DEFRA, FSA AND WELSH GOVERNMENT CONSULTATION ON PROPOSALS TO AMEND THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES (ENGLAND) REGULATIONS 2010 AND THE TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES (WALES) REGULATIONS 2008

1) BVA is the national representative body for the veterinary profession in the United Kingdom and has over 16,000 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.

2) The BVA’s Welsh Branch brings together representatives of the BVA’s territorial and specialist divisions, government, academic institutions and research organisations in Wales. The Branch advises BVA on the consensus view of the Welsh members on Welsh and United Kingdom issues.

3) Our response has been formulated in close liaison with the Veterinary Public Health Association (VPHA), a division of BVA committed to the protection of the consumer and the environment as well as to the promotion of animal welfare. VPHA currently has over 300 members many of whom work as Official Veterinarians in slaughterhouses dealing with both public health and animal welfare issues. We have also consulted with specialist divisions the Fish Veterinary Society (FVS), 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.

4) 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.

5) 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. Earlier this year we welcomed the approval of Bovine Spongiform Encephalopathy (BSE) negligible risk status in both Scotland and Northern Ireland as testament to the years of hard work and joined-up efforts of the respective governments with their farmers, industry and vets – who are pivotal to the success of any disease control programme.
Part 1

6) i) Sharing the cost of BSE sampling 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 carcasses 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.

7) ii) Proposal to permit the feeding of pig and poultry processed animal protein to 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.

8) iii) Amendments to on-farm scrapie controls
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.

9) iv) Removal of the requirement for abattoirs slaughtering cattle that require BSE testing to have a required method of operation
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.

10) v) Amendments to the definition of bovine specified risk material (SRM)
Although we recognise the continued precautionary approach recommended by the ACDP TSE subgroup Committee, we support the proposal to remove some material (duodenum, colon, small intestine except for the last four metres) from SRM control. 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 reallowed for consumption.

11) vi) Amendment to requirements for spinal cord removal from sheep and goats slaughtered for human consumption
We are content to support the proposed provision of a statutory mechanism by which food business operators can apply to the FSA for approval to use an alternative method of spinal cord removal should an effective alternative become available. We agree that carcase splitting should remain the default method.

12) vii) Clarification on SRM removal in slaughterhouses
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 carcases.
13) viii) Removal of the requirement for written bilateral agreements to authorise the export of processed animal protein (PAP) derived from non-ruminant animals
We support the proposal to adopt in English and Welsh 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.

14) ix) Extension to the scope of ‘aquatic animals’ permitted for use in processing fishmeal and inclusion in feed for aquaculture animals
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 English and Welsh legislation the amendment which came into force in EU law earlier this year and was adopted in the UK on an administrative basis.

15) x) Proposal to enable the feed industry to use 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.

16) xi) Proposal to permit the import and export of processed animal protein derived from ruminants
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.

17) xii) Technical amendments
We support the proposed technical amendment to replace the existing requirement for animals falling within the pedigree category for BSE compensation to have zootechnical certificate with a requirement for a pedigree certificate on the basis that legal advice has indicated that a pedigree certificate provides all the information necessary to determine the pedigree status of the animal.

Part 2
18) i) Amendments to TSE compensation for sheep and goats
While we support the principle of reviewing the existing table valuations for sheep and goats, which have not been changed since 2002, we are concerned that the proposed table values for both sheep and goats are not aligned with Schedule 1 of The Tuberculosis (Non-bovine animals) Slaughter and Compensation (England) Order 2017 which came into force on 2 January 2018\(^1\). 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.

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\(^1\) The Tuberculosis (Non-bovine animals) Slaughter and Compensation (England) Order 2017
Part 3

19) i) Amendment to domestic legislation regarding on-farm controls for classical scrapie
   We support the proposals.

20) iii) Amendment to the source of independent valuers for compensation purposes
   We support the Welsh Government proposal to extend the potential valuers that could be used by including valuers appointed by the President of the Central Association of Agricultural Valuers (CAAV), in line with the current approach to cattle valuations for bTB in Wales.

Conclusion

21) In conclusion, we are supportive of the proposals which appear to be proportionate to the risk to public and animal health and in line with the European Commission’s TSE Roadmap. We would urge further consideration of the proposed compensations values for sheep and goats as outlined at paragraph eighteen.

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