

PROPOSED INCREASE IN THE AGE OVER WHICH UK CATTLE ARE BSE TESTED**Executive Summary**

1. The Board meeting in October 2008 considered whether an increase to 48 months in the age over which cattle slaughtered for human consumption are required to be tested for BSE should be implemented in the UK. The Board agreed to support this change in principle but wished to have assurance about the adequacy of both current and future BSE surveillance before it is implemented.
2. This paper brings the question back to the Board for a final decision in the light of:
 - a commitment by Defra to maintaining effective surveillance for BSE in line with scientific recommendations and statutory obligations, and
 - reaffirmation of SEAC's previous advice to the Board that information provided by current surveillance demonstrates that the current prevalence of BSE in the UK herd is so low as to present minimal risk to human health.
3. The Board is asked to:
 - **note** the Defra policy statement on surveillance for BSE (Annex A);
 - **note** the letter from the Chair of SEAC, Professor Chris Higgins, of 27 November 2008 (Annex B) which reaffirms SEAC's previous advice on the current BSE risk; and
 - **agree** to advise Ministers that a move to testing cattle slaughtered for human consumption at 48 months should now be implemented in the UK.

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PROPOSED INCREASE IN THE AGE OVER WHICH UK CATTLE ARE BSE TESTED

Issue

1. To seek the Board's final agreement to an increase to 48 months in the age over which cattle slaughtered in the UK for human consumption are required to be tested for BSE.

Strategic Aims

2. This work links to the FSA's aims to protect consumers by implementing and enforcing proportionate and effective BSE controls.

Background

3. EU legislation requires all Member States to carry out a monitoring programme for BSE which must include BSE testing of:
 - all "risk cattle"¹ aged over 24 months; and
 - all cattle aged over 30 months slaughtered normally for human consumption.
4. A European Commission Decision is expected shortly that would allow the "EU15"² Member States, including UK, to raise the age threshold for testing both healthy and risk cattle to 48 months. To be eligible to do so, Member States had to be able to demonstrate declining or low prevalence of BSE and that they have satisfactorily implemented the EU BSE surveillance programme and feed ban for at least six years. The Commission Decision is due to enter into force on 1 January 2009.
5. The main purpose of BSE testing, including testing of cattle slaughtered for human consumption, is surveillance to monitor the level of the disease in cattle. A move to testing at 48 months would therefore change the current arrangements for BSE surveillance. As this is carried out primarily for animal health reasons, the policy lead for BSE surveillance lies with Defra and the rural affairs departments in the devolved governments. The main protection of consumers from exposure to BSE is provided by the specified risk material (SRM) controls, which are estimated to remove over 99% of the infectivity from an infected animal. However, surveillance is also significant for public health, as it is the only means of monitoring changes in BSE risk in cattle slaughtered for food.

¹ i.e. cattle sent for emergency slaughter or with observations at ante mortem inspection or cattle that have died or been killed other than for human consumption (fallen stock)

² Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, United Kingdom

Previous Board discussion

6. The FSA Board at its meeting of 17 October 2008 considered whether a move to BSE testing cattle slaughtered for human consumption at over 48 months should be implemented in the UK. The Board had received advice from the Spongiform Encephalopathy Advisory Committee (SEAC) that the increased risks to human health from raising the testing age for healthy slaughtered cattle up to 60 months are very small. SEAC stated, however, that this risk assessment holds provided the incidence of BSE in cattle remains low and stressed the importance of maintaining effective surveillance to monitor changes in BSE risk.
7. The Board agreed to support an increase in the testing age for cattle slaughtered for human consumption, but wished to have assurance about the adequacy of both current and future surveillance before the change is implemented. The Board therefore asked the Executive to liaise with Defra and the relevant devolved departments over surveillance plans which would then be passed to SEAC for its opinion, before returning to the Board for a decision.

Defra's response on current and future BSE surveillance

8. In response to the Board's request, Defra have prepared a detailed report on current and future policy on surveillance for BSE and a covering policy statement (see Annex A). Defra's policy statement explains that:
 - Defra is committed to maintaining effective surveillance for BSE in line with scientific recommendations and statutory obligations;
 - following an increase in the age threshold for testing to 48 months for both healthy and risk cattle the surveillance programme in the UK would continue to test over 600 thousand cattle annually;
 - modelling predicts that, for both healthy and risk cattle, the number of BSE cases missed as a consequence of this change would be less than 1 per year in each category;
 - Defra's Veterinary Surveillance Strategy provides a comprehensive field surveillance programme for the detection of new and emerging diseases, including TSEs which may not be detectable with current rapid post mortem tests; and
 - Defra Ministers are clear that changing the way in which BSE surveillance is funded must not lead to a reduction in its effectiveness.
9. As to the ability of surveillance to detect any re-emergence of BSE following an increase in the testing age, Defra's statement refers to advice from the Veterinary Laboratories Agency (VLA) that testing fallen stock aged under 48 months would

have no practical impact unless there is an extremely steep rise in the prevalence of infection. Defra consider this scenario extremely unlikely, as maintaining effective feed and SRM controls should prevent a re-emergence of the BSE epidemic.

10. The TSE Roadmap, published by the European Commission in 2005³, discussed options to modify BSE controls while maintaining public health protection and the objective to eradicate BSE. The options discussed in relation to the feed ban were:
 - the introduction of tolerance levels for insignificant amounts of certain types of processed animal protein (PAP) in feed;
 - the inclusion of fish meal in young ruminant diets; and
 - the feeding of non-ruminant PAP to non-ruminants of a different species.
11. The current position is that the feed ban has recently been amended to allow feeding of fish meal in reconstituted milk replacer to young ruminants before weaning. Defra has yet to consult on legislative changes to administer this option, for which there is no significant demand in UK. A proposal to allow feeding of plant material following chance detection of insignificant amounts of bone fragments of environmental origin (e.g. rodent or bird) subject to a favourable risk assessment is currently under discussion. These changes do not give rise to a risk of a re-emergence of BSE. No other proposal to amend the feed ban has been made.

SEAC review of BSE surveillance

12. The letter from the Chair of SEAC, Professor Chris Higgins, of 27 November 2008 (Annex B) reaffirms SEAC's previous advice to the Board that the current approaches to risk assessment based on results from current surveillance are scientifically sound and that the information provided by current surveillance demonstrates that the current prevalence of BSE in the UK herd is so low as to present minimal risk to human health.
13. Defra's policy statement includes a commitment to keep BSE surveillance under review and to continue to consult SEAC on the risk assessments on which the BSE surveillance programme is determined, including a risk assessment currently being undertaken by the VLA looking at optimised BSE surveillance. Professor Higgins's letter affirms that SEAC stands ready to assess the validity of any new risk assessments used to inform decisions on the level of surveillance needed for effective risk management.

Public consultation on the proposed BSE testing changes

³ European Commission (2005) TSE Roadmap
http://ec.europa.eu/food/food/biosafety/bse/roadmap_en.pdf

14. The FSA, jointly with Defra and the devolved governments, has undertaken a formal public consultation on the proposed BSE testing changes. The consultation period closed on 3 December to enable a summary of the responses to be presented to the Board at this meeting. A shortened consultation was agreed by Ministers, in the light of the previous engagement with stakeholders by the FSA, which included stakeholder meetings in all four parts of the UK, to keep open the possibility of implementing the change from 1 January 2009. The FSA was in contact with consumer representatives during the process to ensure that they were aware and to hear any concerns.

Views of the food advisory committees (FACs) and resource implications

15. The position of the FACs and resource implications in relation to a change in BSE testing were reported in the paper for the October 2008 Board meeting (see summary at Annex C).

Conclusion

16. The Board wished to have assurance about the adequacy of both current and future BSE surveillance before the proposed move to BSE testing at 48 months is implemented. Defra have provided a detailed paper and an assurance that the Department is committed to maintaining effective surveillance for BSE in line with scientific recommendations and statutory obligations. Defra have also made clear their position that, following a move to testing at 48 months, a very substantial number of cattle (over 600,000) would continue to be tested annually and that, while the current BSE controls remain in place, continuing to test cattle aged under 48 months has no practical benefit.

17. SEAC has advised that the information provided by current surveillance demonstrates that the current prevalence of BSE in the UK herd is so low that the increased risks to human health from raising the testing age for healthy slaughtered cattle would be minimal.

18. A change in BSE prevalence is very unlikely while effective feed controls remain in place. There would therefore appear to be no reason on grounds of risk why the testing age for cattle slaughtered for human consumption should not be raised to 48 months now.

19. In relation to future BSE surveillance, Defra have undertaken to keep surveillance under review. They will continue to consult SEAC on the related risk assessments. The process of assessment by SEAC of the validity of risk assessments used to determine the BSE surveillance programme will ensure that decisions on surveillance take full account of the risk. The Board will be kept informed of future discussions on the UK BSE surveillance programme.

Board Action Required

20. The Board is asked to:

- **note** the Defra policy statement on surveillance for BSE (Annex A)
- **note** the letter from the Chair of SEAC, Professor Chris Higgins, of 27 November 2008 (Annex B) which reaffirms SEAC's previous advice on the current BSE risk; and
- **agree** to advise Ministers that a move to testing cattle slaughtered for human consumption at 48 months should now be implemented in the UK.

DEFRA POLICY STATEMENT ON SURVEILLANCE FOR BOVINE SPONGIFORM ENCEPHALOPATHY

OVERVIEW

1. Defra's Strategic Objectives include a **sustainable, secure and healthy food supply**. Defra has an extensive surveillance programme for bovine spongiform encephalopathy (BSE) and for new and emerging diseases. Defra Ministers are committed to maintaining effective surveillance for BSE in line with scientific recommendations and statutory obligations.

DETAIL

Current BSE Surveillance

2. The United Kingdom (UK) carries out extensive surveillance for BSE in line with European Union (EU) requirements. These exceed World Organisation for Animal Health (OIE) criteria for detecting BSE at an incidence rate of 1:100000 with 95% confidence.
3. The UK tested over 711 000 cattle in 2008 to the end of October and detected 26 BSE cases, 70% of which were in cattle born before August 1996 and none of which were in cattle aged less than 55 months. The current BSE surveillance programme in the UK tests the following animals:
 - All cattle emergency slaughtered for human consumption aged over 24 months.
 - All cattle showing clinical signs at ante-mortem inspection slaughtered for human consumption aged over 24 months.
 - All healthy cattle slaughtered for human consumption aged over 30 months.
 - All fallen stock aged over 24 months.
 - All cattle in the 1995/96 birth cohort entering the Older Cattle Disposal Scheme (OCDS) which closes on 31 December 2008.
 - All feed cohorts born after 31 July 1996.
 - All cattle suspected of being affected with BSE.

Future BSE Surveillance

4. Defra Ministers are clear that changing the way in which BSE surveillance is funded must not lead to a reduction in compliance or the effectiveness of surveillance. The changes in Great Britain are as follows:
 - From 1 January 2009, abattoirs will be responsible for paying for BSE testing at approved private laboratories. Official controls will remain in place and the MHS will not release carcasses of cattle which require BSE testing until they receive a negative test result.

- From 12 January 2009, farmers will be responsible for paying for the delivery of fallen stock carcasses to approved BSE sampling sites, and for their disposal. Defra will continue to pay for sampling and BSE testing. Official checks and financial penalties will remain in place to ensure that dead cattle are reported and tested.
5. Following a satisfactory assessment of the controls in place for the last six years, the EU has agreed that the UK may revise its BSE surveillance programmes from 1 January 2009.
 6. The future BSE surveillance programme in the UK would test the following animals and Defra estimates that the annual number of cattle tested would remain at over 600 000:
 - All cattle emergency slaughtered for human consumption aged over 48 months.
 - All cattle showing clinical signs at ante-mortem inspection slaughtered for human consumption aged over 48 months.
 - All healthy cattle slaughtered for human consumption aged over 48 months.
 - All fallen stock aged over 48 months.
 - All feed cohorts born after 31 July 1996.
 - All cattle suspected of being affected with BSE.
 7. The Spongiform Encephalopathy Advisory Committee (SEAC) endorsed both the European Food Safety Authority (EFSA) and Veterinary Laboratories Agency (VLA) models which predicted that the proposed surveillance programme would miss less than 1 BSE case per annum in both the healthy slaughter and the fallen stock/emergency slaughter/clinical signs at ante-mortem inspection testing streams.
 8. Epidemiologists at VLA have calculated that testing fallen stock aged less than 48 months will have no practical impact on the ability to detect any re-emergence of the BSE epidemic, unless there is an extremely steep rise in the prevalence of infection. This scenario is considered extremely unlikely as maintaining our effective feed and specified risk material controls should prevent any re-emergence of the epidemic.
 9. Defra's Veterinary Surveillance Strategy was developed on the basis of lessons learned from the emergence of BSE. It provides a comprehensive field surveillance programme for the detection of new and emerging diseases, including new TSEs which may not be detectable with current rapid post mortem BSE tests.

10. Defra will keep BSE surveillance under review and will continue to consult SEAC on the risk assessments on which the BSE surveillance programme is determined. For example, VLA is undertaking a risk assessment looking at optimised BSE surveillance strategies and Defra will ask SEAC to review the methodology and outputs.

11. Further details on BSE surveillance are available in Defra's Report on Current & Future Surveillance for Bovine Spongiform Encephalopathy at <http://www.defra.gov.uk/animalh/bse/publications/bse-surveillance.pdf>

**Department for Environment, Food & Rural Affairs
November 2008**

Dame Deirdre Hutton
Chair, Food Standards Agency
Aviation House
125 Kingsway
London
WC2B 6NH

27 November 2008

Dear Dame Deirdre,

SURVEILLANCE OF CATTLE FOR BSE

I know that Katrina Williams has written to Tim Smith about Defra's policy on future surveillance of cattle for BSE and that Defra has published its "Report on Current and Future Surveillance for Bovine Spongiform Encephalopathy".

For its part, SEAC has recently examined two risk assessments, one prepared by the VLA, the other by EFSA, which looked at the consequences of changing the age at which cattle are tested for BSE. SEAC was satisfied that these risk assessments were sound, both in terms of the analysis and the data and assumptions upon which they were based. SEAC's conclusions were communicated to the FSA Board on 15 October and can be seen on our website at www.seac.gov.uk/papers/101-summary.pdf.

In respect of risk assessments such as these, surveillance is essential to provide estimates of the incidence and prevalence of BSE in the cattle population, a point reflected in SEAC's conclusions on the risk assessments. It is implicit in those conclusions that SEAC is satisfied that the information provided by the UK's current surveillance demonstrates that the current prevalence of BSE in the UK herd is so low as to present minimal risk to human health. SEAC has expressed its clear view that the continuing decline in the BSE epidemic is attributable to the effect of the ruminant and reinforced feed bans.

However, ongoing surveillance is the only means of monitoring future changes in the incidence and prevalence of BSE, the effectiveness of control measures in preventing an epidemic, and the possible emergence of new prion diseases. Ongoing surveillance therefore provides vital information on the future disease status of the cattle population. SEAC has already stated that the current approaches to risk assessment based on results from current surveillance are scientifically sound. It is for risk managers to decide what level of surveillance in the future best delivers the information they need, and a considerable body of work exists that bears on the matters risk managers need to take account of to determine that level of surveillance, as summarised in Defra's recent Report. SEAC stands ready to assess the validity of any new risk assessments used to inform such decisions.

I am happy to discuss these matters further if you wish.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Higgins', with a long, sweeping flourish extending to the right.

Prof. Chris Higgins
Chair of SEAC

Views of the food advisory committees (FACs)

FACs agreed in principle to raising the age limit for testing, with specific support from WFAC and NIFAC for an age limit of 60 months for testing cattle slaughtered for human consumption, subject to SEAC assurance that the risk modelling is robust. NIFAC considered that the computerised cattle identification system used in Northern Ireland provided better control of the testing age than the GB cattle passport system. SFAC advised that future discussions of risk should include human infectious doses as well as bovine infectious doses.

Resource implications

The costs of testing, including the cost of MHS enforcement of the testing controls in abattoirs, currently fall to Defra/DARD. Defra estimate that raising the testing age from 30 months to 48 months would reduce the number of cattle slaughtered for human consumption that require testing by around 25%. The consequent annual reduction in the laboratory costs of testing⁴ would be around £1.4 million. Abattoir operators' costs of sampling and transport of samples to the laboratory⁵ would be reduced by around £1 million.

The MHS cost of supervision of the testing controls in the 74 abattoirs currently approved to operate testing in GB is in the region of £3.7 million for the current financial year. The MHS consider that raising the BSE testing age to 48 months would be unlikely to have significant resource implication for the MHS, as the duties performed as a result of BSE testing would continue, albeit in relation to a smaller number of eligible cattle. The MHS consider that levels of controls in the larger establishments, which process approximately 85% of cattle throughput, would be unlikely to change. A few abattoirs currently slaughtering cattle under 48 months could drop out of BSE testing if the testing age were raised, but these are more likely to be smaller establishments where ceasing the testing controls would be unlikely to affect the number of MHS staff required at the plant.

⁴ based on annual throughput of 500,000 cattle and a cost per sample, less EU subsidy, of £11.00

⁵ estimated by industry to be £8.50 per sample