



Department
for Environment
Food & Rural Affairs

www.defra.gov.uk

Consultation on the proposed change to BSE testing of cattle slaughtered for human consumption

November 2012



Llywodraeth Cymru
Welsh Government



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www.defra.gov.uk/consult/

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Part 1 - Background

What is the purpose of this consultation?

1.1 Following recommendations in the [TSE Roadmap 2](#) and an opinion from the European Food Safety Authority (EFSA) on risks to changes to the BSE testing programme, on 17 June 2011 EU Member States agreed an amendment to European Commission Decision [2009/719/EC](#) which gave the UK and 24 other Member States options of (i) increasing the age threshold above which healthy slaughtered cattle for human consumption require testing for BSE from 4 to 6 years from 1 July 2011; and (ii) testing a sample of such cattle from 1 January 2013.

1.2 Following the publication of an EFSA [Report](#) on 15 October 2012, the Commission has proposed that, in view of the decreasing trend of BSE in the European Union, and the confirmation by EFSA that in the EU 25 the surveillance system based on the testing of at risk animals only would easily meet the international standard regarding the sensitivity of BSE surveillance systems, the testing of healthy slaughtered cattle should be stopped in the EU-25 from 1 January 2013.

1.3 We are consulting on implementing this change as required by Article 9 of Regulation (EC) [No. 178/2002](#). Defra and the Welsh Government will seek advice from the Food Standards Agency (FSA) and Health Ministers before making any changes to BSE testing of cattle slaughtered for human consumption in England and Wales.

Who will be affected by the proposals in this consultation?

1.4 Certain sectors of the beef farming and fresh meat industries, principally abattoirs which process cattle aged over 72 months for human consumption. Consumers will also have an interest.

Are there any previous consultations on this subject?

1.5 Defra, the Welsh Government and the FSA consulted on previous changes to BSE testing in September 2008, on the [TSE Roadmap 2](#) in July 2010, and on the first part of the EU proposal at 1.3 (i) above between 11 April and 6 May 2011. The option of increasing the age limit for testing healthy slaughtered cattle in the UK to 72 months was adopted on 1 July 2011.

How do I comment on these proposals?

1.6 We are seeking your views on the proposals described in Part 2 of this document. Specific questions are listed at Paragraph 2.13.

1.7 The consultation package includes a partial Impact Assessment. This provides further detail on the above measures in terms of their impact on stakeholders. **We invite your comments on the proposed changes.**

1.8 The Welsh Government and the Food Standards Agency have been fully involved in the preparation of these consultation papers.

1.9 Separate consultations on proposals to make similar changes in Scotland and Northern Ireland are being carried out in those countries.

How do I respond?

1.10 Please send responses **to arrive by 5 December** to either:

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Food and Farming Group
5A Millbank
C/O 17 Smith Square
SW1P 3JR

Tel: 020 7238 6535
Fax: 020 7238 3114

Or email: bse.testingchange@defra.gsi.gov.uk

1.11 When responding, please state whether you are responding as a private individual or on behalf of an organisation or company.

Part 2 – Proposed change to BSE testing of cattle slaughtered for human consumption

General background

2.1 Transmissible spongiform encephalopathies (TSEs) are fatal brain diseases which include bovine spongiform encephalopathy (BSE) in cattle and classical and atypical scrapie in sheep and goats. Exposure to BSE through the consumption of infected meat is believed to be the primary cause of variant Creutzfeldt-Jakob Disease (vCJD) in humans. There have been 176 human deaths from definite or probable vCJD in the UK up to 5 November 2012.

2.2 The EU TSE Regulation requires all EU Member States to carry out an annual testing programme for TSE. In relation to cattle, the annual programme for the UK currently includes the testing for BSE of:

- (i) All cattle slaughtered normally for human consumption aged over 72 months;
- (ii) All cattle which die or are killed other than for human consumption (fallen stock) aged over 48 months;
- (iii) All emergency slaughter animals or animals found sick at ante mortem inspection aged over 48 months;
- (iv) All feed cohorts of BSE cases. Cohorts are cattle which were either born in the same herd as a BSE case, up to a year before its birth, or were reared and shared feed with a BSE case when both were up to a year old.
- (v) All cattle killed on suspicion of being infected with BSE.

The BSE testing requirement for cattle aged over 72 months at (i) and over 48 months at (ii) and (iii) only applies to cattle **born** in the following Member States:

Austria; Belgium; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Ireland; Italy; Latvia; Lithuania; Luxembourg; Malta; Netherlands; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; and the UK, including the Channel Islands and the Isle of Man.

Cattle born in Bulgaria, Romania and any third country must be BSE tested at over 30 months (healthy slaughter) or over 24 months (emergency slaughter or sick at ante mortem), unless slaughtered within 20 days of import.

Background to the proposal

2.3 The Commission's [TSE Roadmap 2](#), published in July 2010, outlines possible amendments to adjust EU TSE rules over the period 2010-2015. The Commission's objective is to continue to review the measures, to ensure that they are proportionate to the reducing 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 EFSA.

2.4 Following an [opinion](#) from EFSA published on 13 December 2010 on risks related to changes to the BSE testing programme in certain Member States, the EU agreed a Commission proposal that allows the 25 Member States including the UK listed at paragraph 2.2 above the option of:

- (i) Increasing the age threshold for BSE testing of all healthy slaughtered cattle from 48 months in 17 Member States and from 30 months in 8 Member States, 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 25 Member States listed at Paragraph 2.2 have demonstrated a declining or low prevalence of BSE and that they have implemented the EU BSE Surveillance programme and the EU feed ban for at least six years and have applied to revise their BSE testing programmes.

The UK implemented the first part of the EU proposal at (i) above on 1 July 2011. We are now focusing on the second part of the proposal at (ii).

Proposed change

2.5 Following the publication of an EFSA [Report](#) on 15 October 2012, the Commission has proposed that, in view of the decreasing trend of BSE in the European Union, and the confirmation by EFSA that in the EU 25 the surveillance system based on the testing of at risk animals only would easily meet the international standard regarding the sensitivity of BSE surveillance systems, the testing of healthy slaughtered cattle should be stopped in the EU-25 from 1 January 2013.

2.6 In cattle, the Specified Risk Material (SRM) controls are estimated to remove almost all potential infectivity in the unlikely event of an animal infected with BSE, but not yet showing any clinical signs, being slaughtered for human consumption. So, even if cases of BSE infection rose, controls are in place to prevent infected meat entering the food chain.

2.7 In terms of the impact on BSE infection levels, EFSA has drawn together evidence, including AHVLA research and advice, and advised that, under a realistic assumption that BSE continues to decline across a group of 17 Member States, including the UK:

a. Increasing the age threshold for ‘healthy slaughtered’ cattle for BSE to 72 months would result in less than one BSE case being missed in 2011 across all 17 Member States and fewer cases thereafter; and

b. Stopping the testing of ‘healthy slaughtered’ cattle for BSE from 2013 would result in less than one BSE case being missed in that year across all 17 Member States and fewer cases thereafter.

2.8 Taken together then, the proposal to stop testing a minimum sample of healthy slaughtered cattle aged over 72 months for BSE from 1 January 2013 would present virtually no change in the risk to public health, which remains negligible. BSE will remain a notifiable disease and clinical suspects of all ages will continue to be tested.

2.9 The system of BSE testing healthy slaughtered cattle aged over 30 months was introduced on 7 November 2005. Between then and the end of 2011, over 2.4 million healthy cattle slaughtered for human consumption were tested for BSE. There were ten cases of BSE detected, of which two were less than 72 months of age (one in 2006 and one in 2008), and eight were over 72 months of age, as shown in Table 1.

Table 1: BSE cases in healthy cattle aged over 72 months slaughtered for human consumption in Great Britain since November 2005

	Year of slaughter						
	2005 *	2006	2007	2008	2009	2010	2011
Number of BSE cases in healthy cattle aged over 72 months slaughtered for human consumption	0	2	3	3	0	0	0

*From 7 November to 31 December 2005

Legislation

2.10 This is a deregulatory measure which would be implemented in England via an ambulatory reference in Schedule 1 of the Transmissible Spongiform Encephalopathies (England) Regulations 2010 to Commission Decision [2009/719/EC](#). The Welsh Government intend to implement the changes administratively from the 1 January 2013 and update the Transmissible Spongiform Encephalopathies (Wales) Regulations 2008 to include an ambulatory reference to cover the proposed reduction in testing, at a later date.

Impact Assessment

2.11 A draft Impact Assessment accompanies this consultation. This considers whether England and Wales can stop BSE testing of healthy slaughtered cattle aged over 72

months from 1 January 2013. This will be subject to final agreement by the FSA and Health Ministers as well as Rural Affairs Ministers.

2.12 Adopting the option to stop testing healthy slaughtered cattle for BSE would make BSE surveillance proportionate to risk and would result in savings to meat producers in England and Wales. We expect that the other 24 eligible Member States will adopt this option from 1 January 2013. There would be a competitive disadvantage for meat producers in England and Wales if these two countries were to continue to require the testing for BSE of all healthy slaughtered cattle aged over 72 months, born in the UK and other eligible Member States, while other eligible Member States lifted this requirement.

What happens next?

2.13 Before this change can be implemented in the UK:

- (i) The FSA Board will consider whether to advise Ministers that the change is acceptable in terms of public health risk in relation to food at their Open meeting on 11 December 2012.
- (ii) In the light of the FSA advice to Health Ministers, Defra and the Welsh Government will decide whether or not to stop BSE testing of 'healthy slaughtered' cattle from 1 January 2013.

Questions for Stakeholders

2.14 Stakeholders are asked the following questions:

- (i) **Do you agree that it would be acceptable to stop BSE testing of 'healthy slaughtered' cattle born in 25 Member States? If not, please explain why.**
- (ii) **Do you agree that it is appropriate to stop BSE testing of 'healthy slaughtered' cattle born in 25 Member States from 1 January 2013?**
- (iii) **Do you have any comments on the Impact Assessment?**
- (iv) **Are there any other comments you wish to make?**