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Summary of responses to the non-formal consultation by the Department of Environment, Food and Rural Affairs, the Welsh Government and the Food Standards Agency on proposed changes to BSE testing of cattle slaughtered for human consumption, 11 April 2011- 6 May 2011

October 2011



Llywodraeth Cymru
Welsh Government



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Introduction

1. The European Commission's *TSE Roadmap 2*, published in 2010, outlines possible amendments to adjust EU TSE rules over the period 2010-15. The Commission's objective is to continue to review the measures, to ensure that they are proportionate to the risk, while assuring a high level of food safety. Amendments to EU TSE rules will be taken following a stepwise approach supported by scientific advice from the European Food Safety Authority (EFSA).

2. Following opinions from the EFSA published on 13 December 2010¹ and on 19 April 2011², on risks to changes to the BSE testing programme in certain Member States, EU Member States agreed a Commission proposal to amend Commission Decision 719/2009/EC to allow the UK (including the Channel Islands and the Isle of Man) and twenty-four other Member States³, the options of:

i. increasing the age threshold for BSE testing of all healthy slaughtered cattle from 48 months to 72 months, from 1 July 2011; and

ii. testing a minimum sample of healthy slaughtered cattle aged over 72 months, from 1 January 2013. The EU will agree the minimum sample size at a later date.

3. The Department for Environment, Food and Rural Affairs (Defra) the Welsh Government (WG) and the Food Standards Agency (FSA) consulted on implementing this change as required by Article 9 of Regulation (EC) No.178/2002.

4. Stakeholders were asked the following questions:

(i) Do you agree that it would be acceptable to increase to 72 months the age above which 'healthy slaughtered' cattle born in 22 Member States must be tested for BSE? If not, please explain why.

(ii) Do you agree that it is appropriate to move to testing a sample of 'healthy slaughtered' cattle aged over 72 months from 1 January 2013? Do you have any comments on how this should be implemented?

¹ <http://www.efsa.europa.eu/en/efsajournal/pub/1946.htm>

² <http://www.efsa.europa.eu/en/efsajournal/pub/2142.htm>

³ Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, and Sweden.

(iii) Do you have any comments on the Impact Assessment?

(iv) Are there any other comments you wish to make?

Analysis of responses

5. Fifteen responses were received, from:

Wm Morrisons Supermarkets PLC
British Meat Processors' Association (BMPA)
UNISON
National Consumer Federation
The Association of Meat Inspectors
Agriculture and Horticulture Development Board
Hybu Cig Cymru - Meat Promotion Wales
National Farmers' Union
National Beef Association
Country Land and Business Association
National Farmers Union Cymru
Royal College of Veterinary Surgeons
British Veterinary Association and British Cattle Veterinary Association (joint response)
Farmers Union of Wales
Which?

6. The detailed analysis of responses and comments from Defra, WG and FSA on the issues raised is attached at Annex A.

The way forward

7. In the light of the advice received from the Spongiform Encephalopathy Advisory Committee (SEAC) the views of the UK Chief Medical Officers and the response to public consultations, the Food Standards Agency (FSA) Board considered its advice at a meeting on 25 May 2011. Subject to the condition that effective surveillance for BSE remains in place, the Board agreed to advise Ministers that:

- it would be acceptable on grounds of risk to consumers to raise the age threshold for BSE testing healthy cattle slaughtered in the UK for human consumption to 72 months from July 2011;
- it would be acceptable in principle to move to testing these cattle on a sample basis from January 2013, subject to confirmation before the change is implemented that there has been no change in the risk assessment, assurance that effective surveillance for BSE would remain in place and further consideration by the FSA Board.

8. Following agreement from Ministers and adoption of Commission Decision 2011/358/EU, the age threshold at which healthy cattle slaughtered in the UK for human consumption are tested for BSE was raised to 72 months on 1 July 2011.

Annex A - Summary of responses

No.	Name of respondent	Summary of response	Defra/FSA/WG Comments
(i) Do you agree that it would be acceptable to increase to 72 months the age above which 'healthy slaughtered' cattle born in 22 Member States must be tested for BSE? If not, please explain why.			
1	Wm Morrisons Supermarkets PLC	We agree	Agreement noted.
2	British Meat Processors Association (BMPA)	We agree that it would be acceptable to increase the age of BSE testing of healthy slaughtered cattle to 72 months.	Agreement noted.
3	UNISON	See (iv) below.	
4	National Consumer Federation	The National Consumer Federation have no objection to extending the age of testing to 72 months but would not yet agree to it being waived altogether. However, we think it is easy to become complacent when the incidents have not appeared as may have been anticipated, but for the families that were effected by this terrible condition it is essential that processes remain in place to ensure that BSE cannot get into the food chain.	<p>We note the National Consumer Federation has no objection to the proposal to increase the age threshold for BSE testing of healthy slaughtered cattle to 72 months but would not yet agree to it being waived altogether.</p> <p>The European Food Safety Authority (EFSA) has advised that prevention of human exposure to the BSE agent mainly relies on the removal of Specified Risk Material (SRM). The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure safe removal of SRM but modify the list or age based on new and evolving scientific opinions. There are no proposals currently under discussion to amend controls on SRM.</p>
5	Association of Meat Inspectors	The Association support the suggestion to allow the slaughter of healthy cattle up to the age of 72 months without the need for routine testing for BSE. We view this as a logical step in line with what has gone before and can perceive no increased risk to the consumer or other stakeholders as a consequence of instigating this proposal.	Support noted.

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6	Agriculture and Horticulture Development Board	We agree that it would appropriate to move to increase the age limit for testing "healthy slaughtered" cattle to 72 months. The data presented in the consultation documents (Annexes A and B) provide evidence that the current testing regime is disproportionate to the risk of BSE in healthy slaughtered cattle. No healthy slaughtered cattle slaughtered since November 2005 have been found with BSE that were born after January 2003. All cattle born prior to that date would require testing according the proposed increase in age limit.	Agreement noted.
7	Hybu Cig Cymru - Meat Promotion Wales	HCC agrees that it would be acceptable to increase to 72 months the age above which 'healthy slaughtered' cattle born in 22 Member States must be tested for BSE.	Agreement noted.
8	National Farmers Union	<p>The NFU fully supports the proposals to lift the BSE testing age from 48 months to 72 months. Our support is based on the sound scientific advice issued by EFSA (European Food Safety Authority) which states that increasing the testing age of healthy slaughtered cattle for BSE to 72 months would result in less than one BSE case being missed across Europe in 2011 and fewer cases thereafter.</p> <p>It should also be noted that since 2005 there have only been two BSE cases aged less than 72 months found in healthy cattle slaughtered for human consumption in Great Britain since 2005 (during this time there was over 2.04 million healthy cattle slaughtered and tested) and whilst the testing age will be increased it must also be remembered that SRM controls will remain in place.</p> <p>The modelling carried out by Spongiform Encephalopathy Advisory Committee (SEAC) shows that raising the age limit would have no impact on the time taken to detect re-emergence of disease and will not pose any significant increase in risk to human health.</p>	Support noted.

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9	National Beef Association	<p>The NBA agrees and welcomes this proposal to increase the BSE testing age to 72 months for healthy slaughter cattle in July 2011. It believes the move to 72 months should be made as soon as possible and recommends consideration should be given to changing the age in which SRM must be removed from beef carcasses in accordance with risk proportionality.</p> <p>The NBA has previously recommended to the Commission and EFSA to consider a brain stem test to be carried out on animals born BEFORE July 1st, 2001 rather than the suggested age of 72 months. The adoption of a date rather than an age would result in a phased reduction of testing requirements over time.</p> <p>The Commission stresses that it must take a risk based approach when easing anti-BSE controls and then revealed that in 2009 it cost over 10 million Euros to detect each BSE case identified through post-slaughter brain stem testing.</p> <p>Before the age limit was raised to 48 months the cost was over 14 million Euros for each BSE case detected. This confirms that much of the cost burden placed on the industry through brain stem testing could be relieved through a progressive, annual, incremental lift in the age of animals, or by the adoption of a date required to be tested.</p>	<p>Agreement noted.</p> <p>The proposed change in July 2011 followed by a move to testing a sample of healthy slaughtered cattle from 2013 will result in a phased reduction of testing requirements, possibly quicker than the adoption of a requirement to test all cattle born before 2001. The future requirement to test a sample rather than all cattle in a particular category reduces the likelihood of breaches of the testing requirements.</p> <p>The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure safe removal of SRM but modify the list or age based on new and evolving scientific opinions. There are no proposals currently under discussion to amend controls on SRM.</p>
10	Country Land and Business Association	<p>Having looked at the evidence presented for the UK, the CLA agrees that it is acceptable to increase the age at which 'healthy slaughtered' cattle need to be tested.</p>	<p>Agreement noted.</p>

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	<p>NFU Cymru</p>	<p>NFU Cymru fully supports the proposals to lift the BSE testing age from 48 months to 72 months. Our support is based on the sound scientific advice issued by EFSA (European Food Safety Authority) which states that increasing the testing age of healthy slaughtered cattle for BSE to 72 months would result in less than one BSE case being missed across Europe in 2011 and fewer cases thereafter.</p> <p>It should also be noted that since 2005 there has been only two BSE cases aged less than 72 months found in healthy cattle slaughtered for human consumption in Great Britain (during this time there was over 2.04 million healthy cattle slaughtered and tested) and whilst the testing age will be increased it must be remembered that SRM controls will remain in place.</p> <p>The modelling carried out by Spongiform Encephalopathy Advisory Committee (SEAC) shows that raising the age limit would have no impact on the time taken to detect re-emergence of disease and will not pose any significant increase in risk to human health.</p>	<p>Support noted.</p>
<p>12</p>	<p>Royal College of Veterinary Surgeons</p>	<p>RCVS considers that monitoring and controlling the epidemic and protecting the public and animals from exposure to the agents that cause BSE are of paramount importance. Nevertheless, it is important that controls and testing regimes are appropriate and proportionate to the current risks of the disease.</p> <p>The RCVS supports the recommendations and observations of SEAC in relation to the proposed changes to the BSE testing of healthy cattle and strongly urges the Government to take account of its views.</p> <p>SEAC advises that in the short-term the additional risk to human health of raising the age for the slaughter of healthy cattle to 72 months is insignificant and notes that the Veterinary Laboratories Agency (VLA) modelling concurs with the conclusion. In presenting their advice, however, SEAC sounds an important note of caution: that such conclusions are only valid if the prevalence of BSE in UK cattle continues to fall or remains the same and that the validity of the analysis depends upon the quality of surveillance and its ability to detect any re-emergence of the disease.</p>	<p>Support noted.</p> <p>BSE is a notifiable disease. Testing of BSE suspects and active BSE testing of fallen cattle and emergency slaughtered/sick at ante mortem cattle will continue at the current level. This surveillance programme will allow continued monitoring of the prevalence of the disease.</p>

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13	British Veterinary Association (BVA) and British Cattle Veterinary Association (BCVA) (joint response)	<p>We agree with the proposal to increase to 72 months the age above which 'healthy slaughtered' cattle born in 22 member states must be tested for BSE.</p> <p>The incidence of BSE in the UK is approaching zero. Although the possibility of BSE occurring in an animal born before the feed ban must still exist, the population of these animals in commercial production has declined rapidly given the initiatives to cull them. Given the very low risk of a BSE animal entering the food chain in the first place, and the safety measure of SRM controls which will remain in place, we believe that the proposal is entirely proportionate.</p> <p>We do, however, ask that there be a robust following of import tracings, if and when cattle are imported from any of the five Member States not covered by this proposal and non-EU countries. Governments should also take account of the need to ensure ongoing clinical surveillance of suspicious cases.</p>	<p>Agreement noted.</p> <p>BSE is a notifiable disease. Testing of BSE suspects and active BSE testing of fallen cattle and emergency slaughtered/sick at ante mortem cattle will continue at the current level. This surveillance programme will allow continued monitoring of the prevalence of the disease.</p> <p>The very small number of cattle born in third countries or in the two Member States which are not permitted to revise their BSE testing programmes, and killed or slaughtered in the UK will continue to require BSE testing from a younger age - 30 months in the case of healthy slaughtered cattle; 24 months in the case of fallen or casualty cattle.</p>
14	Farmers Union of Wales	<p>The FUW agrees that the age above which healthy cattle in relevant Member States must be tested for BSE should be raised to 72 months, and that this option represents a long overdue move towards a risk based approach to BSE testing. Moreover, this view is supported by the scientific evidence, and previous assessments which concluded that, in the event of such changes, the level of BSE infectivity entering the food chain remain at least 12.5 million times lower than in 1993, due to the required removal of Specified Risk Material.</p>	<p>Agreement noted.</p>
15	Which?	<p>In light of the advice received from the European Food Safety Authority (EFSA) and additional advice provided by the Spongiform Encephalopathy Advisory Committee (SEAC), we agree that it does not appear that making these changes will introduce any additional, significant risk, provided that the cautions set out in these scientific opinions are taken into account.</p> <p>SEAC has highlighted that their conclusion is only valid if the prevalence of BSE in the UK cattle population remains at or decreases from current numbers. It emphasizes that BSE surveillance is crucial in order to keep track of this, particularly in fallen stock and casualty animals. It also emphasizes the importance of keeping surveillance protocols under review to ensure that any increase in BSE prevalence would be detected. We consider it essential, in view of the decision to disband SEAC that sufficient independent expertise is maintained and regularly sought to ensure that this is the case. SEAC also state that "changing one BSE control measure can have knock on effects on other control measures and it is important that the possibility of such interactions is fully taken into account when a proposal such as this is considered."</p>	<p>We note agreement subject to the cautions set out in the scientific opinions.</p> <p>BSE is a notifiable disease. Testing of BSE suspects and active BSE testing of fallen cattle and emergency slaughtered/sick at ante mortem cattle will continue at the current level. This surveillance programme will allow continued monitoring of the prevalence of the disease including the detection of atypical BSE.</p> <p>EFSA is well placed to provide independent scientific advice on the effectiveness of the BSE surveillance programme across the EU. In addition, following the abolition of SEAC, the Advisory Committee on Dangerous Pathogens (ACDP) has established a new TSE Risk Assessment Subgroup http://www.dh.gov.uk/ab/ACDP/TSEguidance/DH_125868</p>

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		EFSA's Opinion also makes it clear that its advice is based on the following assumptions: full past compliance for at least 6 years with EU requirements for surveillance and control of cattle BSE; future continuity of the BSE controls; as well as perfect sensitivity of the rapid tests used for surveillance. As with previous EFSA opinions, the uncertainties around atypical BSE are also highlighted, including limitations of detection and evidence that atypical BSE might represent spontaneous forms of BSE. The Opinion states that "the possible relaxation of certain TSE control measures in cattle and the lack of knowledge related to atypical BSE strongly plead for the continuation of an adapted TSE monitoring system in cattle." The EFSA Panel stresses the need to comprehensively reassess surveillance in terms of its ability to detect the prevalence of atypical BSE, re-emergence of classical BSE or the emergence of a novel Transmissible Spongiform Encephalopathy (TSE) in cattle.	the terms of reference of which are "to provide ACDP as requested with scientifically based assessment of risk from transmissible spongiform encephalopathies (TSEs) in relation to food safety, public and animal health issues, taking appropriate account of scientific uncertainty and assumptions in formulating advice." In 2008, the EU assessed the UK as having met the six year criteria highlighted by EFSA. Atypical BSE is a rare form of the disease with six cases detected in the UK since 2005, all in fallen cattle which are not permitted to enter the food chain.
(ii) Do you agree that it is appropriate to move to testing a sample of 'healthy slaughtered' cattle aged over 72 months from 1 January 2013? Do you have any comments on how this should be implemented?			
1	Wm Morrisons Supermarkets PLC	We agree with the move to test a sample of cattle.	Agreement noted.
2	BMPA	We agree that it is appropriate to move to testing a sample of such cattle. The sample should be statistically significant in relation to the size of the cattle population in each member state.	Views noted. Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further consultation.
3	UNISON	See (iv) below.	
4	National Consumer Federation	Noting that new incidents of CJD remain low and mindful of the SEAC advice to FSA and Government depts that "Provided that surveillance of fallen stock and casualty animals is sufficient to provide the necessary information about disease incidence and prevalence, the additional risk to consumers of reducing testing of healthy cattle will remain small." it may be more appropriate to move on to random testing.	Views noted.
5	Association of Meat Inspectors	We feel that this course of action might allow the very occasional BSE positive animal to enter the food chain and as such would urge caution, not least with regard to maintaining consumer confidence in British beef.	Comments noted. EFSA has advised that prevention of human exposure to BSE infectivity mainly relies on the removal of SRM. EFSA has further advised that if testing of healthy slaughtered animals in the EU22 stopped on 1 January 2013 less than one classical BSE cases would be missed for each of the respective years.
6	Agriculture and Horticulture Development Board	Testing a minimum sample of cattle aged over 72 months from January 2013 would reduce the cost of the testing regime. It would also seem appropriate based on the reduced risk of BSE. Care must be taken, however, to ensure that such a change is communicated carefully to avoid consumer concern. The implementation of a minimum sample testing regime should be determined on the basis of statistical advice to ensure representative coverage of the national population. It	Comments noted. Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further consultation.

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		may also be reassuring to consumers to ensure all cattle born before a certain date are tested as older animals are likely to be perceived as being of highest risk.	
7	Hybu Cig Cymru - Meat Promotion Wales	HCC agrees that it is appropriate to move to testing a sample of 'healthy slaughtered' cattle aged over 72 months from 01 January 2013.	Agreement noted.
8	National Farmers Union	<p>THE NFU believes that it would be preferable to move to testing a sample of healthy slaughtered cattle from 2013 as opposed to testing all cattle based predominantly on the risk associated with this category of cattle.</p> <p>The NFU would however question the need to continue to test any amount of "healthy slaughtered" cattle after 1 January 2013. The NFU believes that "healthy slaughtered" cattle are by their very nature a low risk population and based on the continuing decrease in levels of BSE and the robust control measures that are in place then there is no benefit in continuing to test healthy slaughtered cattle.</p> <p>BSE will continue to remain a notifiable disease and clinical suspects of all ages will continue to be tested. Risk cattle will continue to be tested with fallen and casualty stock animals tested over 48 months of age. Additionally the ban on feeding meat and bone meal from ruminant to ruminants will remain in place and is a key control in protecting animal health.</p> <p>We would also point out that EFSA have stated that stopping the testing of "healthy slaughtered" cattle from 2013 would result in less than one BSE case being missed in that year and fewer cases thereafter.</p> <p>The NFU believe that the testing of any healthy slaughtered cattle from 2013 is unnecessary, disproportionate to the risk, and does not add to consumer protection and human health.</p>	<p>Views noted.</p> <p>EFSA advised that if testing for healthy slaughtered animals in the EU22 stopped on 1 January 2013 less than one classical BSE cases would be missed for each of the respective years. However the European Commission wants to retain a level of testing of healthy slaughtered cattle from 2013, in the form of a minimum sample.</p> <p>Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further consultation.</p>
9	National Beef Association	The NBA agrees and supports this proposal to test a minimum sample of healthy slaughter cattle over 72 months but questions why this can't start in January 2012? We would fully support the findings of an epidemiology report to determine the sample set based on risk proportionality of the remaining cattle over 72 months that should be tested. We would welcome the chance to contribute to the discussions on the selection of the sample set to be tested.	<p>Views noted.</p> <p>The Commission proposal to retain testing of cattle over 72 months until the end of 2012 is based on EFSA advice. EFSA advised that if testing for healthy slaughtered animals stopped on 1 January 2011, 2012 or 2013 less than three, two and one classical BSE cases would be missed for each of the respective years.</p>
10	Country Land and Business Association	The CLA agrees that we ought to move to testing only a proportion of these cattle. As to what proportion needs testing, this we will be happy to leave to science, but bearing in mind the very low incidence of the disease we would warn against setting the proportion too high and thus wastefully tying up money and skilled manpower that could be better	<p>Views noted.</p> <p>Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further</p>

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		<p>deployed to cope with some greater threat to human and animal health.</p> <p>As to how this testing is to be implemented, one trusts that the experts will quantify the number that they would like testing. Thanks to CTS we know how many bovines of what ages are slaughtered where, and on the basis of this it should not be difficult to assign a total number of animals to be tested at each abattoir. Given that the animals being tested do not show any clinical signs of BSE (if they did then they would not fall into the 'healthy slaughtered' category) there should be no way for the unscrupulous to try and 'smuggle' animals through the system, so asking that an abattoir test 'the tenth cow killed on the first Tuesday in the month' could well be random enough provided this fulfils that abattoirs 'quota'.</p>	consultation.
11	NFU Cymru	<p>NFU Cymru believes that it would be preferable to move to testing a sample of healthy slaughtered cattle from 2013 as opposed to testing all cattle based predominately on the risk associated with this category of cattle. NFU Cymru would however question the need to continue to test 'healthy slaughtered' cattle after the 1st January 2013. NFU Cymru believes that 'healthy slaughtered' cattle are by their very nature a low risk population and based on the continuing decrease in levels of BSE and the robust control measures that are in place then there is no benefit in continuing to test healthy slaughtered cattle.</p> <p>BSE will continue to remain a notifiable disease and clinical suspects of all ages will continue to be tested. Risk cattle will continue to be tested with fallen and casualty stock animals tested over 48 months of age. Additionally the ban on feeding meat and bone meal from ruminant to ruminants will remain in place and is a key control in protecting animal health.</p> <p>We would also point out that EFSA have stated that stopping the testing of 'healthy slaughtered' cattle from 2013 would result in less than one BSE case being missed in that year and fewer cases thereafter.</p> <p>NFU Cymru believes that the testing of any healthy slaughtered cattle from 2013 is unnecessary, disproportionate to the risk, costly and does not add to consumer protection and public health.</p> <p>NFU Cymru believes that it would be preferable to move to testing a sample of healthy slaughtered cattle from 2013 as opposed to testing all cattle based predominately on the risk associated with this category of cattle.</p>	<p>Views noted.</p> <p>EFSA advised that if testing for healthy slaughtered animals in the EU22 stopped on 1 January 2013 less than one classical BSE cases would be missed for each of the respective years. However the European Commission wants to retain a level of testing of healthy slaughtered cattle from 2013, in the form of a minimum sample.</p> <p>Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further consultation.</p>
12	Royal College of Veterinary Surgeons	<p>The RCVS considers it imperative that the testing and surveillance programme is kept under review and that measures are implemented to ensure that the programme is capable of identifying any changes in BSE prevalence. To this end, the RCVS considers that provision should be made for the random testing of apparently healthy animals being slaughtered between the ages of 48 months and 72 months to verify the science</p>	<p>Comments noted. BSE is a notifiable disease. Testing of BSE suspects and active BSE testing of fallen cattle and emergency slaughtered/sick at ante mortem cattle will continue at the current level. This surveillance programme will allow continued monitoring of the prevalence of the</p>

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		behind the new testing regime and to ensure that health of the public is safeguarded appropriately. In this regard, the RCVS also supports the proposal of SEAC that the VLA model should be used 'to examine a range of hypothetical rates of increase of BSE infection and the ability of current surveillance measures to detect the change.	disease in cattle slaughtered for human consumption. The Government considers this a more proportionate targeting of resources. In March 2010, SEAC provided advice on the results of a VLA model designed to estimate the effectiveness of changes to the BSE testing programme on the ability to detect a hypothetical re-emergence of the disease. VLA carried out further modelling in response to SEAC's advice.
13	BVA & BCVA (joint response)	We also agree that this proposal would be appropriate. With regard to the sample size, we understand that the EU will set a minimum sample size at a later date. We would encourage governments to adopt the EU's minimum sample size when testing. Removal of mandatory testing will significantly reduce economic and administrative burdens. It is a deregulatory measure, science based and completely proportionate to the risk given the other risk mitigation consumer safety measures that will remain in place.	Views noted.
14	Farmers Union of Wales	The Union supports continued monitoring for BSE incidence levels, using appropriate sampling methods, and believes that testing a sample of healthy slaughtered cattle aged over 72 months from 1 January 2013 represents such an approach.	Views noted.
15	Which?	We would like to see further details about this proposal before commenting on whether or not it is appropriate.	Comments noted. Further details of the sample will be agreed at a later date, and the proposals will be the subject of a further consultation.

(iii) Do you have any comments on the Impact Assessment?

1	Wm Morrisons Supermarkets PLC	No comments.	N/A
2	BMPA	No comments.	N/A
3	UNISON	No comments.	N/A
4	National Consumer Federation	No comments.	N/A
5	Association of Meat Inspectors	No comments.	N/A

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6	Agriculture and Horticulture Development Board	No comments.	N/A
7	Hybu Cig Cymru - Meat Promotion Wales	The impact assessment highlights that there would be a competitive disadvantage for UK meat producers if the UK continued to require BSE testing of 'healthy slaughtered' cattle aged 48-72 months, while other Member States lifted this requirement. It is noted that prior BSE testing of 'healthy slaughtered' cattle is not required for meat imported from third countries.	Comments noted.
8	National Farmers Union	<p>The NFU represents primary producers and the reality is that a significant proportion of the costs associated with BSE testing are passed down to our members.</p> <p>The impact assessment illustrates that by increasing the testing age from 48 to 72 months the saving to industry will be in the region of £904,000 per year. This is undoubtedly a significant saving to industry and the primary producer in particular. Recent years have seen beef producers suffer from low profitability and farm business income figures and costings have shown that for the past decade or more the majority of farm business enterprises have been operating at a loss with prices well below the costs of production.</p> <p>It should also be remembered that the FSA are presently consulting on proposals for full cost recovery and again there are potential savings involved with reducing the time and labour needed to take the samples.</p> <p>The NFU has already questioned the need to BSE test healthy slaughtered cattle aged over 72 months and it is our belief that based on science and risk there is no justification for this group of animals to be tested. There would be huge potential savings to industry by removing the need to test these animals; based on the impact assessment figures the saving could be in the region of just over £2 million to industry as well as the costs associated with the supervision of sampling by FSA staff.</p>	Comments noted.
9	National Beef Association	Seems reasonable although the NBA would support the recommendations made by the beef processing organisations.	Comments noted.
10	Country Land and Business Association	No comments.	N/A

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11	NFU Cymru	<p>NFU Cymru represents primary producers and the reality is that a significant proportion of the costs associated with BSE testing are passed down to our members.</p> <p>The impact assessment illustrates that by increasing the testing age from 48 to 72 months the saving to industry will be in the region of £904,000 per year. This is undoubtedly a significant saving to industry and the primary producer in particular. Recent years have seen beef producers suffer from low profitability and farm business costings have shown that for the past decade or more the majority of beef production systems have been operating at a loss with prices well below the cost of production.</p> <p>It should also be remembered that the FSA are presently consulting on proposals for full cost recovery and again there are potential savings involved with reducing the time and labour needed to take the samples.</p> <p>NFU Cymru has already questioned the need to BSE test healthy slaughtered cattle aged over 72 months and it is our belief that based on science and risk there is no justification for this group of animals to be tested. There would be huge potential savings to industry by removing the need to test these animals; based on the impact assessment figures the saving could be in the region of just over £2million to industry as well as the additional costs associated with the supervision of sampling by FSA staff.</p>	Comments noted.
12	Royal College of Veterinary Surgeons	No comments.	N/A
13	BVA & BCVA (joint response)	We do not have any comments on the Impact Assessment.	Comments noted.
14	Farmers Union of Wales	FUW would emphasise the disproportionate impact on trade of failure to adopt the proposals, given that these are likely to be adopted in other Member States against which the UK competes.	Comments noted.
15	Which?	No comments	N/A
(iv) Are there any other comments you wish to make?			

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1	Wm Morrisons Supermarkets PLC	Morrisons sources all its fresh beef through its abattoir operations. Our policy is to purchase all young livestock so our experience with the BSE testing regime is limited. We would not be purchasing cattle over 72 months.	Comments noted.
2	BMPA	We urge further progress on changing TSE controls in the light of the declining incidence of BSE and on the basis of scientific risk assessments.	Comments noted. The Government supports the approach set out in the European Commission's TSE Roadmap 2.
3	UNISON	<p>The current testing regime gives added consumer confidence and also surveys the levels of BSE in British cattle, if it were to become more prevalent in British cattle again how would we know if they are only testing fallen stock? Fallen stock can be buried on farm and not tested; this will leave a gap in surveillance. It is potentially a recipe for disaster if BSE levels rise again without anyone knowing. The UK should continue with the current regime until they have eradicated it totally if that is possible and even after that continue to test presented fallen stock.</p> <p>If the need for routine testing is reduced or dropped altogether then occasionally animals with BSE will be slaughtered for human consumption and enter the food chain. Considering this fact the controls in place to remove SRM must remain a high priority and exclusively an officially supervised function</p> <p>In this case the risk to the public is described as insignificant but the effect on the British beef and slaughter industry of a new unseen, unchecked epidemic, alongside new human cases of vCJD caused by eating infected beef would be catastrophic. Great Britain has invested billions of pounds in trying to eradicate the BSE problem and in some quarters it has been described as a victory for science, do we want to risk falling at the final fence?</p>	<p>Comments noted.</p> <p>BSE is a notifiable disease. Testing of BSE suspects, fallen cattle and emergency slaughtered/sick at ante mortem cattle will continue at the current levels. It is an offence to dispose of any fallen cattle over 48 months without ensuring that they are sampled for BSE testing, except in certain remote areas. This surveillance programme will allow continued monitoring of the prevalence of the disease in cattle slaughtered for human consumption. The Government considers this a more proportionate targeting of resources than continuing to test all healthy slaughtered cattle aged 48-72 months.</p> <p>EFSA has advised on the impact of a reduction of testing healthy slaughtered cattle for BSE in terms of the number of missed cases. EFSA has further advised that prevention of human exposure to the BSE agent mainly relies on the removal of SRM. The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure safe removal of SRM but modify the list or age based on new and evolving scientific opinions. There are no proposals currently under discussion to amend controls on SRM.</p>
4	National Consumer Federation	<p>NCF members have been interested to follow the developments on BSE.</p> <p>We feel any significant increase in human CJD should lead to rapid consideration of reverting to the existing programme, perhaps even reducing the age of compulsory testing very significantly. It would need to be determined whether the increase is due to the original problem (having been 'dormant' for a long time) or to a new one. In this instance we would expect rapid action on testing of cattle, even if it could be relaxed as more is known.</p>	Comments noted. EFSA has advised on the impact of a reduction of testing healthy slaughtered cattle in terms of the number of missed BSE cases. EFSA has further advised that prevention of human exposure to the BSE agent mainly relies on the removal of SRM. To date no cases of definite or probable vCJD in the UK have been born after the initial ban on specified bovine offal was introduced in 1989. In the case of any observed increase in vCJD it would be necessary to determine the likely cause of the increase (i.e. primary or secondary) before applying any additional control methods.

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5	Association of Meat Inspectors	We would remain insistent as to the maintained vigilance in the officially supervised removal of specified risk materials in all cattle and robust enforcement where these standards are found to be deficient.	Comments noted.
6	Agriculture and Horticulture Development Board	The relaxation of TSE controls, where based on proper risk assessment, should be seen as positive steps in reducing the burden on government and industry. Implementation and communication of such changes must be carried out carefully to ensure they strengthen consumer confidence and do not damage it.	Comments noted.
7	Hybu Cig Cymru - Meat Promotion Wales	No other comments.	N/A
8	National Farmers Union	<p>The NFU fully supports the Commission's TSE Roadmap 2, which highlighted the continuing downward trend in the number of BSE cases across Europe and we would wish to see further relaxations of the TSE regulations based on science and risk.</p> <p>Whilst we hope to see an upwards revision of the age for BSE testing in Great Britain the NFU would wish to see an increase in the age at which Vertebral Column (VC) removal in bovines is carried out. Currently the VC is classed as SRM in cattle aged over 30 months but the science suggests that it poses minimal threat to human health, we believe that this is an example of an added cost to the livestock industry with no benefit to consumer protection. Additionally we would wish to see a full review of the need to remove VC from small ruminants and a relaxation of the rule surrounding this regulation.</p> <p>Consumer safety and confidence will always be paramount to British farmers but the NFU believes that on the basis of the incidence of BSE across Europe the time is now right to re-evaluate the restrictions that constrain beef and lamb producers. Recent years have seen a gradual unwinding of some of these restrictions on the basis of scientific advice and in line with recommendations from the original TSE roadmap. Along the lines of the recommendations of the second roadmap we believe that the time is now right to re-evaluate the remaining controls and move forward on the basis of current scientific advice.</p> <p>Whilst the roadmap sets out many measures that we would fully support what it does lack is a clear timetable for the implementation of these changes. We would</p>	<p>Comments noted. The Government supports the approach set out in the European Commission's TSE Roadmap 2 and intends to continue working closely with the EU and with stakeholders to ensure that TSE measures are proportionate to the risk. Determining a clear timetable for changes is not straightforward as in most cases such changes are dependent upon future scientific opinions or developments.</p> <p>The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure removal of SRM but modify the list or age based on new and evolving scientific opinions. In January 2011, the Commission advised Member States that it was not planning to send a mandate to EFSA on reviewing the age for removing Bovine Vertebral Column (BVC) as there was no new scientific data and the EU rules were aligned with the international (OIE) rules. The Commission has also advised Member States that it considers that EFSA's scientific opinion on BSE/TSE infectivity in small ruminant tissues of December 2010 does not support changes to current requirements to remove small ruminant SRM such as spinal cord.</p>

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		ask that Government, the FSA and industry work together and focus lobbying on the Commission, MEPs and EU Ministers to come forward with agreed timescales to achieve changes and progress on the revisions as outlined in the TSE Roadmap 2.	
9	National Beef Association	The NBA welcomes these proposals to reduce the burden on the industry and the government in regard to BSE testing and controls. The incidence of BSE has decreased significantly and the sector is now in a position to modify testing requirements and their associated costs without jeopardising public health and safety. We do hope that the age required to remove SRM from healthy cattle for slaughter is reviewed and changed at the earliest possible time.	Comments noted. See response to NFU above.
10	Country Land and Business Association	Only that the CLA has throughout the BSE outbreak stressed the need to rely upon sound science and to beware of getting caught up in a general mood of hysteria, or the feeling that we have to be seen to 'be doing something'. As such the CLA welcomes the suggested changes as proportionate and sensible. Given the declining level of BSE in the national herd, and the fact that the remove of specified risk materials continues, we are in favour of the changes suggested.	Comments noted.
11	NFU Cymru	<p>NFU Cymru fully supports the Commissions TSE Roadmap 2, which highlighted the continuing downward trend in the number of BSE cases across Europe and we would wish to see further relaxations of the TSE regulations based on science and risk.</p> <p>Whilst we hope to see an upwards revision of the age for BSE testing in Great Britain NFU Cymru would wish to see an increase in the age at which Vertebral Column (VC) removal in bovines is carried out. Currently the VC is classed as SRM in cattle aged over 30 months but the science suggests that it poses minimal threat to human health, we believe this is an example of an added cost to the livestock industry with no benefit to consumer protection. Additionally we would wish to see a full review of the need to remove VC from small ruminants and a relaxation of the rules surrounding this regulation.</p> <p>Consumer safety and confidence will always be paramount to Welsh farmers but NFU Cymru believes that on the basis of the incidences of BSE across Europe the time is now right to re-evaluate the restrictions that constrain beef and lamb producers. Recent years have seen a gradual unwinding of some of these restrictions on the basis of scientific advice and in line with recommendations from the original TSE roadmap. Along the lines of the recommendations of the second roadmap we believe that the time is now right to re-evaluate the remaining controls and move forward on the basis of current scientific advice.</p>	Comments noted See response to NFU above.

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		<p>Whilst the roadmap sets out many measures that we would fully support what it does lack is a clear timetable for the implementation of these changes we would ask that Government (Both in Wales and Westminster), the FSA and industry work together and focus lobbying on the Commission, MEPs and EU Ministers to come forward with agreed timescales to achieve changes and progress on the revisions as outlined in the TSE roadmap 2.</p>	
12	Royal College of Veterinary Surgeons	<p>As SEAC notes, changes in the prevalence of BSE are most likely to be detected in fallen stock and casualty animals. The RCVS therefore considers that assessments should be made to ensure the adequacy and sensitivity of such testing for identifying any emerging trends in BSE.</p> <p>The RCVS regards the removal of Specified Risk Material (SRM) as the primary means via which the public are protected from agents that cause BSE. Whilst there are no proposals to change SRM measures, the RCVS wishes to express its strong belief that current SRM measures should not be relaxed.</p> <p>Given recent evidence of fraud relating to cattle that are found to be TB test-positive and the Government's moves to tackle this by requiring that DNA tags are applied immediately to cattle that test positive for TB, the RCVS considers that provisions need to be made to ensure that any fraud in relation to BSE testing is tackled and that cattle over the age of 72 months are not passed off as being younger at the time of slaughter. Such fraud could be addressed by linking the passport and ear tag to some form of biological indicator of age such as the ossification of the vertebrae or appropriate dental changes.</p>	<p>Comments noted.</p> <p>The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure safe removal of SRM but modify the list or age based on new and evolving scientific opinions. There are no proposals currently under discussion to amend controls on SRM.</p> <p>As the prevention of human exposure to the BSE agent mainly relies on the SRM controls, these are applied to all cattle slaughtered for human consumption regardless of age. Nevertheless, the FSA is alert to the risk of fraud, which might be evident from discrepancies between the purported age as determined by the passport and biological indicators of age. Any suspicious cases will be referred for investigation.</p>
15	Which?	<p>Based on the scientific opinions provided by EFSA and SEAC, it appears that the changes proposed to the age at which healthy slaughtered cattle are tested for BSE will have a negligible impact on public health.</p> <p>However, the opinions upon which these are based make specific assumptions about the adequacy of other control measures and reinforce the importance of Specified Risk Material controls in particular in order to ensure that the public are protected should an infected animal enter the food chain.</p> <p>Both opinions also emphasise the importance of ensuring that there is effective surveillance in order to monitor any change in BSE prevalence. In view of EFSA's advice it also important that the EU surveillance system takes account of the potential risk posed by atypical BSE, as well as the potential for the emergence of a new TSE with potential public health implications.</p>	<p>Comments noted.</p> <p>EFSA has advised that prevention of human exposure to the BSE agent mainly relies on the removal of SRM. The TSE Roadmap 2 includes the strategic goal of ensuring and maintaining the current level of consumer protection by continuing to assure safe removal of SRM but modify the list or age based on new and evolving scientific opinions. There are no proposals currently under discussion to amend controls on SRM.</p> <p>The Government agrees that effective surveillance is essential to monitor the prevalence of BSE and to detect the emergence of any new TSEs.</p>