

Minutes

Date: Wednesday 5 March 2003

Time: 9.15am to 12.15 pm

Venue: Committee Room 1, National Assembly for Wales

Members

Cynog Dafis	Mid and West Wales
Glyn Davies, <i>Chair</i>	Mid and West Wales
Jocelyn Davies	South East Wales
Delyth Evans	Mid and West Wales
Mike German, <i>Minister</i>	South Wales East
John Griffiths	Newport East
Peter Rogers	North Wales
Rhodri Glyn Thomas	Carmarthen East and Dinefwr

In attendance

Huw Brodie	Director, Agriculture and Rural Affairs Department
Gareth Jones	CAP Management Division
Nick Lilley	CAP Management Division
Tony Joss	CAP Management Division
Jim Norrie	Animal Health Division
Rosemary Thomas	Agriculture and Fisheries Policy Division
Huw Davies	Forestry Commission
Huw Jones	Countryside Division
Huw Davies	Office of the Counsel General
Jane Downes	Meat Hygeine Service

Secretariat

Adrian Crompton	Committee Clerk
Liz Wilkinson	Deputy Committee Clerk
Peter Jones	Counsel to Assembly Committees

Item 1: Introduction, apologies and substitutions

1. Apologies were received from Ron Davies.

Item 2: CAP Subsidy Payments

2.1 A verbatim record of this part of the meeting will be available shortly.

Item 3: Minister's report

3.1 In addition to his written report, the Minister said that a scrapie semen archive would be established subject to European state aids approval. In addition, he said that he had attended a meeting of the Chairs of the Woodland Forum Working Groups to hear emerging advice on the subject of restocking in Assembly woodlands. He would be making a statement on forestry policy and a presumption for restocking in Assembly woodlands following discussion at the Woodland Forum meeting at the end of March.

Milk quota

3.2 Concern was raised about the consequences of the European Court of Justice judgement that non-producing milk quota holders would no longer be able to retain their quota or lease it out indefinitely. Milk quota holders who had not produced against their quota in 2003/4 would be allowed until 31 March 2004 to either sell their quota or resume production. This could have a detrimental effect on farmers who relied on leasing as a source of income or who would realise a capital loss through sale. Unused and unsold quota would be confiscated into the national reserve, which could then be redistributed to particular groups, such as new entrants.

3.3 The impact of the proposals on quota holders in Wales, and the degree to which quota holdings would move between England and Wales, would depend on commercial decisions taken by producers. A ring fence for milk quota in Wales could not be established by the Welsh Assembly Government as quotas operate on a UK basis. In any event it was premature to consider it due to the reforms underway including proposals for the Dairy Premium Scheme. The date for introduction of new dairy premium entitlement of 31 March 2004 was only a proposal as negotiations were ongoing. There was no certainty yet on any provisions.

3.4 It would be necessary to retain sufficient quota within Wales and protect the needs of young farmers wishing to gain access to dairy quota.

Livestock Movements

3.5 Following the publication of the interim rules for animal movement, a formal consultation on the new livestock movement regime would begin shortly. The measures in Wales would need to mirror those prescribed in England as the relevant legislation would be made jointly by the National Assembly and DEFRA.

3.6 The Minister asked Peter Rogers to provide details out of committee so that he could respond to a question related to isolation facilities and suckler cows.

Farm Incomes

3.7 The Minister gave a cautious welcome to figures indicating some improvement in farm incomes but agreed that this came from a low base and that the sector remained fragile. The report of the Age Balanced Communities study, which examined the outward migration of young people from communities in rural Wales, would soon be available and would help inform future developments to assist young farmers.

Public Procurement

3.8 Following the Supplying and Buying Food in the Public Sector Conference, two path-finder projects would be implemented. Currently expenditure on food by the leading public sector bodies in Wales amounted to £60 million. Information on the proportion of Welsh produce purchased by the public sector would soon be available, and would help identify opportunities for Welsh producers.

GMOs

3.9 The Minister agreed to update the Committee on ongoing discussions with the European Commission on co-existence of genetically modified and non-genetically modified crops and, in particular, the issue of liability in the event of cross-contamination.

3.10 The Minister also agreed to report back to the Committee on his response to the legal opinion obtained by Friends of the Earth regarding the National Assembly's power to prevent the listing of Chardon LL.

Legislation

3.11 The Minister agreed to report back to the Committee on the reason for the withdrawal of The Undersized Lobsters (Wales) Order, which had been considered at the 12 February meeting.

3.12 The Minister agreed to provide details of the scope for distinct Welsh policy in proposals to implement EU regulation 999/2001 on Transmissible Spongiform Encephalopathies.

Other issues

3.13 Concern was raised about the absence of pig slaughtering facilities in the North of Wales. The Minister confirmed that there were currently six companies in the North capable of slaughtering pigs.

The matter of slaughtering capacity fell within the remit of Hybu Cig Cymru to take forward in the future.

Action points

The Minister agreed to update the Committee on ongoing discussions with the European Commission on co-existence of genetically modified and non-genetically modified crops and, in particular, the issue of liability in the event of cross-contamination – **Minister, Countryside Division.**

The Minister also agreed to report back to the Committee on his response to the legal opinion obtained by Friends of the Earth regarding the National Assembly's power to prevent the listing of Chardon LL - **Minister, Countryside Division.**

The Minister agreed to report back to the Committee on the reason for the withdrawal of The Undersized Lobsters (Wales) Order, which had been considered at the 12 February meeting – **Minister, Agriculture and Fisheries Policy Division, Office of the Counsel General.**

The Minister agreed to provide details of the scope for distinct Welsh policy in proposals to implement EU regulation 999/2001 on Transmissible Spongiform Encephalopathies - **Minister, Animal Health Division, Office of the Counsel General.**

Item 4: CAP mid-term review

4.1 A paper updating the Committee on the CAP reform would be scheduled for its 2 April meeting. It would include details of the outcome of the March European Council of Agriculture Ministers.

Item 5: Response to the European Parliament report on foot and mouth disease (FMD)

5.1 The Committee considered the Welsh Assembly Government's response to the European Parliament's report on foot and mouth disease and the associated draft EU Directive.

5.2 The following points were raised in discussion:

- the effect of the proposals on vaccination on the Welsh Assembly Government's response to any future outbreak of FMD, including the practical implications of the use of emergency vaccination, the operation of a vaccination to live policy and the consequent requirement to de-bone and mature meat before sale, and the extent to which the Welsh FMD Contingency Plan addressed the issue of vaccination; and
- the need to take into account the the wider rural economy when dealing with any future outbreaks of the disease.

5.3 In response the Minister said that:

- the draft Directive required vaccination to be a primary consideration in the response to any future outbreak. There remained, though, logistical, scientific and economic factors related to vaccination that would limit the effectiveness of a vaccinate-to-live policy in the immediate future. In the meantime, contingency planning in DEFRA and the Assembly was based on a policy of stamping out disease through culling of infected and suspect animals. There would not be automatic culling of all animals on contiguous premises as happened in 2001. Vaccination would be considered, as would veterinary checking and surveillance;
- he had pressed DEFRA to seek to ensure that the Office Internationale des Epizooties should establish detailed procedures for returning to disease-free status after an outbreak;
- allowing vaccinated meat to be marketed without de-boning could result in pressure on the EU to accept imports of bone-in meat from non FMD-free countries, which had not been de-boned and matured;
- the contingency plan now made it clear that the widespread closure of the countryside should not happen in any future outbreak.

Item 6: Subordinate legislation

The Protection of Animals (Anaesthetics) (Amendment) (Wales) Order 2003

The Welfare of Farmed Animals (Wales) (Amendment) Regulations 2003

The Pig Welfare Code

6.1 The Committee considered these three items of subordinate legislation and recommended the following amendments.

The Welfare of Farmed Animals (Wales) (Amendment) Regulations 2003

Paragraph 17 of Schedule 6 – appropriate temperature levels for the keeping of pigs should be specified;

Paragraph 29(1) of Schedule 6 - the minimum unobstructed floor area for an adult boar (6m²) should be consistent with that specified in paragraph 108 of the Welfare Code (7.5m²);

Paragraph 47 of Schedule 6 – the word ‘pigs’ should be replaced by the word ‘sows’ to reflect the requirements of the EU Directive;

Paragraph 47 of Schedule 6 - the words ‘paragraph 48’ should be replaced by ‘paragraph 46’.

The Pig Welfare Code

Paragraph 42 – guidance should be included on suitable methods of humane slaughter;

Paragraphs 80 and 81 - should make more explicit the need to use suitable environmental enrichment material rather than objects such as balls, chains etc.

Paragraph 107 – should refer to the distress caused to animals kept in extremes of temperature.

6.2 It was agreed that further consideration would be given to these recommendations.

Item 7: Committee's inquiry into agri-environmental schemes

7.1 Members asked that reference be made to evidence received on the role of part-farm schemes and to the principle of additionality in establishing the level of EU funding available. The Committee agreed to delete the last sentence of paragraph 29 on scheme objectives

7.2 A revised draft would be circulated to Members and included on the agenda for the 15 March meeting.

Item 8: Minutes of the previous meeting

8.1 Subject to a minor amendment, the minutes of the 12 February meeting were approved.