revocation:

Q25: Have you any comments on our proposal to revoke the Transmissible Spongiform Encephalopathies Regulations (Northern Ireland) 2010?
We support the proposal.