

Agenda – Environment and Sustainability Committee

Meeting Venue:

Committee Room 2 – Senedd

Meeting date: 14 October 2015

Meeting time: 09.00

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1 Introductions, apologies and substitutions

2 General Scrutiny Session: Minister for Natural Resources

09:00 – 10:30

(Pages 1 – 22)

Carl Sargeant AM, Minister for Natural Resources

Neil Hemington, Head of Planning

Matthew Quinn, Director Sustainable Development

Andrew Slade, Director, Agriculture, Food & Marine

E&S(4)–28–15 Paper 1

3 General Scrutiny Session: Deputy Minister for Farming and Food

10:30 – 12:00

(Pages 23 – 43)

Rebecca Evans, Deputy Minister for Farming and Food

Andrew Slade, Director, Agriculture, Food & Marine

Christianne Glossop, Chief Veterinary Officer

E&S(4)–28–15 Paper 2

4 Papers to note

Genetically Modified Organisms: Response from the Deputy Minister for Health

(Pages 44 – 47)

E&S(4)–28–15 Paper 3



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Genetically Modified Organisms: Correspondence from the Deputy Minister for Health

(Pages 48 – 51)

E&S(4)–28–15 Paper 4

Annual Review of Controls on Imports of Animal Products: Correspondence from the Welsh Government

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E&S(4)–28–15 Paper 5

Draft Wales Bill: Correspondence from the Presiding Officer

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Inquiry into energy efficiency and fuel poverty in Wales: Response from the Minister for Natural Resources

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Appointment Process for the Chair of Natural Resources Wales: Response from the First Minister

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Natural Resources Wales – Marine Programme: Summary Work Plan 2015 –2016

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E&S(4)–28–15 Paper 9

Agreement on International Humane Trapping Standards: Response from the Deputy Minister for Farming and Food

(Pages 112 – 113)

E&S(4)–28–15 Paper 10

Water quality in Wales: Response from the Deputy Minister for Farming and Food

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E&S(4)–28–15 Paper 11

Control of Horses (Wales) Act 2014: Response from the Deputy Minister for Farming and Food

(Pages 120 – 123)

E&S(4)-28-15 Paper 12

**Grid connectivity and the development of marine renewable energy in Anglesey:
Correspondence from the Chair of the Enterprise and Business Committee**

(Pages 124 – 125)

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**Active travel independent report – Professor Stuart Cole: Correspondence from the
Minister for Economy, Science and Transport**

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E&S(4)-28-15 Paper 14

Document is Restricted

Minister for Natural Resources

Environment and Sustainability Committee

1. This paper responds to the Committee's e-mail of 16 September identifying particular topics and information it would like to receive in advance.

Well-Being of Future Generations (Wales) Act 2015

2. This piece of legislation more than any other is central to this Government's legislative programme. It is one of a few laws of its kind anywhere in the world.
3. It requires the Welsh Ministers to fulfil a number of duties that includes issuing guidance, publishing national indicators and appointing a Future Generations Commissioner for Wales.
4. In addition, the Welsh Government will need to review its own processes and procedures to comply fully with the Act as well as demonstrate a lead to public bodies in Wales; this will include the Sustainable Development Charter.
5. The issue of guidance relates to other public bodies, public services boards, and community councils that are subject to the duty in relation to local well-being plans. A package of statutory and non-statutory guidance documents was issued for consultation on 7 September. The consultation ends on 16 November. I have established a Technical Advisory Group to oversee the work on the guidance, which is chaired by the outgoing Commissioner for Sustainable Futures. The guidance has been drafted to avoid being overly-prescriptive and to encourage public bodies to interpret the Act more actively themselves within their unique circumstances. I intend to publish the final guidance early next year before the duties come into force in April 2016.
6. The development of national indicators has involved seeking advice from the Public Policy Institute for Wales. These have been reviewed within the Welsh Government and an external consultation is scheduled for later this year.
7. Interviews for the Future Generations Commissioner have taken place and I hope that a successful candidate will be announced before the end of the year. The Commissioner will have a hugely important role in supporting public bodies to respond to the requirements of the Act, and also in reporting on and making recommendations about progress when necessary.

Planning (Wales) Act 2015

8. Sustainable development is of course already a central principle for the planning system. The Planning (Wales) Act 2015 introduces a statutory purpose for the planning system where any public bodies exercising planning functions will be required to ensure that land use decisions contribute to sustainable development.
9. The provisions will come into force after the relevant provisions of the Well-being of Future Generations (Wales) Act 2015 have come into force.

10. Elsewhere, a suite of secondary legislation, policy and guidance is in preparation as part of the Planning Act, with a number of consultation documents already issued. Before the end of this year I will publish an implementation plan describing the delivery programme for introducing the measures from the Act and other improvements.
11. As a matter of priority, I will introduce the Development of National Significance system early next year and bring further improvements to development management procedures.

Devolution of Energy Consents

12. There are two UK bills being brought forward relating to Energy matters; the Wales Act and the Energy Bill. The Wales Act will bring forward the overarching devolution of Energy Consents; the Energy Bill introduced on the 9th July contains energy matters that relate to On-shore Wind in Wales. The Energy Bill is currently in Lords Committee, the next session is on the 14th Oct
13. The Energy Bill has brought forward the following measures in relation to Energy Consents:
 - The closure of the Renewables Obligation scheme for onshore wind, and
 - Large onshore wind projects, greater than 50 MW, will be removed from the definition of nationally significant infrastructure projects process and therefore no longer decided by the Secretary of State for the Department of Energy & Climate Change under the Planning Act 2008.
14. The consequence of the Energy Bill is to transfer the consent decision for wind farms with more than 50MW generating capacity to the town and country planning regime. It has been announced that decisions on all future onshore wind projects will be taken by local planning authorities in England. However in Wales, as planning is a devolved function, it will be for the Welsh Ministers to decide how this commitment will be delivered.
15. Following the Planning (Wales) Act and informed by responses to the Welsh Government's recent consultation on the definition of Developments of National Significance, i.e. those applications which should be submitted to Welsh Ministers, we aim to have secondary legislation in place in the New Year. This could mean that all onshore wind farm applications over a certain scale, e.g. 25 MW, are submitted to Welsh Ministers. The evidence in Wales is that local planning authorities struggle to determine energy applications.
16. In future it is within the Welsh Government's remit for all onshore applications over a certain scale, e.g. 25 MW, to be referred to Welsh Ministers. The Powers for a Purpose document proposes the following energy measures be brought forward under the Wales Bill.;
 - Devolve the responsibility for all energy planning development consents for projects up to 350MW onshore and in Welsh territorial waters.
 - Responsibility for issuing marine licences in Welsh offshore waters should be devolved.

17. Limited discussions with UK Government have so far taken place, at this stage on energy matters proposed within the Wales Act.
18. The combination of the Energy Bill and the UK Government's stated aim to bar access for onshore wind projects to future rounds of the Contracts for Difference (CfD's) will effectively close down the on-shore wind sector to new projects in Wales.
19. The recent rejection of a number of wind farms in mid-wales by the UK government, against the advice of inspectors, has reinforced the view that without full control over energy consents Welsh Government will still have limited influence over the energy agenda in Wales, unlike Northern Ireland or Scotland.

Fracking

20. I have consistently made clear the Welsh Government's precautionary position on fracking, most recently in response to the UK Government's announcements about changes to the planning system to expedite shale gas exploration.
21. Our vision is for a clean, green future with energy generation based on embracing Wales's abundant renewable energy sources, which provide exciting and immediate opportunities. The technologies behind unconventional oil and gas extraction are unproven, in the complex geology of the UK, and on that basis we should maintain our precautionary policy framework.
22. I am currently considering whether underground coal gasification should be brought within the scope of my Notification Direction to local planning authorities. I will report on this in due course.
23. With regard to guidance, a precautionary approach is contained in current national planning policy which identifies the environmental impacts that must be addressed to ensure that any proposed development does not impact adversely on the environment, communities or wider society.

Building Regulations

24. Following the withdrawal of TAN22 (The Sustainable Buildings National Planning Policy) in 2014, related aspects of the Building Regulations are under review. We expect to consult on changes early next year.
25. We are undertaking a review of our capital funding policy that requires the Building Research Establishment Environmental Assessment Methodology (BREEAM) being marked at Excellent or the equivalent for new, non domestic buildings that receive Welsh Government funding.
26. The EU Energy Performance in Buildings Directive requires us to make new buildings 'Nearly Zero Energy' from 2018 for public buildings and 2020 for all new buildings. We need to recognise the economic importance of the house building industry in Wales. Raising standards must be done in a cost effective way. We will work with the industry to ensure that we balance the need to reduce energy demand in new housing with the need to meet new housing demand.

27. My July 2014 changes to Part L, prompted by changes made to the BREEAM methodology, raised energy performance of new dwellings by an average of 8% over the previous 2010 standards. We also raised new non domestic buildings standards by an average of 20%, which is double that achieved in England.
28. A phased introduction of the requirements for sprinklers has been introduced into the regulations. The sprinkler requirements for high risk properties, such as care homes, were introduced in April 2014. The requirements for all new and converted dwellings apply from January 2016.
29. I am committed to a further review of the energy performance requirements of the Building Regulations in 2016. We will have to consider whether off-site carbon abatement has a place not least as a consequence of UK Government scrapping their zero carbon new homes target and deferring their proposed review.
30. Transferring the responsibility for energy infrastructure to Welsh Ministers through Building Regulations will provide legal and administrative benefits in providing clear demarcation between Wales and England.

Flood and coastal erosion

31. Over the lifetime of the Government over £240 million will have been invested in flood and coastal erosion risk management. This has been supported by a further £47million from the European Regional Development Fund (ERDF). This investment will reduce flood and coastal erosion risk to over 12,000 properties, including over 10,700 homes.
32. Our Coastal Risk Management Programme (CRMP) is a unique opportunity to invest in managing the risks to our coastal communities from climate change and sea level rise. We are prioritising the CRMP in our programme of capital infrastructure investment and in our preparedness to contribute 75% of a project's costs.
33. We continue our work on the coastal delivery plan to take forward the 47 recommendations of the review into the coastal flooding of winter 2014/15. To date 11 recommendations have been completed with a further ten expected to be completed by the end of October.
34. The proposed Environment Act will introduce the Flood and Coastal Erosion Committee which will be a consultative/advisory body providing advice to me from Welsh Risk Management Authorities on all sources of flooding and coastal erosion. This will be formed following the abolishment of the Flood Risk Management Wales (FRMW) Committee.
35. The new committee will move away from its current role scrutinising the programme and budget of NRW as this function is carried out by the NRW Board. The full details of the committee are still under consideration, however it will have representation from, and linkages with, other flood risk management bodies reflecting its remit as an advisory body on all aspects of flood and coastal erosion risk management in Wales.

36. It is currently expected that the first meeting of the Flood and Coastal Erosion Committee will be in September 2016 following public consultation on draft Regulations.

Water

37. I published in May the Water Strategy for Wales which sets out our key policy priorities for Water in Wales over a 25 year period and beyond. Our aim is to ensure that we have a more integrated and sustainable approach to managing our water and associated services in Wales. The Strategy was developed within the context and will contribute to the implementation of our wider policy about natural resource management. The Strategy is supported by a high level action plan and work has already started on a number of key policy commitments.
38. For instance, we are actively working with the UK Government with a view to securing devolution of all matters relating to water and sewerage and the removal of the unilateral power of the UK Government to intervene in respect of water resources in Wales. We have recently issued two consultations which will secure sustainable sewerage systems and support sustainable drainage solutions in Wales.
39. In order to better manage our water resources now and for the future, we have also undertaken extensive work which will enable us to reform the abstraction license system in Wales and bring in to control many currently unlicensed abstractions.
40. We are also currently undertaking a review of all Nitrate Vulnerable Zones and aim to publish a 12 week consultation in December seeking the public's views before coming to a final decision. The Nitrates Directive requires the Welsh Government to identify surface or groundwaters that are, or could be high in nitrate from agricultural sources. When a water body has been identified as vulnerable, all land draining to that water is designated as a Nitrate Vulnerable Zone. Within these zones, farmers must observe an action programme of measures which include restricting the timing and application of fertilisers and manure, and keeping accurate records.

Marine and Fisheries

41. The delivery of economic and social benefits to Wales needs to be seen in the context of the European statutory obligations. These include the implementation of the Common Fisheries Policy (CFP), the Marine Strategy Framework Directive (MSFD), and the introduction of a marine planning system for Wales. Both CFP and MSFD contain challenging targets that we simply must meet.
42. The European MSFD 2008/56/EC asks that Member States put in place measures to achieve Good Environmental Status in European waters by 2020. The Welsh Government and other UK administrations are committed to developing a UK Marine Strategy to implement the Directive.
43. The EU Directive on Maritime Spatial Planning 89/2014 introduces the requirement for all Member States to introduce marine plans no later than March

2021. The marine plan for Wales is progressing towards introduction with a draft being shared for comment this autumn.

- 44. The Marine and Fisheries Strategic Action Plan sets out challenging targets for the growth of the aquaculture sector in Wales and I will be setting out an Aquaculture Strategy developed in collaboration with the industry to ensure a long-term economic benefit for Wales.
- 45. The European Maritime and Fisheries Fund will help to implement the CFP and ensure the future of fisheries management is underpinned by appropriate evidence.
- 46. I am considering NRW's advice on potential new marine Special Protection Areas for birds and Special Areas of Conservation for harbour porpoise. I anticipate a 12 week consultation this autumn.

Forestry

- 47. The Welsh Government works closely with Natural Resources Wales and the private forestry sector on the delivery of its 50 year vision for trees and woodlands – Woodlands for Wales.
- 48. We are currently identifying further ways in which we can drive woodland creation in Wales and a workshop has been convened for later this month to explore just that. It will consist of members of the Woodland Strategy Advisory Panel, Natural Resources Wales and representatives of organisations with an interest in forestry in Wales. It will also discuss how the woodland sector can contribute to the goals expressed in the Well being of Future Generations Act.
- 49. The intention is to then deliver a Woodlands for Wales 5-year Action Plan - which will be published and put into operation in the coming months.
- 50. I have also received a very positive response to our Glastir woodland creation scheme and I am encouraging the sector to take forward new and innovative proposals for woodland management such as shelter belts, more urban trees and the creation of more community woodland, especially in urban areas.
- 51. Furthermore, Defra and the Scottish Government have announced their intention to seek the further devolution of forestry functions. I have indicated to them that our access to shared services such as forestry research currently delivered by the Forestry Commission must be maintained.

Carl Sargeant AM
Minister for Natural Resources
October 2015

Agenda Item 3

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Deputy Minister for Farming and Food

Environment and Sustainability Committee

1. This paper responds to the issues set out by the Committee in its e-mail of 16 September identifying particular topics and information it would like to receive in advance.

Strategic Framework for Welsh Agriculture

2. The framework will be a way of working that brings together the many different policies and independent reviews that have been undertaken over the last couple of years.
3. The consultation on it has now ended and work is underway to analyse the consultation responses in detail. This is very much a joint initiative – undertaken with and supported by leading industry bodies including the FUW, NFU Cymru, CLA Cymru, the Agriculture and Horticulture Development Board, the Dairy Development Centre, Hybu Cig Cymru (HCC), Wales Young Farmers Club and the Tenant Farmers Association Cymru.
4. At the heart of our shared vision is a modern, professional, sustainable and profitable agriculture industry in Wales. The critical issue over the next few months will be the formation of a Partnership Group to own the vision and to further develop the strategic framework.

Common Agricultural Policy

5. The new Basic Payment Scheme (BPS) opened earlier in 2015 and 16,535 applications were received (with a significant 72% of these online). Applications are currently being processed by Rural Payments Wales.
6. BPS payments in Wales will transition to a single flat rate between 2015 and 2019. This means that by 2019 every farmer in Wales claiming BPS will receive the same payment rate per hectare. In addition, there will be an additional Redistributive Payment for the first 54 hectares claimed by each farmer.
7. BPS also introduces two new schemes - Young Farmer and Greening. A Young Farmer, aged 40 or less and setting up an agricultural business for the first time, will receive a modest top up payment for up to five years. Greening is a little more complex. Farmers will receive payments if they observe certain agricultural practices which vary dependant on how the land is being farmed. The likely impacts will be lower in Wales than in other parts of Europe with most Welsh farmers automatically meeting Greening criteria by virtue of being livestock farmers with grassland.
8. Rural Payments Wales has highlighted since 2014 that the additional checks required in 2015 will necessitate BPS being paid in two instalments in the first year. We anticipate the part payment to each farmer will be between 70% and 80% of the estimated full value and are planning to issue these to farmers as early as possible in the 2015 payment window, which opens on 1 December 2015.
9. We will not be able to make an accurate full payment until we have verified all the claimed land in Wales, as this establishes the total payable area and allows Wales to make full use of its available EU budget. The balance will therefore be paid from April 2016, at which time farmers will know their definitive entitlement value, through to 2019.
10. There is a great deal of complex checking to do, including verifying that farmers meet the eligibility criteria for the new schemes, mapping, and inspections, to deliver the controls required by the governing EU Regulations. The EC regulations require that all inspections

must be completed and that full validation, including cross-checks of land, be finalised before any payments can be made.

11. You will be aware that the Welsh Government has received a pre-action protocol letter regarding CAP Pillar 1 from a group of farmers. We have responded to the group concerned, but given the possibility of legal action it would be inappropriate to comment further at this stage.
12. With regards to CAP Pillar 2, the Welsh Government Rural Communities Rural Development Programme 2014-2020 (RDP) was unveiled in July. Significant investment from the Welsh Government and the European Union will support a wide range of activities designed to increase the sustainability and resilience of our natural environment, land-based sector, food businesses and communities. This includes improving skills, innovation and knowledge transfer, supporting woodland and forestry, safeguarding jobs and tackling poverty, as well as promoting resource efficiency
13. Glastir multi-annual land management scheme will remain a core part of the package, representing the largest single area of investment. Various elements are now active and existing Glastir contracts, signed under the RDP 2007-2013, will continue under the RDP 2014-2020.
14. Furthermore, I have invited the first expressions of interest for a new Sustainable Production Grant – a significant fund to help make our farm businesses sustainable in the full sense of the word. A new targeted Food Business Investment Grant has also opened. The food and drink industry is agriculture's main customer – strengthening its capacity is vital to the future of our agriculture industry and adding value and reach to its products. It is a vital sector for jobs and economic growth in Wales – investing in the green growth of our wider supply chain benefits our primary production sector too.
15. Our Farming Connect offer will continue to be central to our support for the industry. Farming Connect, the Farm Advisory Service, and a Rural Business Advisory Service will spearhead our efforts, benefitting from investment over the lifetime of this Programme period.
16. The LEADER work has also already begun and the Local Action Groups and their Local Development Strategies have been approved.

Farm prices and Dairy crisis

17. I remain aware of the issues that Welsh farmers are experiencing. High production levels and the strength of the Pound against the Euro mean that conditions have not been favourable for some time. In his speech at this year's Royal Welsh Show the EU Commissioner for Agriculture and Rural Development, Phil Hogan, made it clear that farmers across the EU need to face the future with confidence and ambition. Farming must become more productive and efficient if we are to rise to the challenges. I fully endorse these sentiments.
18. The supply chain remains a critical element within the milk and red meat sectors. We must all act in a responsible manner if this industry is to take itself forward. This is not something in which government can simply intervene. We must work together. Likewise retailers, processors and consumers need to think about what they can do to support Welsh farmers.
19. The decline in milk price has slowed and I hope that prices are now able to recover, but we are exposed to the prices paid for dairy products on global markets and we must work towards becoming more competitive in global markets and to also look to add value to dairy – in home and export markets. We must also continue to look at efficiency.

20. Our dairy farming sector has some real advantages over our competitors. We are able to grow grass, the cheapest and best food for dairy cows and our family farming system, with a viable herd size, gives Welsh dairy farmers resilience and an edge that we will help them exploit.
21. Our Review of the Dairy Sector in Wales recommends that we compete in the world market. There is no reason why dairy farms in Wales cannot compete with other milk producing countries.
22. The Welsh Dairy Leadership Board has begun work on delivering the recommendations in the Review of the Dairy Sector. The feasibility study into increasing milk processing capacity in south west Wales has also started; we have appointed a contractor to undertake the work. It is important that we understand the potential for the sector and develop a sustainable market for our increasing milk production. I want more dairy farmers to focus on business efficiency and benchmark where they can make most improvement.
23. I was also pleased to announce recently that Welsh farmers will receive a £3.2m from an agreed EU dairy aid package. Every dairy farmer in Wales will get a one-off payment to help with cash-flow problems in recognition of the prolonged period of low milk prices. Payments will be based on how much milk they produced in 2014-15, with an average payment being put at £1,800 per farm. We hope to make the payment as quickly as possible.
24. Elsewhere, HCC continues to promote Welsh Lamb at key events and locations throughout England and Wales and I am very grateful for its continued efforts. I also welcome the work undertaken by it in the development of a targeted strategy for the red meat industry in Wales, which will help farming businesses become more profitable in a sustainable way.
25. The price we are currently getting for lamb is not just a Wales issue, nor is it a UK issue. This is being experienced right across the European farming sector; and therefore as a collective, we need to find a way of supporting farming to become more resilient to market forces. I believe that it is the right time to look at whether or not the import quota which allows lamb into Europe is still appropriate. This is something that I would urge the European Commission to look into straight away to avoid this perfect storm situation reoccurring.
26. The supply chain is pivotal to the success of the red meat industry in Wales and further afield. And for this to be a success, all members need to play their part responsibly. I am pleased to read reports that UK supermarkets are supplying more and more Welsh [and British] red meat, but I feel that more could still be done.

Food and Drink

27. The latest priority sector statistics for farming and food reported a £5.8 billion turnover which means that we have already achieved 11.5% growth since 2012-13. Food manufacturing alone is an important industry for Wales and accounted for £4.3 billion in turnover in Wales in 2014. We have also achieved the delivery of £10.8 million of new business investments in 2014/15 which has safeguarded over 1,365 jobs and created 450 new jobs in food.
28. As mentioned earlier in this paper, the Food Business Investment Grant has also opened. The scheme will focus on jobs in the food sector, and help create innovative products, and encourage collaborative projects on food innovation and sector specific support. We have already received in excess of 100 business enquiries since the scheme launch.

29. To help further drive the sector forward we now have full membership of the Food and Drink Wales Industry Board. This is a government/industry partnership and the Board will provide strategic direction to the Welsh Government on delivering the action plan. We have also established a Welsh Government Food Policy Group with representatives from all Ministerial portfolios to ensure policy alignment and synergy, and to support delivery of the action plan.
30. We have hosted a number of events this year to celebrate the best of Welsh produce, including the celebration of last year's Welsh Great Taste Award winners. An impressive 174 coveted Great Taste awards went to products from Wales this year, with ten being deemed worthy of the 3-star accolade. This year's competition witnessed a 25% upsurge in Welsh entries. Under the Food and Drink Wales banner, we have also recently hosted a Wales-wide food writer's tour, in which the best of Wales' food and drink (PFN status) offering was showcased.
31. Together with the Deputy Minister for Culture, Sport and Tourism I have also launched a 'Food Tourism Action Plan for Wales 2015-2020'. A key focus is on increasing the prevalence of local and regional foods in our shops and on our menus, directly benefiting our economy. We are investing over £2.5 million during the next two years to ensure that Wales continues to have a strong presence at a series of key UK and International trade events. Trade events in 2014/15 resulted in Welsh companies securing nearly £6 million additional business, with further opportunities identified of over £16 million.
32. The National Procurement Service Food Category Forum has also been working on a Food Strategy, and started the process to procure food for the Welsh Public Sector. The first lots will start on 1 February 2016 and begin with Prepared Sandwiches and Sandwich Fillings and Frozen Plated Meals.
33. Work is also underway to promote our Sustainable Development Charter and Resource Efficient Wales with food and drink manufacturers. We continue to promote healthy eating and drinking in schools and are beginning work on a food and nutrition strategy in conjunction with the Department for Education.

Organic Farming

34. On organics, I am pleased that the General Approach for the new European Organic Regulation was accepted by majority vote at the Agriculture and Fishery Council at Luxembourg in June. Much of the detail of the approach will be developed and negotiated through the introduction of the implementing regulations and I will continue to work with the UK delegation to ensure that Welsh organic farmers are not disadvantaged by the new regulations.
35. As also already mentioned, Glastir Organic is open for business with over 500 Glastir Organic contracts becoming live earlier this year. A new Glastir Organic application window closed on 2 September during which 84 applications were received. Encouragingly 61 of the applications were from individuals new to organic farming. This vindicates the decisive action I took to open the Glastir Organic application window before the approval of the Rural Development Programme as this has stabilised the number of organic farmers in Wales and there are now some signs of growth in the sector.

Agricultural Advisory Panel

36. The Committee also asked me to provide an update on the Agricultural Advisory Panel. In line with consultation responses, the Panel will consist of ten members and a Chair. The Farming Unions and UNITE will have a guaranteed membership whilst independent members, including the independent Chair, will be selected via the public appointment process. The

work of the Panel will be supported by a permanent subcommittee responsible for advising on career and skills development. The public appointment exercise will open on 23 October 2015 and it is expected that the Panel will be in place by early 2016.

37. On the Agricultural Wages Order, we held a public consultation over the summer and the majority of the responses supported the introduction of it. My intention is that the order would increase wages by around 6% for Grade 2-6 and other categories of workers, representing an annual increase of 2% between 2012 and 2015. In the new wages order, Grade 1 level will be raised to a rate which is 2p above the national minimum wage. The order is expected in December 2015 and will remain in force until a new wages order is made based on the recommendations of the Panel.

Animal Welfare

38. I published the first annual Implementation Plan of the Animal Health and Welfare Framework in July 2015 and set out the priorities for the year and key actions for delivery as agreed by Welsh Government and the Wales Animal Health and Welfare Framework Group. These priorities contribute towards achieving the strategic outcomes. The plan sets out the policy areas which are under development and will be kept under review and updated throughout the year.
39. The Group have made it a priority to ensure that there is a balanced approach across the scope of the Framework. In order to take this forward, the Group has recognised that, whilst relationships and links on the livestock sector side are well established, more needs to be done to embed links with the welfare sector. Work on this is progressing and a constructive meeting has already been held with Animal Welfare Network Wales to help take this forward.
40. There is ongoing work to re-evaluate the way of working and relationship with the Animal and Plant Health Agency (APHA), including improvements to governance, funding arrangements, their support to policy and a new Animal Health and Welfare Concordat signed off by all UK Administrations.
41. The Welsh Government is working proactively as part of a UK Working Group to evaluate the procedures in place between UK Administrations as well as with APHA to improve governance, financial transparency and general ways of working. It is important Wales' priorities can be met and carried out in a cost effective manner. At the same time ensuring effective delivery of animal health and welfare priorities in Wales is critical while maintaining a level of resilience across the UK to deal effectively with any future exotic animal disease outbreak.

Bovine TB

42. As of June 2015, close to 95% of herds in Wales are TB free. The overall trend in new incidents and animals slaughtered due to TB control is broadly downwards. Between 2008 and 2014 there was a 29% decrease in new incidents and a 44% decrease in animals slaughtered.
43. We have published a TB dashboard to present data in an understandable and visual way, charting the journey to TB eradication on a quarterly basis. The fourth year of the badger vaccination project in the Intensive Action Area is ongoing. To date, five vaccination cycles have been completed and 841 badgers have been vaccinated. In previous years 1,316 badgers were vaccinated in 2014, 1,352 in 2013 and 1,424 in 2012.

44. I have also recently decided to change our legislation so that information on the location of herds affected by TB can be published to enable people to take appropriate precautions to protect their animals and to raise awareness of the risk of purchasing animals with hidden infection.
45. Elsewhere, we will maintain the current system of on farm valuation for TB compensation and my officials will introduce measures which will penalise cattle keepers who are undertaking risky practices. Our consultation - open until 6 November – asks about the way we deal with compensation in circumstances where risky practices can contribute to the spread of TB.
46. The Cymorth TB veterinary programme continues to be rolled-out across Wales and includes more choice for farmers. We have also developed an accredited online Cymorth TB training programme for vets in partnership with APHA and the training provider Improve International. The bilingual training is being rolled out this autumn and we are subsidising 300 training units with the hope that all practices and most vets working in Wales will be Cymorth TB qualified.

EID Cymru

47. Separately, EIDCymru will help Welsh farmers and land managers to increase profitability from the efficiencies of reporting and greater access to data. EIDCymru will be available from November for livestock markets and abattoirs to help ensure that the system works effectively at these high volume/throughput locations. Full implementation for all sheep keepers is planned for January 2016, to coincide with the proposed amendment to Sheep and Goats Records Identification and Movements legislation (SAGRIMO) which will enable these changes to be enforced.
48. We are taking a strategic and controlled approach to implementing EIDCymru in Wales, having learnt significant lessons from the implementation of the Animal Recording and Movement Service (ARAMs) in England. Interfaces are required to transfer ear-tag and County Parish Holding information into EIDCymru along with the transfer of data into the Animal Movement Licencing System as the central animal movement repository of data for Wales, England and Scotland. We have agreed a contract with the Rural Payment Agency and their IT contractors to deliver these requirements to our timescale. EIDCymru will also exchange cross border movement data with Defra's sheep movement database ARAMs. Officials are working closely with Defra's contractor, South Western, to achieve this.

Commons Act 2006

49. In addition, we have also introduced significant commons legislation to protect common land and promote sustainable farming, public access to the countryside, and the interests of wildlife.
50. The priority for the remaining sections of the Commons Act is to enable applications to correct mistakes and for non-registration or mistaken registration. I expect these elements to be in force from summer 2016. Work is also ongoing on developing a fee structure for applications under Part 1 of the Act, the implementation of Electronic Registers of Common Land together with the establishment of Commons Councils.

Rebecca Evans AM
Deputy Minister for Farming and Food
October 2015

Agenda Item 4.1

Vaughan Gething AC / AM
Y Dirprwy Weinidog Iechyd
Deputy Minister for Health



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF/VG/1900/15

Alun Ffred Jones AM
Chair
Environment and Sustainability Committee
The National Assembly for Wales
Cardiff Bay
CF99 1NA

13 July 2015

Dear Alun,

Thank you for your letter of 9 June regarding the European Commission's proposals for genetically modified food and feed. This follows your discussions with my ministerial colleague Rebecca Evans AM, Deputy Minister for Farming and Food, at your Committee meeting on 20 May. This letter and enclosed Annex have also been agreed by the Deputy Minister for Farming and Food given the potential implications of the proposals for Welsh agriculture.

The Food Standards Agency (FSA) is the competent authority for genetically modified (GM) food and feed, and as a non-Ministerial Government Department advises the National Assembly for Wales and Welsh Ministers through me as Deputy Minister for Health. The Deputy Minister for Farming and Food also has an interest in this issue as Welsh Ministers are the competent authority in Wales for the purposes of the deliberate release and placing on the market of genetically modified organisms.

The FSA advise that the European Committee's proposals to reform the authorisation process for GM food and feed by amending Regulation 1829/2003 is at a very early stage and there is insufficient clarity at the present time on how any proposal would work in practice, including what impact it may have in Wales and on Welsh agriculture.

The FSA and the Welsh Government have considered the questions raised by the Committee and their responses are provided in the attached Annex.

While I understand your concerns about the impact of these proposals on Welsh agriculture, it is not possible to provide detailed responses at this stage of the process. More information should become available as these proposals develop.

Yours sincerely

Vaughan Gething AC / AM
Y Dirprwy Weinidog Iechyd
Deputy Minister for Health

Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff

Pack Page 48

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

English Enquiry Line 0300 0603300
Llinell Ymholiadau Cymraeg 0300 0604400
Correspondence: Vaughan.Gething@wales.gsi.gov.uk

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**Environment and Sustainability Committee Questions on the Issue of GM Food and Feed
(Allowing Member States to Restrict/Ban the Use of GM Food and Feed
Products in their Own Territory)**

**Responses from the Food Standards Agency and the Welsh Government
on the Questions Raised**

QUESTION 1: Is the Welsh Government content that it would have sufficient power under the new proposals to introduce a ban in relation to the use of GM food and feed in Wales even if the UK Government did not support a ban?

In terms of the Welsh Ministers' existing powers, European Communities (Designation) (No2) Order 2005 designates Welsh Minister for the purposes of section 2 (2) of the European Communities Act 1972 in relation to food and feed. However, any assessment as to whether the power conferred by this designation order would enable Welsh Ministers to ban the use of GM food and feed will require detailed consideration as the proposals become available. The proposals are at an early stage, and it is therefore premature to consider whether Welsh Ministers' powers are sufficient.

QUESTION 2: Is the Welsh Government considering introducing such a ban if permitted under the new proposals?

The EU authorisation of GMOs permitted in food is based on assuring the food can be consumed safely. This is undertaken by the European Food Safety Authority (EFSA). The FSA has confidence in the work of EFSA in carrying out the centralised risk assessment of GMOs. Each GMO is unique therefore safety is determined on a case-by-case basis. To date all the evidence suggests that food and feed derived from GMOs is as safe as that from non-GM sources.

As mentioned above, the proposals are at an early stage and more detailed consideration of the implications of the proposals is needed. The Welsh Government maintains a precautionary approach to GM crop cultivation that is consistent with UK and EU law. This approach aims to protect a sustainable agriculture industry in Wales. Food and drink manufacturing is the cornerstone of our rural economy and it is vital that we protect this sector and preserve consumer confidence in our quality and safe produce and products. This means taking a precautionary approach to the potential impacts of new technologies like GM on our environment and the associated economic impact. The Welsh Government contends socio-economic issues to be important factors in the consideration of GM crop approvals, and believes research on GM and other advanced plant breeding techniques offers potential to deliver environmental, social and economic benefits in future. This position should underpin our approach to the proposal relating to GM food and feed. We should therefore consider use of GM food and feed on a case by case basis, on the basis of the science available, and consider any impacts on health and the environment, as well as socio-economic factors.

QUESTION 3: What consideration has the Welsh Government given to the implications of a national ban of GM food and feed on Welsh agriculture?

Factors to consider include: impact on farming and food industry in Wales; impact on the single market; international trade with for example US; cross border trading limited with potentially varying approaches within the UK; impact on supply chain; better regulation – no impact assessment for the proposal; GM regulation to be science based.

The re-nationalisation of the decision-making for GM food and feed brings potential implications for government and industry. Concerns include single market compatibility and WTO compliance. The EU livestock industry, including in the UK and Wales, relies heavily on animal feed protein sources from outside the EU; including countries in North and South America, where a large proportion of the crops grown, such as maize and soya, are GM. Figures from industry sources indicate that, in 2013, at least 85% of the EU's compound feed production was labelled to indicate that it contained GM, or GM-derived, material. The UK, and Welsh, livestock sector relies heavily on imported GM animal feed. Industry estimates the price difference between GM and non-GM feed / cost differential between GM and non-GM feed to be around 30% and this might increase with introduction of restrictions or a ban.

The Welsh Government acknowledges that, to date, no proposed grounds to restrict the use of GM food and feed have been suggested by the European Commission. Any proposed restriction would rely on measures that are in conformity with European Union (EU) law, reasoned, proportional and non-discriminatory, and in addition based on compelling grounds.

This means taking a precautionary approach to the potential impacts of new technologies like GM. We will consider the use of GM food and feed and any resulting implications on a case by case basis, on the basis of the science available, the impact on health and the environment, as well as socio-economic factors.

The FSA report the use of GMs in food is currently limited in Wales and the implications on Welsh agriculture are, therefore, likely to be minimal. The implications of a ban on GM feed, however, will have a significant impact on Welsh agriculture.

Wales is not self-sufficient in terms of animal protein feed and like the rest of the UK and the EU itself we are dependent on animal feed imports from third countries. The UK currently imports upwards of 3 million tonnes of animal feed per year, primarily soya. This constitutes 70% of the total UK requirement for animal protein feed. Any measures enacted under this proposal could adversely affect the supply and cost of animal feed imported into the UK.

Non-GM animal feed carries a price premium, which may increase with introduction of restrictions or a ban. The EC proposals might result in adverse impact on the supply and cost of animal feed imported into the UK, and result in an uncompetitive industry in Wales.

QUESTION 4: Has the Welsh Government undertaken any assessment of the percentage of Welsh farmers currently using GM food and feed?

As advised by the FSA, although use of GMs in food is limited in Europe, use of GMs in animal feed is significant, for example the EU is a major user of imported GM soya for animal feed. The UK currently imports approx. 3 million tonnes of animal feed per year, primarily soya, which constitutes 70% of its animal protein feed requirement.

QUESTION 5: Will support be made available to parts of the industry affected by any bans?

Please refer to the answer provided at Question one – the FSA report the EC proposals are at a very early stage, and there is insufficient clarity at the present time on how any proposal would work in practice, including what impact it is likely to have in Wales and on Welsh agriculture. It is therefore premature to confirm whether Welsh Ministers' powers are sufficient to introduce a ban in relation to the use of GM food and feed in Wales.

Agenda Item 4.2

Vaughan Gething AC AM
Y Dirprwy Weinidog Iechyd
Deputy Minister for Health



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref LF/VG/0807/15

David Melding AM
Chair of the Constitutional and Legislative Affairs Committee
The National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

23 September 2015

Dear David,

Thank you for your letter of 8th July to Carl Sargeant AM, Minister for Natural Resources, regarding the European Commission's proposals for genetically modified food and feed. I am responding as this matter falls within my portfolio.

The Food Standards Agency (FSA) is the competent authority for genetically modified (GM) food and feed, and as a non-Ministerial Government Department advises the National Assembly for Wales and the Welsh Ministers through me as Deputy Minister for Health. The Deputy Minister for Farming and Food also has an interest in this issue as the Welsh Ministers are the competent authority in Wales for the purposes of the deliberate release of genetically modified organisms into the environment.

You asked specifically about the ability of devolved administrations to take their own decisions in relation to this proposed legislation. The FSA advises that the European Commission's proposals to reform the authorisation process for GM food and feed by amending Regulation 1829/2003 is at an early stage and there is insufficient certainty at the present time as to how the proposals would work in practice.

The Welsh Ministers have existing powers in relation to food and animal feed in the context of the European Union. The European Communities (Designation) (No2) Order 2005 designates the Welsh Minister for the purposes of section 2 (2) of the European Communities Act 1972 in relation to food and feed. The Welsh Ministers also have powers in relation to *"measures relating to the control and regulation of the deliberate release, placing on the market and trans-boundary movements of genetically modified organisms"* under the European Communities (Designation) (No.4) Order 2003 No.2901.

Any assessment as to whether the power conferred by these designation orders would be sufficient to allow the Welsh Ministers to "take their own decisions" will involve a detailed consideration of the finalised EU regulation.

You also asked about the discussions the Welsh Government have had with the UK Government. The FSA as the competent authority is in regular dialogue with both UK Government and the European Commission regarding this proposal. The Right Honourable Elizabeth Truss, Secretary of State for Environment, Food and Rural Affairs, wrote to me recently seeking my views on the proposal prior to the EU Agriculture and Fisheries Council meeting in July.

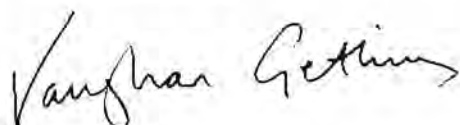
The Welsh Government supports the UK Government's position which is not to support the proposal to amend Regulation 1829/2003 because the analysis has identified a number of significant concerns:

- it undermines the principle of the EU single market, which we support. It could impact on existing trade flows in GM products into and within the EU;
- national bans for non-safety reasons undermine the principles of science-based regulation, and of allowing fair market access for safe products;
- to date we have not been able to identify the non-safety grounds which might be WTO compliant or defensible under EU law;
- the UK livestock sector is heavily dependent on imported GM feed, using upwards of 3 million tonnes per year (70% of total UK animal protein feed). If a number of Member States banned the use of GM food and feed, the EU market could become far less attractive to the main exporting countries (Brazil, Argentina and the USA) and the effect on UK supplies and costs is unknown;
- the negative impact on wider international trade; and
- it has already had a detrimental impact on negotiations for the EU US Transatlantic Trade Investment Partnership.

I note the concerns of the other Assemblies outlined in your letter. Our concerns regarding the proposal, set out above, suggest a degree of similarity, particularly regarding the proposal's compliance with EU-law and the principle of the single market.

I am copying this letter to the Chair of the Environment and Sustainability Committee.

Yours sincerely



Vaughan Gething AC / AM
Y Dirprwy Weinidog Iechyd
Deputy Minister for Health

Carl Sargeant AM
Minister for Natural Resources
Welsh Government
Tŷ Hywel
Cardiff

8 July 2015

Dear Carl

Proposal for European Regulation on GMOs

At our meeting on 22 June 2015, we considered the European Commission's proposals for a new Regulation on the use of genetically modified food and feed.

We noted that the UK Government's Explanatory Memorandum gives no indication that the devolved administrations will be able to take their own decisions in relation to this proposed Regulation. As matters relating to agriculture are devolved, can you confirm that this matter will be decided by the Welsh Government and National Assembly? It would also be helpful if you could provide us with details of any discussions you have had with the UK Government on this issue.

We are aware that a number of parliaments and regional assemblies have highlighted concerns about the proposals, including the Thüringen (German), Romanian and Irish parliaments. The Thüringen State Parliament has summarised its concerns as:

"Bearing in mind the very strict legal requirements set out by the Commission in its proposal, it is highly questionable whether it is actually possible for a Member State to adopt opt-out measures in compliance with EU-law, especially with regards to the international obligations of the Union. Questionable is also to what extent the involvement of all 28 EU states in the mandatory notification and control procedure contributes to fulfil the intended objectives."



We would be interested to know to what, if any, extent you share these concerns.

Yours sincerely

A handwritten signature in black ink, reading 'David Melding', with a long, sweeping underline.

David Melding AM

Chair, Constitutional and Legislative Affairs Committee

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.



Agenda Item 4.3

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref SF/RE/2257/15

Alun Ffred Jones AM,
Chair of Environment and
Sustainability Committee,
National Assembly for Wales,
Cardiff Bay

16 September 2015

Dear Alun Ffred,

I am writing to let you know that the Annual Review of Controls on Imports of Animal Products: 1 April 2012 – 31 March 2014 has been published and laid in Table Office in accordance with Section 10a of the Animal Health Act 1981.

The review of controls on imports of animal products into Great Britain details the steps being taken by Government and others to protect the UK from importing animal disease. The scope of the report has been extended to include imports of live animals from countries outside the European Union (EU), known as third countries. This report and future editions will also seek to provide a clearer assessment of the effectiveness of import controls.

The Review will be available bilingually online.

Yours,
Rebecca

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

A description of the UK system of controls on imports of live animals and products of animal origin and evaluation of its performance

April 2012 – March 2014

September 2015

www.defra.gov.uk

A description of the UK system of controls on imports of live animals and products of animal origin and evaluation of its performance (April 2012 – March 2014)

Presented to Parliament pursuant to section 10A of the Animal Health Act 1981(as amended by the Animal Health Act 2002)

September 2015



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Executive Summary

We are pleased to present our eleventh Annual Report which describes the steps being taken by Government and others to prevent the introduction of animal disease into the UK. The regulatory landscape for import controls is complex and it continually needs to adjust to reflect changing global disease risks and an ever expanding pattern of international trade.

This report explains how the system of import controls and other safeguard measures work; it describes the legal basis for the controls and identifies the key agencies across central and local government that are involved in this work. Our intention is that future reports will not repeat this information and will focus on specific outcomes.

Achievements

- **Food and Veterinary Office mission to evaluate the UK import controls**

Auditors from the Food and Veterinary Office of the European Commission concluded that the UK has an effective control system on imports and transits in compliance with the requirements of EU legislation. Their findings support those of the audits carried out of our Border Inspection Posts (BIPs)¹ by the Animal Health and Veterinary Laboratories Agency (now The Animal and Plant Health Agency).

The effectiveness of the controls and the adequacy of the BIP facilities are ensured by:

- the close cooperation between the different competent authorities
- a targeted training programme linked to the continuous review of procedures and instructions
- the verification system in place and an evolving audit system which considers the effectiveness of the controls.

- **Risk Assessment – understanding the risk**

Defra continued to monitor the international disease situation and produced 53 Preliminary Outbreak Assessments on a range of global outbreaks. Defra communicated the new outbreaks to the BIPs and Border Force to ensure that all regulatory and anti-smuggling controls at the border were responsive to new or changing animal health risks and to ensure that they focused on the most high risk routes and goods. The report includes a case study of our response to an outbreak of *Highly Pathogenic Avian Influenza* in Israel.

- **Biosecurity (England)**

Ministerial Monthly Biosecurity meetings have been held to enable timely escalation of potential biosecurity risks and provide strategic oversight and direction. A new risk assessment methodology enabled animal and plant health risks to be assessed together, in terms of likelihood and impacts.

- **Defra and Border Force ‘Enforcement Strategy’²**

Defra and Border Force have produced a refreshed ‘Enforcement Strategy’ which defines shared objectives to minimise the risk posed by illegally imported products of animal origin to the lowest possible level. The objective of the strategy is continually to improve the ability to carry out effective analysis and to develop a better reporting-mechanism

¹ The approved UK points of entry for live animals and products of animal origin. List of UK BIPs is provided in Annex B

² Finalised in October 2014

for intelligence leading to more effective, and risk based interventions to detect illegal imports.

- **Strategic Review of Communication**

This review was completed in 2014 following a period of engagement with key stakeholders and the first phase was to consolidate and centralise web guidance as it moved onto Gov.uk.

Overall effectiveness of import controls

- **Commercial trade**

Physical checks were carried out on all consignments of live animals and a prescribed percentage of products. The amount of enforcement action taken at BIPs has remained at a consistently low level concerning imports of products of animal origin. The number of consignments of animal products imported in 2013/14 was only slightly higher compared to 2012/13 (up by 0.9%). In the case of live animals the number of imports in 2013/14 fell by 31% compared to the previous year.

For third country imports of animals and animal products compliance with our import rules remained very high. During 2012/13 only 1.3% of all consignments of animal products were rejected and 1.4% during 2013/14. In 2012/13 0.9% consignments of live animals were rejected and 1% in 2013/14.

If an animal product presented a public or animal health risk, destruction of the consignment remained the most common enforcement action. For live animals most consignments were re-exported.

- **Personal imports**

A close working relationship with Border Force ensured effective and risk based interventions. Between 2011/12 and 2012/13 at airports and ports the number of seizures of illegally imported product increased by 8%; and between 2012/2013 and 2013/14 by 23%.

Most illegal imports detected by Border Force were for small amounts and continued to be typically gifts by travellers visiting family or seizures from tourists, business people and students travelling to the UK for the first time. Most did not involve deliberately smuggled goods but were from passengers who, in spite of publicity campaigns, were not aware of current EU prohibitions in place.

Chapter 1 Introduction and scope of the Report

- 1.1 This is the eleventh review of the United Kingdom (UK) import controls in accordance with section 10A³ of the Animal Health Act 1981 (as amended by the Animal Health Act 2002). The most recent review (covering April 2011 – March 2012) can be found at: gov.uk/government/uploads/system/uploads/attachment_data/file/211243/pb13879-animal-import-controls-201307.pdf.
- 1.2 This report exceptionally covers two financial years April 2012 – March 2014. This follows a review of the structure and content of recent reports with the aim of providing a more complete view of the steps being taken by Government and others to protect the UK from importing animal disease. We have extended the scope of the report to include imports of live animals from countries outside the European Union (EU), known as third countries. This report and future editions will also seek to provide a clearer assessment of the effectiveness of our import controls.
- 1.3 We plan to use this extended report as a reference document, that sets out the legal basis for import controls and the roles and responsibilities of the main governmental organisations involved. Future reports submitted to Parliament under the Animal Health Act should be shorter but focused on specific outcomes and policy and operational developments.
- 1.4 This review has been prepared by the Department for Environment, Food and Rural Affairs (Defra) with contributions from the Food Standard Agency (FSA), the Agriculture/Rural Affairs Departments in the Devolved Governments, Animal Health and Veterinary Laboratories Agency (AHVLA)⁴ and Border Force.
- 1.5 The report gives details of:
 - the competent authorities involved in the import controls (Chapter 2)
 - how these competent authorities and other bodies work together to ensure the exchange of information and feedback of all relevant results of official import controls (Chapters 3&7)
 - how the UK monitors and verifies compliance with the EU and national law (Chapter 4)
 - how the UK enforces these controls to prevent or reduce the risk of disease being imported into the UK (Chapters 5&6)
 - actions taken to improve performance of control activities (Chapter 7)
 - the performance of the import controls system by means of an overall assessment (Executive Summary).
- 1.6 Whilst care has been taken to ensure that the web links contained in this report are correct at the time of publication, changes may occur.
- 1.7 For further information on the imports annual review reports please contact:
Paul Dray
Imports and EU Trade Team, Plant and Animal Health, Defra
Tel: 020 7238 5413
Email: Paul.Dray@defra.gsi.gov.uk

³ legislation.gov.uk/ukpga/1981/22/section/10A

⁴ now The Animal and Plant Health Agency, launched on 1 October 2014)

Chapter 2 Roles and responsibilities of the UK competent and enforcement authorities for import controls

- 2.1 Trade in live animals and products of animal origin represent a significant contribution to the UK economy but they can also result in the introduction of animal diseases to the UK that can threaten human and animal health. Diseases like *Foot and Mouth Disease* (FMD) and *Highly Pathogenic Avian Influenza* (HPAI) can be brought into the UK *via* animals and animal-related products (particularly those containing meat or milk). Such diseases can have a devastating effect on our farming livestock and the environment. Animal-related products may also present a risk to human health from diseases, residues, or contaminants (e.g. from fish, honey, and untreated animal hides). The impacts can also be economic: the FMD outbreak in 2001 is estimated to have cost the government £3 billion relating to agriculture and the food chain.
- 2.2 Therefore the objectives of the UK import controls system are:
- to develop and apply policies that balance the benefits of importing animals and animal products into the UK with the need to minimise the risk that disease will be brought into the country *via* those animals or products
 - to develop and apply policies concerning the EU-wide veterinary checks regime that implements the rules for importing animals and animal products from outside the EU
 - to undertake risk-based checks for illegal imports of animal products
 - to raise public awareness of the rules for personal imports.
- 2.3 The principal authorities involved in official import controls are Defra, the FSA, and the Agriculture/Rural Affairs Departments in the Devolved Governments. Import controls at points of entry are carried out by AHVLA (GB), Port Health Authorities and Border Force (GB) and DARD (NI). Inland Local Authorities and HMRC are also involved in customs clearance related activity.
- 2.4 **Defra**⁵ is a central competent authority responsible for managing the animal disease risks associated with imports of live animals and products of animal origin. The Department does this by ensuring that the harmonised EU import rules for animals and animal products are fully complied with by importers, and that our enforcement bodies carry out checks required by EU legislation at approved points of entry. Although Defra only works directly in England, it works closely with the Devolved Governments in Wales, Scotland and Northern Ireland, and generally leads on negotiations in the EU and internationally. The Devolved Governments are responsible for the preparation of parallel legislation and enforcement within their countries.

⁵ [gov.uk/government/organisations/department-for-environment-food-rural-affairs](https://www.gov.uk/government/organisations/department-for-environment-food-rural-affairs)

- 2.5 The **FSA**⁶ is the central competent authority for food safety and has a statutory function to protect public health and consumers' other interests in relation to food and drink. The Agency is therefore responsible for public health policy on import controls of products of animal origin. The FSA ensure that imported food is safe to eat and risk based controls are carried out at UK borders and inland. The Agency provides importers and Port Health Officers with policy guidance and is responsible for the preparation of legislation on public health issues relating to food and the implementation of EU safeguard measures (including the sampling of imported fishery products for veterinary residues).
- 2.6 **Border Force**⁷ is responsible for the delivery of customs anti-smuggling controls⁸ at GB points of entry⁹ (except in areas designed as BIPs) to combat illegal imports. This includes detection and seizure of illegal products of animal origin in freight, personal imports, and post. Border Force takes account of new disease notifications particularly those relating to serious outbreaks to inform its targeting activities and deployments, and to assess whether any increased levels of anti-smuggling checks are required.
- 2.7 **AHVLA** (now The Animal and Plant Health Agency) is an executive agency working on behalf of Defra, Scottish Government, and Welsh Government. The agency's purpose is to support a healthy and sustainable farming industry across GB and safeguard society from animal-related threats. The agency is responsible for supervision, monitoring, and administration of the veterinary checks regimes for live animals and certain products of animal origin at BIPs.
- 2.8 **Port Health Authorities (PHA)**¹⁰ and **Local Authorities** are the official control delivery partners of Defra and the FSA. They are responsible¹¹ for veterinary and food safety checks on imported products of animal origin, which arrive at designated Border Inspection Post (BIP) facilities located at certain UK ports and airports. The checks are carried out by veterinarians and Port Health Officers (specialist Environmental Health Officers), who are normally employed by the local authority or PHA. Local Authorities also play a vital role in identifying and controlling products of animal origin that has been illegally imported into the UK and placed on the market inland in retail, catering, market stalls, or similar premises.
- 2.9 **HMRC's**¹² customs declaration processes for non-EU imports ensure that all products of animal origin have been issued with a valid Common Veterinary Entry Document¹³ before the consignment is customs cleared in the UK.¹⁴

⁶ food.gov.uk/the-website-of-the-food-standards-agency

⁷ gov.uk/government/organisations/border-force

⁸ The Trade in Animal and Related Products Regulations 2011 provide the legal basis for these activities

⁹ DARD has responsibility in NI, both at BIPs and other points of entry

¹⁰ gov.uk/port-health-authorities-monitoring-of-food-imports and porthealthassociation.co.uk/

¹¹ under the Public Health (Control of diseases) Act 1984, c 22

¹² Her Majesty's Revenue and Customs hmrc.gov.uk/

¹³ gov.uk/overseas-veterinary-certificates-and-border-inspection-posts

¹⁴ DARD performs these activities in NI

2.10 In Northern Ireland (NI), the **Department of Agriculture and Rural Development (DARD)** is responsible for border enforcement and publicity. BIPs¹⁵ are under the direct supervision of DARD. Responsibility for fishery products has been devolved to District Councils;¹⁶ the responsibility for all other products of animal origin and live animals imports remains with DARD. Belfast PHA carries out checks of fish and fishery products. Official Veterinarians employed by DARD carry out checks on live animals and products of animal origin (other than fishery products) at BIPs. The Belfast BIPs are not approved for live animals. DARD Veterinary Service Portal Inspection Branch is responsible for the detection of illegal products of animal origin (personal imports) at all entry points into NI. The branch has a permanent presence in all major ports and airports in NI. DARD also:

- carries out regular checks at the small ports and marinas around NI
- introduced a detector dog for the detection of illegal personal imports at NI airports
- is able to support other enforcement bodies and regularly provides backup to bodies such as HM Immigration, Border Force and FSANI.

2.11 Further information on the management and organisation of the control systems for imports of live animals and products of animal origin is available in the UK Multi-Annual National Control Plan¹⁷ (as required by Regulation 882/2004) and the UK Country Profile.¹⁸

2.12 The division of responsibility for official controls on imports of live animals and products of animal origin is summarised below.

Competent Authorities: Legislation, Policy and Co-ordination				
Defra	FSA	Welsh Government	Scottish Government	DARD Northern Ireland
Regional Level: Enforcement (Import checks, anti-smuggling checks, monitoring and surveillance)				
AHVLA	DARD Northern Ireland (Veterinary Service)	PHAs	Local Authorities	Border Force

2.13 Further information on the ways these Departments and agencies work together is in Chapter 7.

¹⁵ Belfast Port BIP and Belfast International Airport BIP

¹⁶ the equivalent of Local Authorities

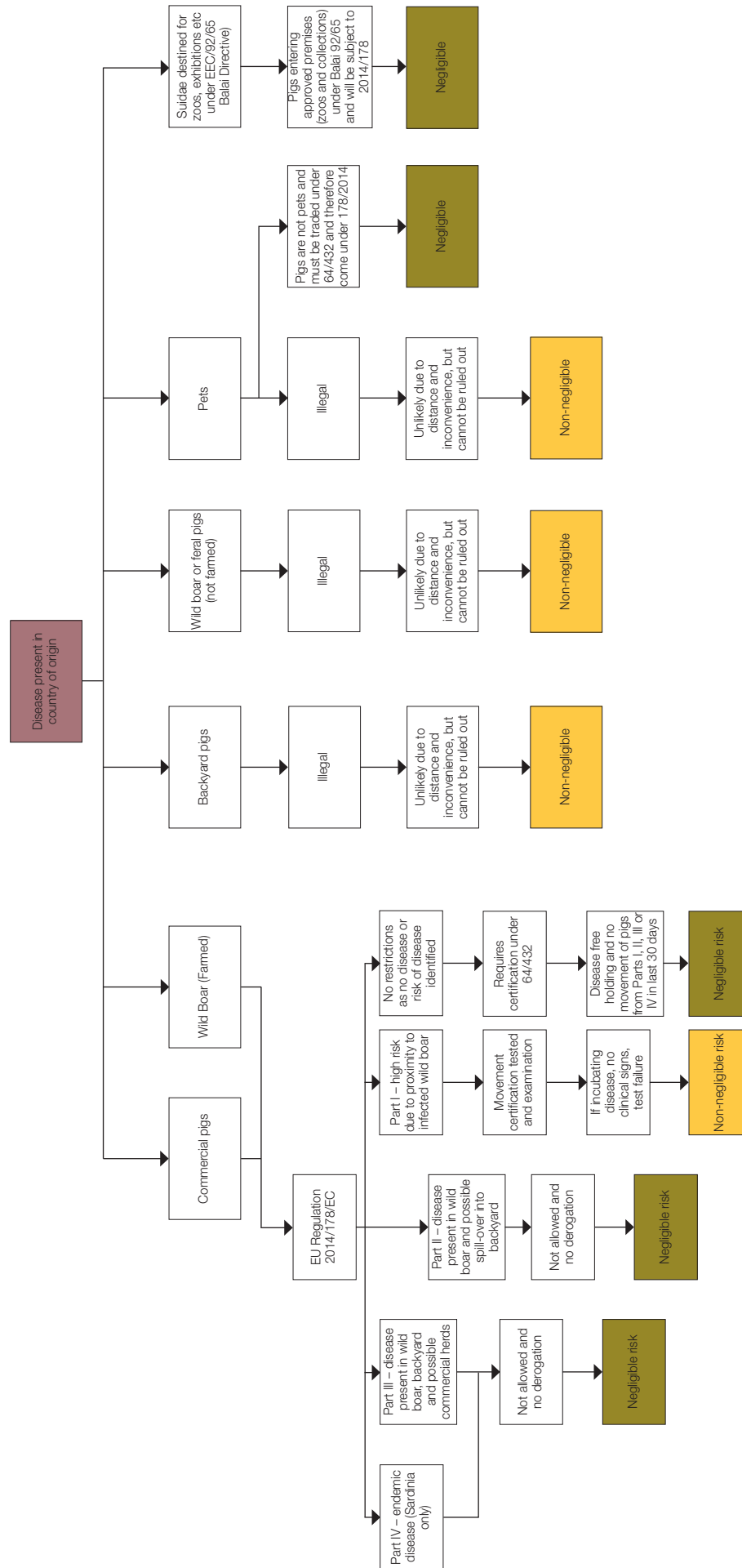
¹⁷ food.gov.uk/enforcement/regulation/europeleg/feedandfood/ncpuk

¹⁸ ec.europa.eu/food/fvo/controlsystems_en.cfm?co_id=GB

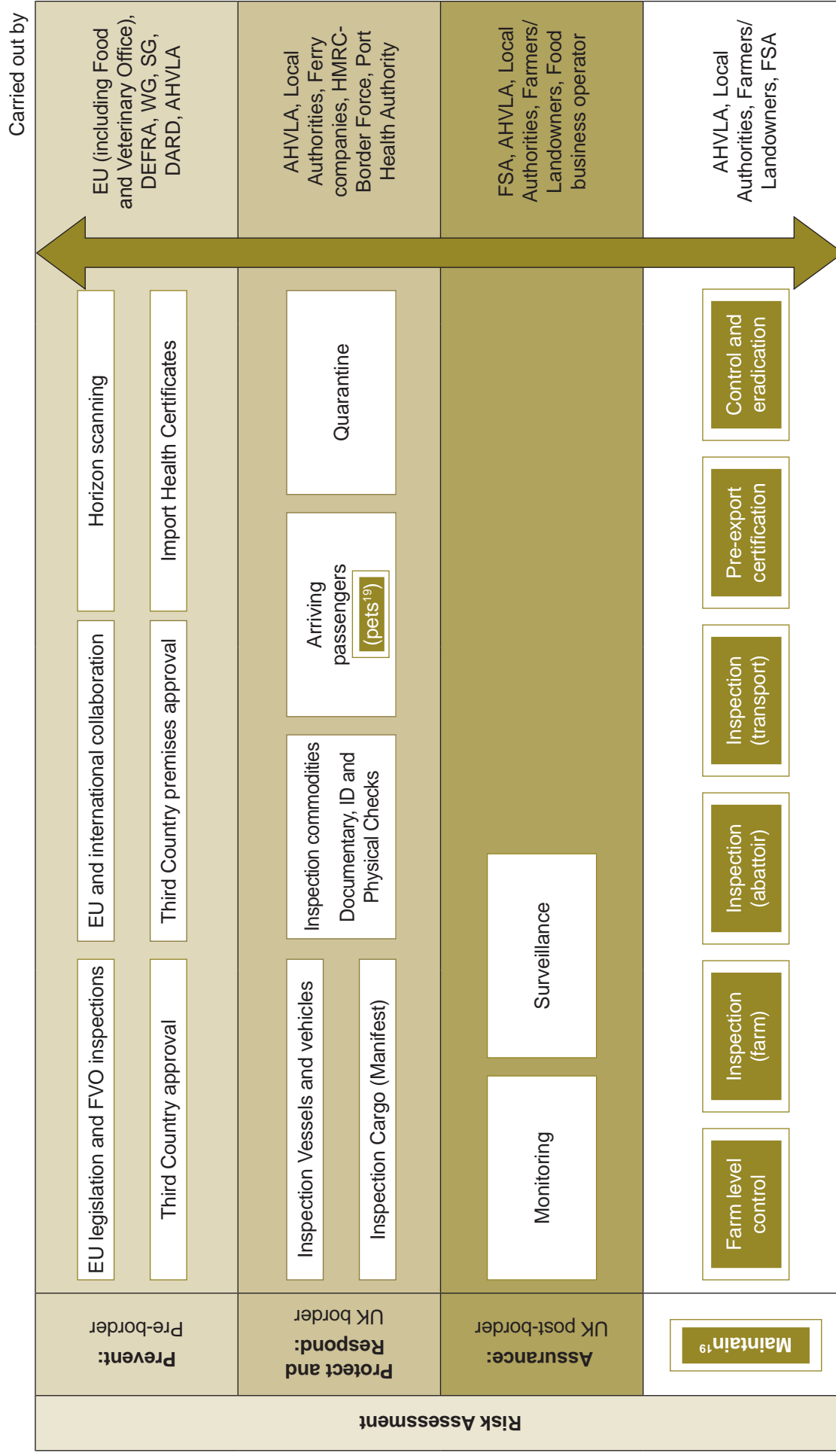
Chapter 3 Risk assessment

- 3.1 Defra monitors any major, notifiable, or new and emerging animal disease outbreaks worldwide. This early warning system is used to assess the risk that diseases might be introduced to the UK through trade in animals or animal-related products (legal or illegal), through movement of wildlife, or through movement of animals such as insects and wild birds which may carry a disease. Defra uses these outbreak assessments to help decide how to manage or reduce the risks.
- 3.2 When Defra becomes aware of a new animal disease outbreak in another country it may carry out a preliminary outbreak assessment. Priority is given to disease outbreaks reported in an EU Member State, a country on the border of the EU, or one of the UK's third country trading partners. Defra works with Border Force and other delivery partners to ensure that their enforcement and targeting activities take account of current risk(s) and in line with agreed organisational operational priority frameworks. For example, during 2013/14 Defra reported on the HPAI in Italy (EU), Australia (third country) and FMD in Russia (border to the EU).
- 3.3 Daily monitoring of disease outbreaks is carried out by AHVLA scientific experts who may carry out rapid risk assessments on an *ad hoc* basis on behalf of Defra. These risk assessments use official (Government) reports as well as EU disease notifications, but unofficial sources of information (industry or internet reports) also feed into general surveillance for unusual events. The assessments are available on gov.uk/government/collections/animal-diseases-international-monitoring. An example of the preliminary outbreak assessment for FMD in Russia is provided in Annex C.
- 3.4 Between 1 April 2012 and 31 March 2014 Defra conducted and published 53 Preliminary Outbreak Assessments on outbreak of diseases such as FMD, HPAI, *Equine Infectious Anaemia*, *Rabies* and *African Swine Fever* (ASF). Further information can be found at: gov.uk/government/collections/animal-diseases-international-monitoring.
- 3.5 Below is a typical risk pathway – in this case for imports of live suidae (pigs) from countries where ASF is present. While the EU trade rules cover most of our concerns about importing live animals, products, and other routes of disease transmission, this pathway shows that there are still certain routes that are not covered by legislation (eg routes that are illegal or the movement of wild animals or pigs mistakenly moved as pets). In this case the UK authorities may need to consider whether to take additional precautionary measures to mitigate these risks.

Risk of introduction of ASF into UK through trade or movement of live suidae



3.6 The diagram below illustrates the division of responsibility and activities involved in the risk assessment process.



¹⁹ Shaded areas are outside the scope of this report

Chapter 4 PREVENT: Pre-border controls

EU legislation

4.1 Commission Regulation 882/2004²⁰ on official controls provides basic criteria for the organisation and operation of the UK's import control system. This includes:

- a risk based approach – Article 3
- the designation of competent authorities for all imports activities – Article 4(1)
- co-ordination and co-operation between and within competent authorities (communication with Customs) – Article 4(3) and 4(5)
- how the competent authorities are to be audited, including controls by the Commission – Article 4(6)
- standards required of staff, laboratories, and what analytical methods may be used for official controls – Articles 6 and 12
- documented and verification procedures for carrying out official controls – Article 8
- a requirement to draw up reports on the official controls – Article 9
- import conditions – Articles 47-50
- a system to train officials and keep them updated (detection of needs, evaluation of the effectiveness of training performed) – Article 51
- measures in case of non-compliance – Article 54.

4.2 The objectives of the UK official import controls are in line with the aims of the relevant EU legislation:

- veterinary checks on live animals and products of animal origin from third countries are carried out in accordance with Council Directive 91/496,²¹ Council Directive 97/78,²² and national legislation
- the facilities to inspect live animals and products of animal origin have been constructed, equipped, maintained, and operated in line with the requirements set down in Council Directive 91/496 and Commission Decision 2001/812²³
- the verification checks carried out by the officials responsible for the Border Inspection Posts comply with the requirements of article 8 of Regulation 882/2004.

The most important pieces of EU based legislation are given in Annex A.

²⁰ eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:165:0001:0141:EN:PDF

²¹ eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:31991L0496

²² europa.eu/legislation_summaries/food_safety/veterinary_checks_and_food_hygiene/l12059b_en.htm

²³ eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32001D0812

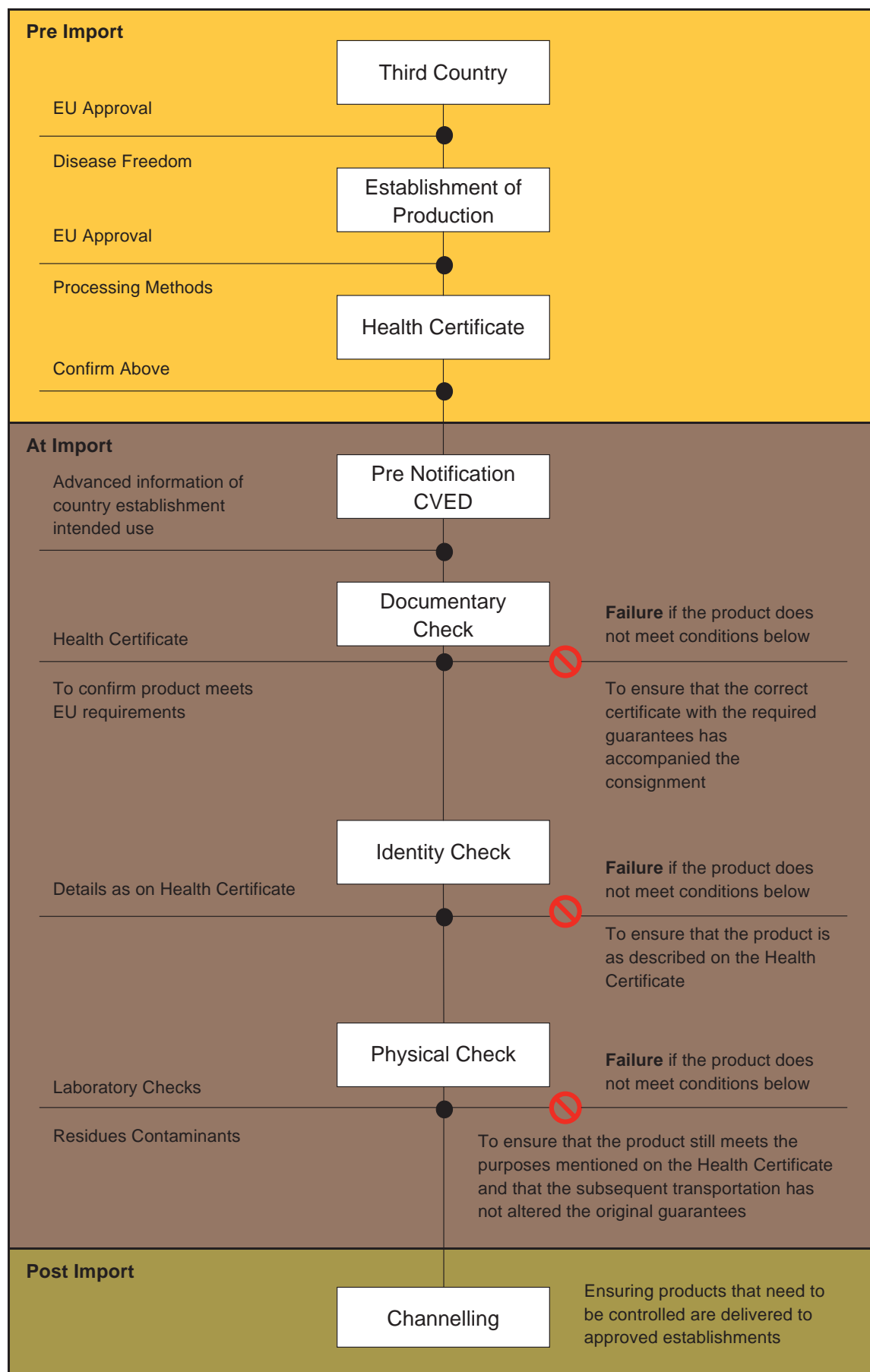
Third Countries and premises approval (including Import Health Certification)

- 4.3 Defra currently considers that there would be a negligible risk of exotic disease introduction from an affected country through legal imports because of the system of approval and certification laid down in EU law for countries approved for export to the EU. Nevertheless illegal imports (especially smuggling) still remain a major concern. The volume of trade and practicalities dictate a risk-based approach.
- 4.4 Animals and their products imported to the EU from third countries must be produced to animal and public health standards at least equivalent to those in the EU. They may only be imported from countries approved by the EU and in case of food, from approved establishments. All consignments must be accompanied by the appropriate animal and/or public health certification and then entered on the EU's Trade Control and Expert System (TRACES);²⁴ this provides robust tracking and audit. Animals and their products are traded freely within the EU and responsibility for health and safety lies with the exporting Member State. There are no border controls for Intra-community trade and EU rules permit non-discriminatory checks for compliance purposes only.
- 4.5 In order for third countries to be approved to export to the EU, particular account is taken amongst other things²⁵ of:
- its disease status and the health status of livestock and other domestic animals
 - its rules on prevention and control of diseases, including its rules on its imports from other countries
 - the organisation of the competent veterinary authorities and inspection services.
- 4.6 Approvals may cover all or part of a non-EU country according to the animal and public health situation and the nature of the products for which approval is sought.
- 4.7 The competent authorities of third countries have to provide to the European Commission appropriate guarantees about animal health and hygiene standards. The Commission must then assess the information provided. Where a request for approval providing guarantees is received by the Commission a preliminary questionnaire relating to the animals/products in question will be sent to the national authorities. This is designed to assess whether EU requirements can be met and to gather information prior to a possible on-the-spot inspection by the Food Veterinary Office (FVO) of the European Commission. The latest programme of the FVO third countries inspections can be found at: ec.europa.eu/food/fvo/inspectprog/index_en.htm.

²⁴ A web-based veterinarian management tool controlling the imports and exports of live animals and animal products from the EU. The network is run by the EC. ec.europa.eu/food/animal/diseases/traces/index_en.htm

²⁵ This applies to animals (Council Directive 2004/68/EC) and products for human consumption (Council Directive 2002/99/EC)

4.8 The diagram below illustrates control points in the import of products of animal origin process.



Food Veterinary Office (FVO)²⁶ BIP inspections

4.9 Article 45 of Regulation 882/2004 requires the Commission to carry out controls in the Member States to verify that official controls take place in accordance with the respective multi-annual national control plans and in accordance with EU law. To meet its obligation the Commission's FVO carry out regular assessments and inspections of the UK BIPs facilities to ensure that they are operating to the required standards and there is a consistent approach across the EU. During the reporting period there were three import controls FVO missions to the UK (details below) providing recommendations to the UK competent authorities to further improve their BIPs control system in place.

Inspection Number	Title	Links to Report/Summary of the actions taken
2013-6985 August 2013	Evaluate the proposed BIP at London Gateway Seaport	ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=3179 The main findings of the audit were that competent authorities have been assigned who have made a sufficient number of suitably qualified and experienced staff available to start performing import controls. The BIP facilities, equipment and procedures satisfied the legal requirements for the requested approval categories of products.
2012-6582 October 2012	Evaluate the follow-up action taken by the competent authorities with regard to the import/transit control system and BIPs	ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=3003 The FVO audit concluded that the UK has an effective control system on imports and transits in compliance with the requirements of EU legislation. The effectiveness of the controls and the adequacy of the BIP facilities are ensured by: <ul style="list-style-type: none"> • the close cooperation between different competent authorities • an effective and targeted training programme and continuous review of procedures and instructions; and • the verification system in place and an evolving internal audit system. The main finding was for the UK to further develop the internal audit system with respect to the import/transit controls to ensure that the requirements of Article 4 (6) of Regulation 882/2004 are satisfied. A review of the audit system in place for product BIPs took place in 2013. A revised system was created and implemented in 2013 for product BIPs to improve the audits. A similar review will shortly be underway for live animal BIPs.
2012-6606 June 2012	Evaluate the proposed BIP at Edinburgh airport	ec.europa.eu/food/fvo/rep_details_en.cfm?rep_id=2920 On the basis of the evaluation carried out, the proposed BIP at Edinburgh airport is recommended for listing in Commission Decision 2009/821/EC with the approval category live animals – other animals.

EU and international collaboration

4.10 The vast majority of the import rules are established at European Union (EU) level. Where the information provided by the third country competent authorities is considered satisfactory, and the FVO inspection leads to a favourable recommendation, the European Commission will propose amendments to EU rules to approve imports from a non-EU country for voting by the Standing Committee on Plants, Animals, Food and Feed (PAFF Committee)²⁷ – comprising representatives of the Chief Veterinary Officers of the Member States. In the event of an outbreak or change to the epidemiological situation, additional “safeguard” measures will also be determined by the PAFF Committee. The conditions may include banning/restricting imports from the affected

²⁶ FVO is the audit service of the Commission's Health and Consumers Directorate General ec.europa.eu/food/fvo/index_en.cfm

²⁷ formerly known as the Standing Committee on the Food Chain and Animal Health (“SCoFAH”) – ec.europa.eu/dgs/health_food-safety/dgs_consultations/regulatory_committees_en.htm

area whilst allowing imports from non-affected areas to continue providing suitable controls are in place ("regionalisation").

4.11 The UK is heavily involved in the process of negotiating and agreeing EU policy and law as it applies to imports from third countries and to intra-Community trade. The UK aims to maximize influence at EU and international level (e.g. in OIE). This is done through the two main forums:

- **PAFF Committee** – developing UK negotiating positions (employing risk analysis) to take to Brussels discussions on the evolving portfolio of EU import rules
- **Commission's Veterinary Checks Group (VCG)** – taking part in the meetings to assist the Commission in defining policy and preparing draft legislative proposals; give expert views on all aspects of import controls legislation, its implementation and development; exchange information, experience and good practice on import controls covered by EU legislation; and provide guidance in developing a harmonised approach for both Member States and stakeholders. The UK successfully negotiated with the EU and other Member States the text of the guidance on composite products which is available at: ec.europa.eu/food/food/biosafety/hygienelegislation/guide_en.htm and ec.europa.eu/food/food/biosafety/hygienelegislation/docs/guide_composite_products_en.pdf.

4.12 The UK is proactively influencing the World Trade Organisation²⁸ international standards for animal health by working with the European Commission and other Member States to provide coordinated EU input to the standard setting body – the World Organisation for Animal Health (OIE).²⁹ In addition, the UK provides veterinary and scientific expertise to the OIE through OIE Reference Experts and Laboratories, drafting groups and OIE Specialist Commissions.

²⁸ wto.org/english/thewto_e/whatis_e/what_we_do_e.htm

²⁹ oie.int/

Case Study – outbreak of Highly Pathogenic Avian Influenza in Israel

On 8/9 March 2012, the Israeli competent authorities notified the European Commission of two outbreaks of Highly Pathogenic Avian Influenza (HPAI). At the same time they also notified the OIE.³⁰ As Israel was no longer free of HPAI, the veterinary authorities suspended exports of poultry and poultry products from its whole territory.

The Israeli competent authorities implemented measures to control the spread of disease. The European Commission evaluated and agreed the measures that had been put in place. Further evaluation also took place.

At the Standing Committee on Plant, Animals, Food and Feed (PAFF Committee) meeting on 7/8 May 2012 the European Commission presented a proposal to restrict imports into the EU of affected commodities from Israel. This included regionalisation of the country thus banning imports from the affected area of:

- live poultry and ratites (including day old chicks and hatching eggs)
- specified pathogen free eggs
- meat of poultry, ratites, and feathered wild game.

In addition, import conditions for meat products (processed/cooked meat) from the affected areas in Israel were amended so that only meat that had been heat treated to a minimum of 70°C throughout the meat were eligible for import. Imports of the above commodities from the areas not affected by the outbreak were then able to resume.

The relevant EU legislation³¹ was amended accordingly.

Later that same year Israel reported that it had successfully controlled the outbreak so it was agreed that imports of meat products from the affected area with no minimum heat treatment could be resumed. The EU legislation³² was amended again.

Early in 2014, following a request by the competent authorities in Israel, a further proposal was presented to Member States at PAFF Committee. It was reported that meat from affected species produced during the period of restriction was no longer circulating on the market. It was therefore agreed that the regionalisation that had been established in 2012 could be revoked and import from the whole country could resume. In June 2014 an FVO mission³³ to Israel took place in order to evaluate the animal health controls in place for poultry and poultry products intended for export to the European Union. Further information can be found at ec.europa.eu/food/fvo/audit_reports/index.cfm.

Defra communicated the outbreak and associated risks of poultry meat and eggs to the BIPs and Border Force in early March 2012. This highlighted the increased risk of poultry meat from the region. Once regionalisation was in place and after it was lifted, Border Force and BIPs were also informed.

³⁰ oie.int/wahis_2/public/wahid.php/Reviewreport/Review/viewsummary?fupser=&dothis=&reportid=11725

³¹ Commission Regulation 532/2012 amending Annex II to Decision 2007/777/EC and Annex I to Regulation No 798/2008 as regards entries for Israel in the lists of third countries or parts thereof with respect to highly pathogenic avian influenza eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012R0532&from=EN

³² Commission Decision 2012/479/EU amending Decision 2007/777/EC as regards the entries for Israel in the lists of third countries from which certain meat products may be introduced into the Union eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012D0479&from=EN

³³ audit ref: 2014-7087 ec.europa.eu/food/fvo/audit_reports/details.cfm?rep_id=3331

Chapter 5 PROTECT AND RESPOND: UK border controls

PROTECT: COMMERCIAL TRADE

5.1 Imported live animals and products of animal origin present a high level of risks as they can transmit serious human and animal diseases. The veterinary border control is a key factor to ensure that the live animals and products of animal origin entering to the UK are safe and meeting the specific import conditions laid down in the Community legislation. Therefore they are subject to specific controls at their point of entry at the Border Inspection Posts (BIPs)³⁴ where they undergo veterinary checks by an Official Veterinary Surgeons (OVS).³⁵

5.2 BIPs control activities include:

- the checking of manifests to confirm that live animals and products of animal origin have been correctly notified;
- 100% documentary checks to ensure that any required health certification and pre-notification documents are present and correctly completed;
- 100% identity checks to ensure the animals or goods are the same as those described on the accompanying paperwork; and
- physical checks include sampling and laboratory testing to ensure that the shipment does not pose a threat to animal or human health.
- the implementing of the National Monitoring Plan to detect residues, pathogenic organisms or other substances dangerous to humans, animals or the environment based on the current sampling levels or the throughput of products of animal origin at that particular BIP.

5.3 For products of animal origin OVS and Official Fish Inspectors have powers to carry out any checks they deem to be appropriate in cases where they suspect that veterinary legislation has not been complied with or where there is some other doubt about the consignment or its destination. There may be occasions where it will be necessary to request, for a limited period, a higher level of checks on products from certain third countries (eg as a result of an outbreak of disease). In these circumstances, each BIP registered as eligible to handle the product in question will be notified by Defra in writing of any temporary increase on the level of analysis required.

5.4 Physical checks should be undertaken on packages taken throughout the consignment – this may require a full or partial turnout of containers. Sampling procedures are laid down in Annex II to Commission Regulation 136/2004.³⁶ BIPs should submit samples to:

- public analysts appointed by the local authority for food analysis
- Public Health England Food, Water and Environmental Microbiology laboratories for food examination
- where appropriate, other laboratories accredited for specific analytical techniques.

³⁴ Ports and airports in the UK which have a BIP have specialist facilities and trained staff that deal with high-risk food imports such as meat, dairy and fishery products

³⁵ employed by the relevant Port Health Authority

³⁶ eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:021:0011:0023:en:PDF

- 5.5 Physical checks are carried out according to the perceived risk level of specific products and their origin. The percentage of consignment checking is set by law Council Directive 97/78/EC requires 100% documentary and identity checks on imported animal products and Commission Decision 94/360/EC lays down the levels of physical checks. Council Directive 91/496/EEC requires that all imported animals are checked on entry to the EU.
- 5.6 Animals and products of animal origin must be certified by recognised authorities in the originating countries. These countries are approved on an EU-wide basis. Further checks on the products may also be carried out at the final destination.
- 5.7 A consignment of live animals or products of animal origin can only enter into the UK, if it has satisfactorily undergone the specific checks and a Common Veterinary Entry Document has been issued. Each consignment must:
- come from an approved country
 - be accompanied by agreed animal and/or public health certification
 - come from an approved establishment
 - enter the EU at an approved BIP where checks are carried out to ensure that the consignment meets import conditions.
- 5.8 EU legislation³⁷ recommends that advance notification³⁸ is provided to the BIP for the consignments of products of animal origin and live animals before their physical arrival on EU territory:
- in ports – at least on the previous working day, except for ferries where it is recommended that advance notification takes place just before arrival
 - in airports – four hours before the arrival of the plane for long haul flights and from take-off at the previous airport for short haul flights³⁹
 - for road and rail BIPs – twelve hours before arrival
 - for live animals – at least one working day.
- 5.9 The National Monitoring Plan reflects current levels of sampling of throughput of products of animal origin. This is in order to ensure that no predictive element can be made as to what products may or may not be sampled at any BIP. The National Monitoring Plan is implemented in accordance with European legislation.⁴⁰
- 5.10 All imported animal products for human consumption must be accompanied by animal and public health certification unless they are personal consignments or licenced products for taste testing. EU legislation allows taking appropriate safeguard action, which may include a ban on imports of products of animal origin of susceptible species from all or parts of a country, if there is an outbreak of disease likely to present a risk to human or animal health.
- 5.11 Information regarding non-compliant products and the onward movement of third country products from BIPs is passed to control authorities in other Member States using the TRACES computer system. When a serious or repeated infringement of EU harmonised veterinary legislation is identified and confirmed by the European

³⁷ Article 3(3) of Directive 97/78/EC and Article 2(1) of Regulation 136/2004/11

³⁸ requested in the first part of the CVED

³⁹ as in Commission Regulation 2454/1993/12

⁴⁰ Article 8(1) of EC Directive No 97/78/EC

Commission a programme of reinforced checks will apply to consignments of the same establishment of origin in the third country for which the notification is made.

5.12 Safeguard measures on certain imported foods may apply to all or part of a third country, suspend imports of all or particular products or set special conditions and requirements for particular products. These measures, whether national or EU, are implemented in England by Emergency Declarations made under Regulation 29 of The Trade in Animals and Related Products Regulations 2011 and the equivalent provisions in Welsh, Scottish and Northern Ireland law. Failure to comply with the provisions of a declaration is an offence. During the reporting period:

- No safeguard measures were introduced by the UK for animal health reasons.
- Nine declarations were implemented by the FSA for public health reasons. These declarations were implemented due to emerging public health risks. For example, the risk of aflatoxins contamination from certain third countries and food originating or consigned from Japan which may have contained radioactivity above maximum permitted levels in the European Union.

RESPOND: SUMMARY OF IMPORT CONTROLS OF LIVE ANIMALS AND PRODUCTS OF ANIMAL ORIGIN

5.13 Physical checks were carried out on all consignments of live animals and a set percentage of products of animal origin laid down in Commission Decision 94/360 (1-10%, 20% or 50% depending on the product).

5.14 The level and nature of import controls are laid down in EU legislation. Therefore there were no significant changes in the level of controls concerning imports of products of animal origin. The number of consignments of animal products imported in 2013/14 was slightly higher at 58,724 compared with 58,186 in 2012/13. In the case of live animal imports the number of consignments fell from 13,545 in 2012/13 to 9,385 in 2013/14. This was mainly due to the decrease in the number of cats and dogs recorded as commercial imports.

5.15 For third country imports of animals and products of animal origin compliance remained very high. For animal products the 2013/14 figures are similar to the 2012/13 figures with 1.4% of consignments being rejected. 243 consignments were rejected in 2013/14 compared with 260 consignments in 2012/13. The major non-compliances were documentary errors, in particular absence of a health certificate or an invalid health certificate. This is likely to be because a lack of understanding or knowledge of the EU rules in the third country exporting authority. For live animals 117 consignments were rejected in 2013/14 compared with 95 in 2012/13.

5.16 If the consignment presented a public or animal health risk, it was destroyed. Otherwise the decision to re-export or destroy was made by the importer and destruction for animal products remained the most common enforcement action. For live animals most consignments were re-exported.

5.17 Information regarding non-compliant products and the onward movement of third country products from BIPs was passed to control authorities in other Member States using the TRACES computer system.

5.18 Tables below show details of consignments checked and non-compliances found.

Products of Animal Origin

Year	Certificates			Rejects		Reject conclusion		
	Total No	Number controlled	% controlled	No	% of total	Re-exported	Transformed	Destroyed
2012-13	58,186	58,186	100.0%	814	1.40%	260	4	536
2013-14	58,724	58,724	100.0%	754	1.28%	243	3	503

Live Animals

Year	Certificates			Rejects		Reject conclusion		
	Total No	Number controlled	% controlled	No	% of total	Re-exported	Slaughter	Euthanasia ⁴¹
2012-13	13,545	13,545	100.0%	117	0.86%	109	0	7
2013-14	9,385	9,385	100.0%	95	1.01%	87	0	8

- 5.19 A programme of reinforced checks is set in motion⁴² when a Member State notifies the Commission of a serious or repeated infringement of Union harmonised veterinary legislation. If confirmed by the Commission services, a programme of reinforced checks will be applicable to consignments of the same establishment of origin in the third country for which the notification is made. For example a notification related to microbiological contamination would result from hygiene failures and it would be reasonable for all products coming from the same establishment to undergo reinforced checks.
- 5.20 The FSA monitor the EU Rapid Alert System for Food and Feed (RASFF)⁴³ which is an effective tool to ensure the cross-border follow of information to swiftly react when risks to public health are detected in the food chain. Vital information exchanged through RASFF can lead to products being recalled from the market. Following the analysis of the RASFF notifications⁴⁴ FSA requests the UK Local Authorities to accordingly update their local and port health sampling programme.⁴⁵
- 5.21 Within the scope of this programme, local and Port Health Authorities undertake products sampling in accordance with national enforcement priorities. Sampling results are reported to the FSA through the UK Food Surveillance System⁴⁶ and are used to:
- identify public health risks, intelligence on ongoing enforcement issues and a source for nationwide reporting
 - inform and prepare for FVO inspections
 - influence future priorities and provide a national overview of inland and port health sampling results. In turn, this ensures a national and coordinated approach to imported foods and the implications for the food chain.

RESPOND: Summary of Germplasm import controls

- 5.22 Germinal product import controls are governed by a range of established EU and domestic regulations (specific to the livestock sector). This will be amended by the forthcoming EU Animal Health Regulation which seeks to provide an overarching regulatory structure for animal health.

⁴¹ Fish and Gastropoda.

⁴² in accordance with Article 24 of Council Directive 97/78/EC

⁴³ ec.europa.eu/food/safety/rasff/portal/index_en.htm

⁴⁴ ec.europa.eu/food/safety/rasff/how_does_rasff_work/notifications_process/index_en.htm

⁴⁵ which the FSA has commissioned through the National co-ordinated risk based food sampling programme food.gov.uk/enforcement/monitoring/samplingresources/samplingandsurveillance

⁴⁶ food.gov.uk/enforcement/monitoring/fss

- 5.23 There have been no significant developments in the regulations regarding the import and trade of germinal product since 2007. There have, however, been developments in technology and trade in the artificial breeding sector. The proposed EU Animal Health Regulation provides a timely opportunity to review the changing risks.
- 5.24 Germinal products entering the UK from a third country must do so via a BIP and must abide by certain conditions, specific to commodity to enter. 100% of consignments are checked by Official Veterinarians on arrival and only permitted to transit if checks are compliant with regulations.
- 5.25 Germinal product being traded or moved within the EU must be notified on TRACES and certified as compliant to health conditions by an Official Veterinarian at the point of origin. They need to come from an approved centre or in the case of embryos, an approved collection team. Consignments are risk assessed and documentary checks are carried out. Movements between Member States are not required to be checked on arrival, but high risk consignments may face post-import checks from AHVLA staff.
- 5.26 During the reporting period the AHVLA germinal product operational team have relocated and are now based at the Centre for International Trade in Carlisle. The team coordinates inspections of semen collections centres and stores, and embryo collection teams. They also process and assess TRACES certificates⁴⁷ for consignments of germinal products, details are provided below.

Year	TRACES Certificates issued			Rejects		Reject conclusion		
	Total No	Number controlled	% controlled	No	% of total	Re-exported	Transformed	Destroyed
2012-13	374	374	100.0%	5	1.34%	3	0	2
2013-14	383	383	100.0%	0	0.00%	0	0	0

- 5.27 Overall controls have remained relatively static over the reporting period. Non-compliant consignments are either re-exported or destroyed. Issues arising with paperwork checks from other EU Member States are raised with the competent authority responsible for providing the health certification.

Associated work – Authorisation and licencing of Animal By-Products not intended for human consumption

- 5.28 Animal by-products (ABPs) are entire bodies or parts of animals, products of animal origin or other products obtained from animals that are not intended for human consumption. They must be used, handled, stored, transported, identified and disposed of in accordance with strict regulations designed to prevent and minimise risks to public and animal health arising from those products, and in particular to protect the safety of the food and feed chain.
- 5.29 The requirements for trade and importation of ABPs and derived products not intended for human consumption are laid down and implemented by Commission Regulations 1069/2009⁴⁸ and 142/2011.⁴⁹
- 5.30 The trade and import of ABPs not for human consumption is mainly harmonised with specific commercial documentation or model health certificates/declarations in place; especially with regards ABPs which are intended for feed use. The Regulations also requires that certain commodities are authorised by the competent authority prior to importation from a non EU country or movement to another Member State can occur.

⁴⁷ This data is part of statistics referring to products of animal origin included in table on page 19

⁴⁸ eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:300:0001:0033:EN:PDF

⁴⁹ eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:054:0001:0254:EN:PDF

5.31 However, due to the vast array of ABPs and amount of uses it has throughout industry and around the world not all of these can be covered by current EU harmonised legislation. To facilitate trade Regulations 1069/2009 and 142/2011 do permit competent authorities to authorise imports of animal by-products and lay down their own national rules where harmonised conditions are not in place where they see fit. The two main national legislations are:

- The Trade in Animals and Related Products Regulations 2011, which states at Part 3 15(5) that, if there are no legislative requirements relating to the consignment, the official veterinary surgeon must not issue a Common Veterinary Entry Document (CVED) unless importation has been authorised in writing under this paragraph by the Secretary of State, who may only grant an authorisation if satisfied that the consignment does not pose a risk to human or animal health, or to the animal health status of the UK.
- The Importation of Animal Products and Poultry Products Order 1980 states at Article 4 that the landing in GB of an animal product or poultry product from a place outside GB is hereby prohibited except under the authority of a licence in writing issued by the appropriate Minister and in accordance with the conditions of that licence.

5.32 AHVLA deal with general enquiries regarding the import of animal by-products and are also able to issue agreed licences and authorisations on Defra's behalf. DARD performs these activities in NI.

5.33 Examples of ABPs not intended for human consumption authorised for imports include:

- processed blood products for the manufacture of medical devices
- avian blood for DNA extraction
- fish maws for the manufacture of isinglass
- intestines for the manufacture of strings for musical instruments
- frozen day old chicks for feed for raptors and reptiles
- health supplements for pet animals
- porcine tissue for research and diagnostic purposes.

Authorisations and licences issued for the import of ABPs not intended for human consumption (April 2012 – March 2014)

England	Wales	Scotland	NI
1,303	0	1	114

PROTECT: PERSONAL IMPORTS⁵⁰

Import rules for personal consignments of products of animal origin from non-EU countries

5.34 Commission Regulation 206/2009⁵¹ lays down the import rules for personal consignments of products of animal origin from non- EU countries. The regulation applies to personal consignments of a non-commercial nature which form part of

⁵⁰ gov.uk/personal-food-plant-and-animal-product-imports

⁵¹ eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0206

travellers' luggage, or are sent as small consignments to private persons, or are ordered remotely and delivered to the customer. In England these are enforced nationally by the Trade in Animals and Related Products (TARP) Regulations.⁵² Scotland, Wales and Northern Ireland have their own but very similar regulations.

- 5.35 Border Force delivers risk-based anti-smuggling controls to combat illegal imports of products of animal origin at points of entry into GB from non-EU countries. This includes imports which breach the concessions amounts applicable to goods carried in travellers' baggage for personal consumption and personal consignments sent by post to private individuals, as well as freight. Anti-smuggling activity and tactics are reviewed on a regular basis to ensure Border Force remain focused on responding to the most serious disease outbreaks and that the levels of resources deployed are proportionate to latest risk assessments and in line with organisational operational priorities. DARD is responsible for controls in Northern Ireland.
- 5.36 Frontline Border Force staff are employed as multi-functional anti-smuggling staff, with a responsibility to tackle a range of risks at the border, including dealing with illegal imports of products of animal origin.
- 5.37 Border Force staff are deployed on a mobile and flexible basis to cover all points of entry. At major ports and airports they are supported by the use of x-ray technology and detector dogs specifically trained to detect products of animal origin. Detector dogs are flexibly deployed in Customs Channels and baggage reclaim areas in accordance with latest risk assessments. Detector dogs also work in freight sheds, car halls and lorry lanes. Dogs are particularly successful in identifying products of animal origin concealed in baggage and have proven effective in quickly reviewing large numbers of passengers and their baggage. The number of dogs available for deployment can fluctuate depending on the need to replace dogs through retirements and ill-health and numbers of dogs and handlers in training.
- 5.38 Although passenger import of products of animal origin from most non-EU countries is illegal, this is a risk pathway where passengers intentionally or unintentionally break the rules.

RESPOND: SUMMARY OF ILLEGAL IMPORTS CONTROLS OF PRODUCTS OF ANIMAL ORIGIN

- 5.39 The number of seizures of illegally imported products of animal origin made by Border Force is set out in Annex D. Between 2011/12 and 2012/13 at airports and ports the number of seizures of illegally imported product increased by 8%; and between 2012/2013 and 2013/14 it increased by 23%. Anecdotal evidence suggests that there is a higher level of public awareness of the restrictions than when responsibility for these checks first passed to HM Customs in April 2003 following the 2001 *Foot and Mouth* outbreak.
- 5.40 The primary threat comes from illicit meat (including bush meat) and dairy products, and this is potentially driven by an increasing demand from ethnic food outlets to supply a variety of specialist and traditional produce. As an example of Border Force checks, in May 2014, officers at Tilbury docks examined a container that had recently arrived from Nigeria. Upon examination, approximately 34kg of animal skins and 26kg of red meat products were discovered.

⁵² legislation.gov.uk/uksi/2011/1197/contents/made

- 5.41 During this reporting period most illegal imports detected by Border Force were for small amounts and continued to be typically gifts by travellers visiting family (or returning from visiting family abroad) or seizures from tourists, business people and students travelling to the UK for the first time with foodstuffs for a special occasion or simply as 'a taste of home'. Most did not involve deliberately smuggled goods but were from passengers who, in spite of government publicity campaigns, were simply not aware of the current rules and prohibitions in place for products of animal origin imports.
- 5.42 The greatest number of seizures was from passengers returning from Southern and Eastern Asia, Near and Middle East and Eastern Europe. Cultural and sporting events (including celebrations as well as student terms) represent times when the level of seizures might be expected to increase. These have varied in size and product type, from unpackaged raw meat and fresh cheese to milk drinks and stock cubes. Most seizures continued to be less than 20 kgs and follow the typical pattern of small family groups, business people and students travelling to the UK.

Chapter 6 ASSURANCE: UK post-border controls

INLAND IMPORT CONTROLS: MONITORING AND SURVEILLANCE

FSA – Enforcement and Intelligence

6.1 The level, focus and frequency of the FSA inland import controls⁵³ are risk based and informed by specific factors. These include:

- EU safeguard measures
- Rapid Alert System for Food and Feed (RASFF) notifications
- local intelligence or priorities.

This may include historical port health sampling results from the National Coordinated Food and Feed Risk Based Sampling programme.

6.2 The FSA Incidents Branch is the UK contact point for RASFF⁵⁴ notifications – a key tool to ensure the cross-border flow of information to swiftly react when risks to public health are detected in the food chain. The EU RASFF system is used by the FSA to inform and prompt for action to be taken by the European Commission or other Member States.

6.3 Food Alerts provide the FSA with information to communicate to Local Authorities and consumers about problems associated with feed and food and, in some cases, provide details of specific action to be taken. The different categories of alerts and information notices issued are as follows:

- **Food Alerts for Action** – are issued when an incident requires enforcement action from Local Authorities
- **Product Withdrawal Information Notices and Product Recall Information Notices** – bring an incident to the attention of Local Authorities
- **Allergy Alerts** – are issued when foods have to be withdrawn or recalled and there is a risk to consumers, because the label is missing or incorrect or there is a risk of severe allergic response.

6.4 Between 1 April 2012 and 31 March 2014, the UK issued 57 ‘alert’ and ‘information’ notifications through the EU RASFF system. This includes cases where food products from non-EU countries breach public and animal health safety requirements and were rejected. The EC has a standard operating procedure in place to alert non-EU countries of problems affecting food. RASFF automatically alerts Port Health Authorities and Local Authorities at ports and airports to assist them in targeting their checks on incoming consignments of imported food.

⁵³ following border controls

⁵⁴ ec.europa.eu/food/safety/rasff/index_en.htm

Local Authorities Implications

- 6.5 All importers should be identified and registered as Food/Feed Business Operators. They should be included in the food/feed intervention programme for the local authority. Establishments that are the first destination after import should be identified and recorded. These may include establishments used for storage, processing, and/or handling, buying or selling products of animal origin.
- 6.6 Procedures relating to import control work should be developed in line with The Framework Agreement on Local Authority Enforcement, the Food Law Code of Practice (and Practice Guidance) and the associated Defra guidance documents. Authorised officers should consider imported food that is offered for sale by food businesses as a routine component of food hygiene and standards inspections. They should also investigate and take appropriate actions relating to (suspect) illegal imports, imports that may pose a risk to public or animal health and imports that fail to meet food safety requirements.
- 6.7 There are intelligence sharing protocols in place, for Border Force to pass on seizure details destined for commercial establishments to FSA, who analyse the information. This intelligence is passed on to the relevant local authority where appropriate. The results of the local authority investigations are passed back to Border Force and FSA to inform future targeting and Defra for statistical purposes.

AHVLA – Enforcement

- 6.8 For animal health purposes there is a distinct difference in how EU movements (commonly referred to as intra EU trade) and imports from third countries are treated.
- 6.9 There are a wide range of harmonised animal and public health requirements which each Member State must adhere to. For live animals there is normally a requirement that each consignment is accompanied with a health certificate validated by an Official Veterinarian in the originating country.
- 6.10 Free trade movement means that consignments from other Member States travel straight to their destination address without veterinary checks. In most cases (other than equine health attestations) a health certificate is entered onto EU's Trade Control and Expert System (TRACES) 24 hours prior to dispatch.
- 6.11 Part of the AHVLA role is to check a proportion of online documentation and where appropriate animals at destination. This involves carrying out routine post import surveillance and sampling on animals and animal products as part of international disease monitoring to prevent the risk of import and spread of disease into and throughout the UK.

Chapter 7 Reducing the risk

WORKING TOGETHER – CO-ORDINATION AND CO-OPERATION

- 7.1 Defra assesses and manages the risks posed by imported live animals and products of animal origin by working together with Devolved Governments, other Government departments, agencies, industry and the public to reduce risk of disease crossing the border.
- 7.2 There was also close liaison between the central Government Departments and the local and Port Health Authorities (PHAs) that are involved in carrying out controls. This is facilitated through the enforcement representative bodies.
- 7.3 The FSA have worked closely with Local Authorities, Defra, Border Force and HMRC colleagues to carry out analysis, inform risks and identify trends on illegally imported products of animal origin. This has allowed improved local liaison arrangements at borders, particularly in developing any localised intelligence that might help the targeting process for Border Force controls and for checks by PHAs at BIPs. At a national level, Border Force will also carefully consider any requests for additional activity from Defra or partner agencies as part of routine tasking and co-ordination processes.
- 7.4 Number of stakeholder meetings were held according to specified frequencies or *ad hoc* as follows:
- ‘*Keeping In Touch*’ – fortnightly meetings held between the competent authorities and the delivery agency responsible for operational delivery of the vet checks controls to discuss issues relating to import controls and resolve problems.
 - Bi-annual meetings with the Association of Port Authorities – on operational issues.
 - Quarterly meetings with the Major Ports Liaison Group – to consider specific issues of import controls including achieving a consistent approach to enforcement.

Organisation

- 7.5 During 2013 Defra worked with Food and Environment Research Agency (Fera), Centre for Environment, Fisheries and Aquaculture Science (Cefas) and AHVLA to assess possible future opportunities for closer working to increase collaboration and partnerships across the scientific community, share best practice, increase co-ordination in response to incidents and emergencies, and improve efficiency. As a result a combined Animal and Plant Health Agency has been launched on 1 October 2014 in a bid to better equip the government to prevent the spread of animal and plant diseases. Further information can be found at:
- gov.uk/government/organisations/animal-and-plant-health-agency.

Legislation

- 7.6 Following publication of the Smarter Rules for Safer Food package of proposals in May 2013 the Imports and EU Trade Team have worked closely with Defra and FSA colleagues leading on the new animal health law and official controls regulation. This was to ensure that the UK interests were realised and represented during Council Working Group meetings. In particular, the key issues of charging and use of official veterinarians for controls would both have implications for import controls system. The

proposal is being taken by the incoming Luxembourg Presidency who are hoping to resolve these outstanding issues. The final text will not go to Council until September 2015 at the earliest.

Procedures

- 7.7 During 2014, Defra and Border Force worked together to develop a refreshed “Enforcement Strategy”. This defines shared objectives to reduce the risk posed by illegally imported products of animal origin to the lowest possible level. The Enforcement Strategy was finalised in October 2014 (outside the period covered by this report). The objective of the strategy is to continually improve the ability to carry out effective analysis and reporting. This is to ensure a better reporting-mechanism for intelligence and for management information. This document is planned to be kept under regular review in order to respond to changes in risk or other relevant information. The Enforcement Strategy is supported by a Delivery Agreement and implementation work is progressing against both.
- 7.8 Defra updated the BIP Manual⁵⁵ to take account of changes to EU legislation and incorporate instructions from the OVS notes issued in the previous year. gov.uk/government/uploads/system/uploads/attachment_data/file/209894/pb13707-bip-manual-130701.pdf and defra.gov.uk/animal-trade/imports-non-eu/enforcement-guidance/. This ensures that the Official Veterinarians responsible for carrying out inspections at the border have all the necessary information and guidance to allow them to carry out this work.

Training programmes

- 7.9 **BIPs courses** – 107 UK’s Official Veterinary Surgeons and Official Fish Inspectors responsible for carrying out import checks at BIPs attended four BIP workshops⁵⁶ organised by AHVLA. Some training requirements were identified during BIPs audits e.g. new and changed legislation, areas of controls where issues were arising because of inconsistent application of the veterinary checks rules. Pre-training questionnaires were sent out prior to the training day and these provided valuable information on the level of knowledge of attendees and future training events were then planned to address any deficiencies noted. Participants were encouraged to attend once every two years and cascade the information to colleagues.
- 7.10 **The FSA** – provides a range of imported food training courses for inland and Port Health Authorities. During reporting period the FSA coordinated and delivered:
- 46 courses to 648 officers (607 different or unique officers). These courses covered enforcement of imported food controls, sampling for contaminants in imported food, training targeted for smaller ports and training on investigation and enforcement skills.
 - 6 workshops covering two themes: imported food fraud and imported food controls at airports. As part of these workshops, the use of TRACES was explored. As a result of workshop discussions and wider collaborative working, all UK Designated Points of Entry are now using TRACES to record consignments of high-risk food. This has enabled the FSA to have access to real-time data and has removed a significant administrative burden on port health authorities for complying with the

⁵⁵ The BIP Manual provides guidance on implementation of legislation concerning checks on products of animal origin imported from third countries. It covers both EU legislation and national rules applicable at BIPs and sets out the division of responsibilities and the procedures for the enforcement authorities carrying out veterinary checks

⁵⁶ 19 June 2012, 14 November 2012, 18 June 2013 and 4 November 2013

requirement to submit to the FSA quarterly reports of such consignments. The UK is one of only two Member States using TRACES to record its imports of high-risk food.

- 7.11 **European Commission's Better Training for Safer Food (BTSF)** – 24 UK representatives attended BIPs training courses organised through the BTSF programme.⁵⁷ These workshops aim to improve knowledge on the legislative requirements and spread best control practices amongst Member States' border control personnel. The BIPs BTSF learning materials were cascaded to staff involved in official controls through in-house courses.

Safety, quality and information campaigns

- 7.12 Border Force is leading responsibility for publicity within ports and airports. Border Force have worked closely with Defra to raise public awareness about current products of animal origin import rules through a coordinated communications and marketing strategy:

- a leaflet summarising the rules for personal imports of products of animal origin "*Bringing food products into the UK*" was made available to travellers at ports and airports and on the gov.uk⁵⁸ website
- posters remained available to travellers and Liquid Crystal Display (TV screens) continues to provide messages to travellers at various ports and airports.

- 7.13 During reporting period the FSA:

- issued a total of 73 formal notices to Local Authorities and Port Health Authorities in the UK to provide guidance on enforcement issues involving public and animal health. The central register of enforcement-related correspondence is available at: food.gov.uk/enforcement/enforcework/centralref/enf-england
- maintained a dedicated homepage for imported food food.gov.uk/enforcement/enforcework/enforce_authorities. This is a comprehensive source of information on imported food controls that is continuously updated
- in December 2013 issued a Resource Pack⁵⁹ for delivery of official controls at points of entry. This pack provides an overview of official controls at points of entry, outlines the role inland authorities have in monitoring imported food, includes practical guidance and steers enforcement behaviours.

BIPs audit programme

- 7.14 In the UK the primary means of verification of effectiveness of official import controls is based on the implementation and assessment of an effective BIP auditing system by AHVLA for verification of compliance with the required procedural and facility requirements.

- 7.15 During reporting period the audits carried out included:

- full assessment of the procedures
- followed by BIP staff in delivery of the official import controls

⁵⁷ BTSF programme is a European Commission initiative that organises training in the areas of European food and feed law, plant and animal health, and welfare regulations ec.europa.eu/food/training_strategy/index_en.htm and ec.europa.eu/chafea/food/index.html

⁵⁸ gov.uk/government/publications/bringing-food-products-into-the-uk

⁵⁹ food.gov.uk/enforcement/enforcework/enforce_authorities/resourcepack

- assessment of the suitability of the facilities for carrying out the required controls
 - assessment of the effectiveness of the verification checks by the local enforcement authority. The verification checks are essential as a first step in ensuring that the facilities are in compliance with the legislation and that veterinary checks are carried out in accordance with the instructions in the BIP Manual.
- 7.16 All audit reports were assessed on a six monthly basis by AHVLA. A summary of the outcome of the audits and action taken on audit findings were compiled and circulated to Defra and the Scottish Government. This also included identification of training needs and recommendations for policy consideration/action. These reports were reviewed and signed off by the senior veterinary Portfolio Manager for Imports and EU Trade team.
- 7.17 Risk based audits and liaison visits (informal visits to BIPs between formal audits) at product BIPs were carried out by the AHVLA as follows:
- **Product BIPs** – all high and medium throughput BIPs received one audit for procedures and one for facilities per year. All low throughput BIPs received one audit visit a year and both facilities and procedures were audited at this visit.
 - **Live animal BIPs** – were scheduled to be audited once every two years by a senior veterinarian of AHVLA.
- 7.18 Live animal BIPs were audited using the same check-lists that are used for the local verification checks. In the case of audits of products of animal origin BIPs, the AHVLA used different checklists and report templates than the ones used by the BIP in verification checks. The audit reported “compliant”, “minor deficiencies” or “major deficiencies”. The audit assessed the correctness of the supervision by comparing the audit findings with the relevant supervision reports. One of the main outcomes of the audit system was the identification of training needs based on overall assessment of audit results at the national level as well as assessment at the individual BIP level.

Biosecurity (England)

- 7.19 Defra’s biosecurity interests cover animal, plant, and aquatic animal health and invasive non-native species, including products of animal origin. The Department has assessed our approaches to the risks and issues related to biosecurity across the continuum of activities on biosecurity – pre-border, at the border and within the UK.
- 7.20 Commencing in June 2013, ministerial Monthly Biosecurity meetings were held during the reporting period to enable timely escalation of potential biosecurity risks and provide strategic oversight and direction. A new risk assessment methodology enabled animal and plant health risks to be assessed together, in terms of likelihood and impacts.
- 7.21 As part of wider work on biosecurity, Defra wants to enhance awareness of, and compliance with, UK biosecurity rules relating to plant and animal imports, backed by effective enforcement to tackle non-compliance. During 2014/15, a strategic relationship with Border Force was deepened to further improve joint working. This was done through agreed current tasking and co-ordination activity, and in line with operational priorities and information sharing, to better target enforcement at the border.

Strategic Review of Communication

7.22 In May 2013 a project was commissioned to review Defra's communications with importer and enforcement bodies regarding the importation of live animals and products of animal origin. The review was completed in 2014 following a period of engagement with key stakeholders and the first phase was to consolidate and centralise web guidance as it moved onto Gov.uk. Further recommendations are being adopted in order to improve, clarify and enhance communications both internally between Defra, AHVLA and the FSA and for the benefit of external stakeholders. The project also challenged external stakeholders to create collaborative communications solutions where government is no longer best placed to do so.

New developments

7.23 Composite products are foodstuffs intended for human consumption that contain both processed products of animal origin and products of plant origin. The European Commission reviewed the rules for composite products in 2012. A new certificate is in place that provides for animal and public health conditions for the importation from third countries of certain composite products containing processed meat, dairy products, eggs and fishery products. Composite products containing:

- processed meat
- half or more of its substance of any other processed product of animal origin
- less than half of its substance of processed milk where the final product does not meet certain requirements eg it is not shelf stable at ambient temperature

are subject to veterinary checks at the BIP. The processed product of animal origin has to come from an approved country and where appropriate come from an approved establishment.

Annex A European Union Legislation

EU legislation	Subject
Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine (1)	Bovine animals and swine
Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species (2)	Bovine semen
Council Directive 89/556/EEC on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species (3)	Fresh bovine embryos
Council Directive 90/429/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species (4)	Porcine semen
Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals (5)	Sheep and goats
Council Directive 92/65/EEC laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC (6)	Other animals and products specified in the Directive
Council Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC (7)	Miscellaneous products
Council Directive 96/23/EC on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC (8)	Residues
Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down the procedures in matters of food safety (9)	Animal products for human consumption
Council Directive 2002/99/EC laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption (10)	Animal products for human consumption
Council Directive 2004/68/EC laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals (11)	Certain live ungulate animals including bovine, ovine, caprine, porcine
Commission Regulation (EC) No 136/2004 laying down procedures for veterinary checks at Community border inspection posts on products imported from third countries (12)	Hay and Straw
Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs (13)	Animal products for human consumption
Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin (14)	Animal products for human consumption

EU legislation	Subject
Regulation (EC) No. 854/2004 of the European Parliament and the Council laying down specific hygiene rules for the organisation of official controls on products of animal origin intended for human consumption (15)	Animal products for human consumption
Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (16)	Official controls on feed, food, animal health and animal welfare
Council Regulation (EC) No. 1831/2003 laying down requirements for feed hygiene (17)	Animal feed
Commission Decision 2007/275 concerning lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC (18)	Composite products
Council Directive 2006/88/EC on animal health requirements for aquaculture animals and products thereof, and on the prevention and control of certain diseases in aquatic animals (19)	Aquatic animals
Council Directive 2009/156/EC on animal health conditions governing the movement and importation from third countries of equidae (20)	Equidae
Council Directive 2009/158/EC on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs (21)	Poultry and hatching eggs
Regulation (EC) No 767/2009 of the European Parliament and of the Council of 13 July 2009 on the placing on the market and use of feed (22)	Animal feed
Council Regulation (EC) No 1069/2009 laying down the health rules as regards animal by-products and derived products not intended for human consumption (23)	Animal by-products

Annex B UK Border Inspection Posts

UK BIPs for products of animal origin

BIP	Approved for carrying out checks on
Belfast Airport	Packaged animal products not intended for human consumption which are imported under ambient and chilled temperatures.
Belfast Port	Frozen animal products for human consumption. Frozen animal products not intended for human consumption.
Bristol Port	Animal products for human consumption at frozen and ambient temperatures only. Animal products not intended for human consumption which are imported under ambient temperatures.
East Midlands	Packaged chilled animal products for human consumption. Packaged Animal products for human consumption imported at ambient temperatures Packaged animal products not intended for human consumption imported at ambient temperatures.
Falmouth	All products for human consumption.
Felixstowe	All animal products for human consumption. Animal products not intended for human consumption at frozen and ambient temperatures only.
Gatwick Airport	Packaged animal products for human consumption. Packaged animal products not intended for human consumption.
Glasgow Airport	Suspended.
Grimsby-Immingham	Frozen animal products for human consumption.
Heathrow	Packaged animal products for human consumption. Packaged animal products not intended for human consumption.
Hull	All animal products for human consumption. Animal products not intended for human consumption at ambient temperatures.
Invergordon	Processed animal proteins only.
Liverpool	All packaged animal products for human consumption. All packaged animal products not intended for human consumption.
Manchester Airport	Packaged animal products for human consumption. Packaged animal products not intended for human consumption.
Peterhead	Frozen packaged fishery products only.
Southampton	All animal products for human consumption. All animal products not intended for human consumption.
Stansted Airport	Packaged animal products for human consumption imported at ambient temperatures. Packaged animals products not intended for human consumption imported at ambient temperatures.
Thamesport	All packaged animal products for human consumption. All packaged animal products not intended for human consumption.
Tilbury	All animal products for human consumption. Animal products not intended for human consumption at frozen and ambient temperatures only.

UK BIPs for live animals

Border Inspection Post		Live Animals			Remarks
Name	Type	Ungulates ⁶⁰	Registered Equidae ⁶¹	Other Animals ⁶²	
Gatwick	Airport			Yes	
Heathrow	Airport	Yes	Yes	Yes	
Manchester	Airport			Yes	Fish, Reptiles, invertebrates and amphibians only
Stansted	Airport	Yes	Yes		
Prestwick	Airport	Yes	Yes		
Edinburgh	Airport			Yes	Dogs, cats, ferrets, lagomorphs, amphibians, reptiles, tropical ornamental animals and rodents

⁶⁰ Ungulates include cattle, swine, sheep and goats, deer, alpaca, llama and other wild and domestic cloven hoofed animals and solipeds.

⁶¹ As defined in Directive 90/426/EEC on health conditions governing the movement of equidae and their import from third countries.

⁶² Not a Border Inspection Post for any species of animals specified in the Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974, as amended by the Rabies (Importation of Dogs, Cats and Other Mammals (Amendment) Order 1994.

Annex C International Disease Monitoring – Preliminary outbreak assessments

Department of Environment,
Food and Rural Affairs Veterinary Science Team
International Disease Monitoring

Reference: VITT/1200 FMD in Russia
Date: 21 June 2013

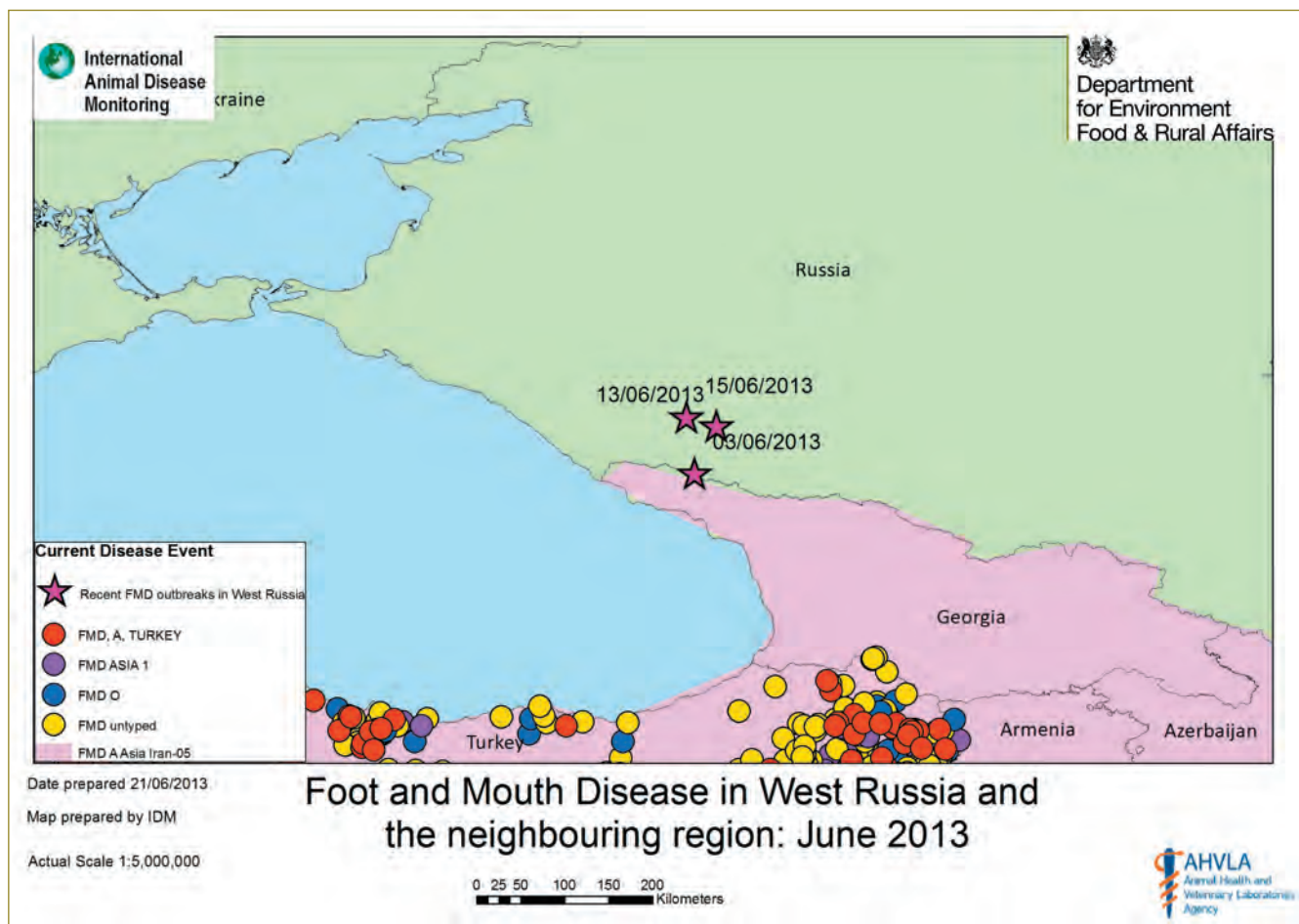
Foot and Mouth Disease in Russia

Preliminary Outbreak Assessment

Note: Defra's International Disease Monitoring (IDM) monitors outbreaks of high impact diseases around the world. Foot and Mouth Disease (FMD) is among those diseases of major concern.

1. Disease Report

Russia reported three outbreaks of FMD A in cattle in Karachay-Cherkessia and Krasnodar regions (OIE, 2013). The first outbreak on 3 June was a few km from the border with Georgia while the other two outbreaks reported on the 18 June were approximately 60 km from the Georgian border in a buffer zone, where FMD vaccination is being carried out. According to the disease report, the source of infection for the original outbreak could have been contact with infected wild cloven hoof animals. Disease control measures and restriction zones are in place.



2. Situation Assessment

There has been little official information about specific disease outbreaks from the neighbouring countries of Armenia, Azerbaijan and Georgia. Nevertheless, the World Reference Laboratory for FMD (WRLFMD), Pirbright Institute and the FAO/EUFMD (a European Commission funded regional body to support member countries in Europe to control FMD) have reported recently that these three countries share the same geographical distribution of FMD virus strains, namely FMD A, O and Asia-1, as other countries in the Middle East and West Eurasia (EUFMD, 2013). The WRLFMD reports that recent strain sequencing from Turkey, Iran and Iraq have confirmed the presence of FMD A Asia Iran-05 being the common FMD A virus for the region (WRLFMD, 2013).

Elsewhere in East Russia, Kazakhstan and China, several outbreaks FMD A have been reported over the last few months, but the strain from these outbreaks has been typed as FMD A Asia Sea-97 (WRLFMD, 2013). Serotyping from the recent West Russia outbreaks will confirm whether these are due to introductions from the Middle East, or a “jump” from a geographically distinct area. This may have implications for control if vaccination is being used widely.

Although Russia is not approved for the export of live ruminants or products of animal origin from FMD susceptible species, the illegal introduction of products cannot be ruled out, but is very difficult to estimate. However it should also be noted that this region of Russia has a low level of biosecurity in livestock and regular wildlife contacts, as evidence by the spread and establishment of African Swine fever, and therefore control measures need to be implemented in a timely manner to avoid further spread.

3. Conclusions

The risk of introduction of FMD through legal trade from Russia is considered negligible (ie “so rare it does not merit consideration”).

Nevertheless, these latest outbreaks do not change our risk level for introduction of FMD from any affected area into the EU, which is constantly low (ie “rare but does occur”) because of the possibility of illegal trade in affected products, movement of wildlife and contaminated equipment or articles.

We will continue to monitor the situation.

4. Authors

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Dr Jef Hammond

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OIE (2013) Foot and Mouth Disease, Russia. Follow-up Report No. 1 OIE Reference 13640; report date 18/06/2013.
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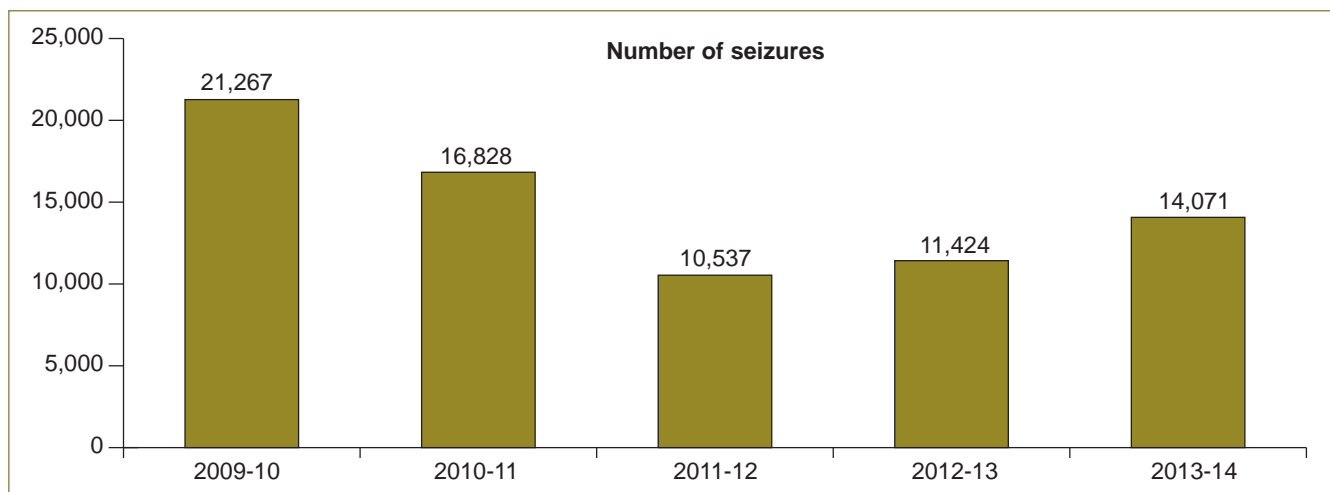
WRLFMD (2013) Quarterly Report January – March 2013.
http://www.wrlfmd.org/ref_labs/ref_lab_reports/OIE-FAO%20FMD%20Ref%20Lab%20Report%20Jan-Mar%202013.pdf Accessed 21/06/2013.

Annex D Statistics on imports of illegal products

For the purposes of these statistics 'illegal' refers to products of animal origin seized as items from individuals being in contravention of the personal concessions permitted or commercial consignments that have sought to evade correct entry procedures by not being declared at a Border Inspection Post. These statistics also include items voluntarily surrendered by passengers at ports and airports.

Figures show the number and weight of seizures by Border Force, DARD and those made by inland Local Authorities and Port Health Authorities at relevant points of entry.

Graphs illustrating total number of seizures including weight (2009-2014)

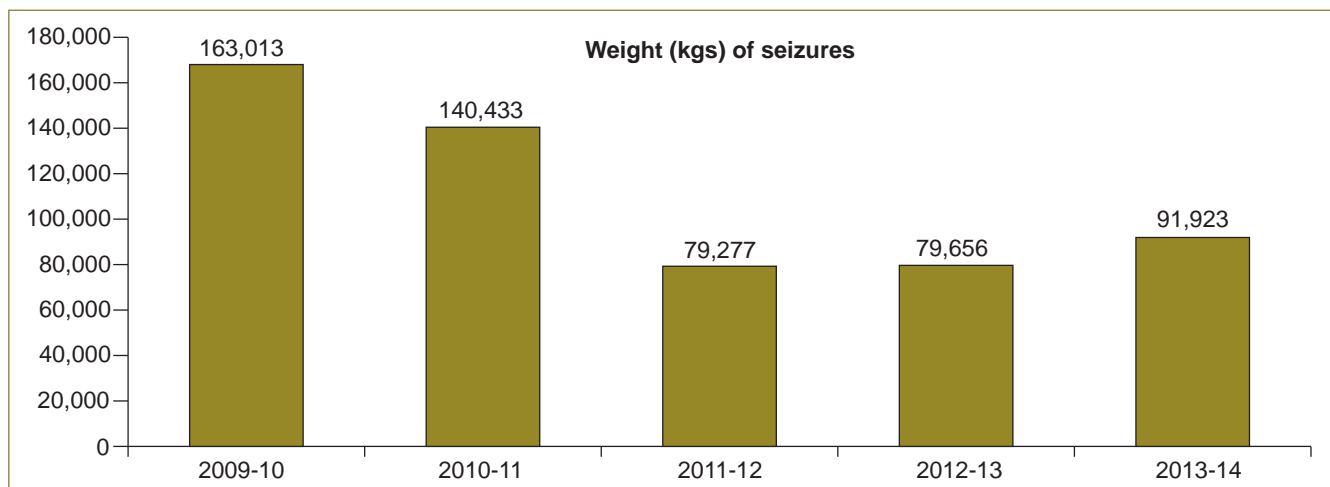


2010-11 – Of this number approximately 4% were made in freight and cargo. These seizures account for approximately 55% of the total weight of seizures, and approximately 95% of the total volume of seizures

2011-12 – Freight seizures represent 5.5% of the total seized

2012-13 – Freight seizures represent 5.27% of the total seized

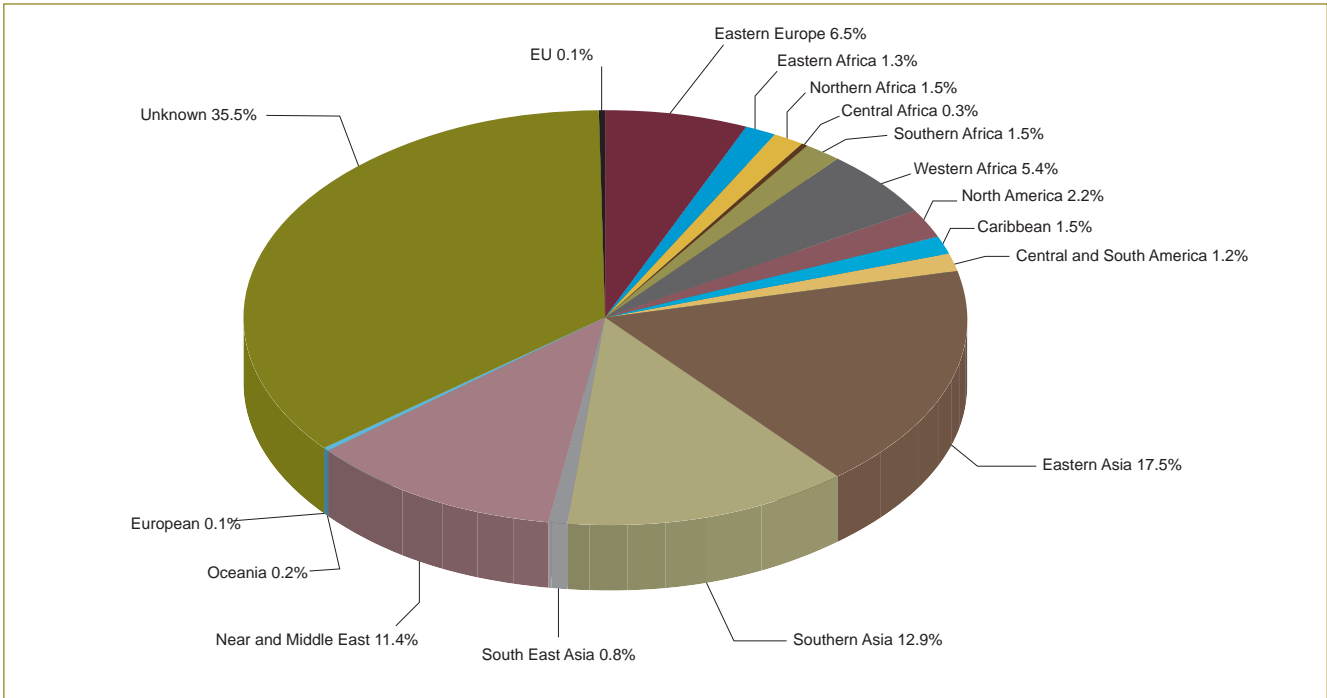
2013-14 – Freight Seizures represent 4.85% of the total seizures



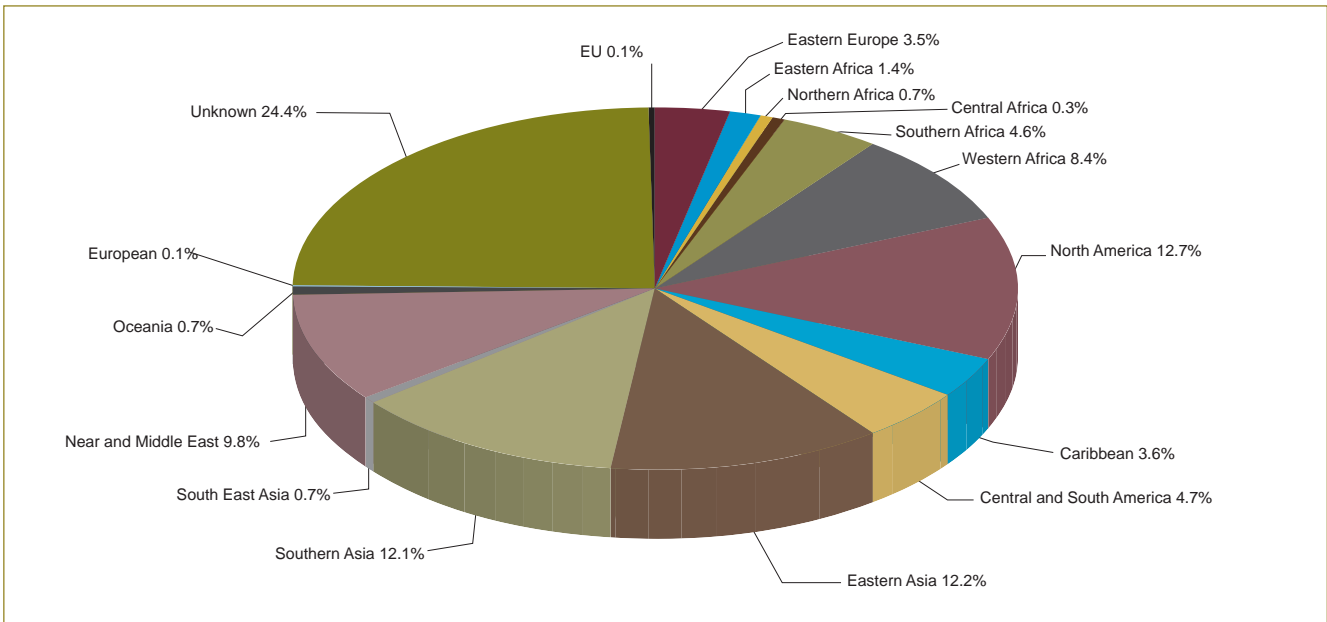
Number of seizures including weight by region during 2012-2014

Region ID/Name	Table 1: Number of seizures (including weight) by region during 2012-2013		Table 2: Number of seizures (including weight) by region during 2013-2014	
	No. of seizures	Wgt (kg)	No. of seizures	Wgt (kg)
1 Eastern Europe	740	2,790	596	2,174
2 Eastern Africa	154	1,083	149	825
3 North Africa	169	530	191	776
4 Central Africa	39	278	63	526
5 Southern Africa	171	3,631	162	447
6 Western Africa	612	6,730	556	4,330
7 North America	254	10,146	268	3,001
8 Caribbean	169	2,897	150	742
9 Central & South America	132	3,722	126	542
10 Eastern Asia	1,996	9,685	2,172	14,347
11 Southern Asia	1,474	9,670	1,692	11,435
12 South East Asia	94	535	133	612
13 Near & Middle East	1,302	7,809	1,516	16,349
14 Oceania	28	564	47	2,176
15 European	13	62	12	44
16 Unknown	4,060	19,466	6,209	33,201
17 EU	17	58	29	396
Totals	11,424	79,656	14,071	91,923

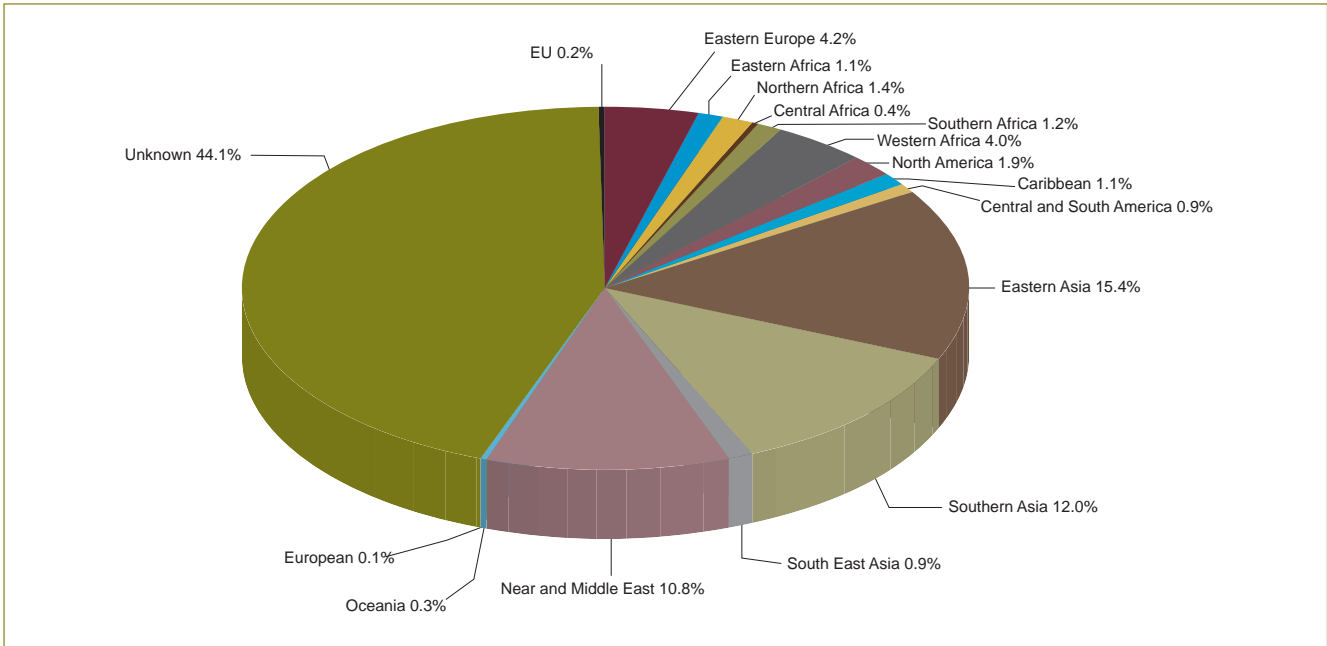
Pie Chart 1 for Table 1: Number of products of animal origin seized by region during 2012-2013



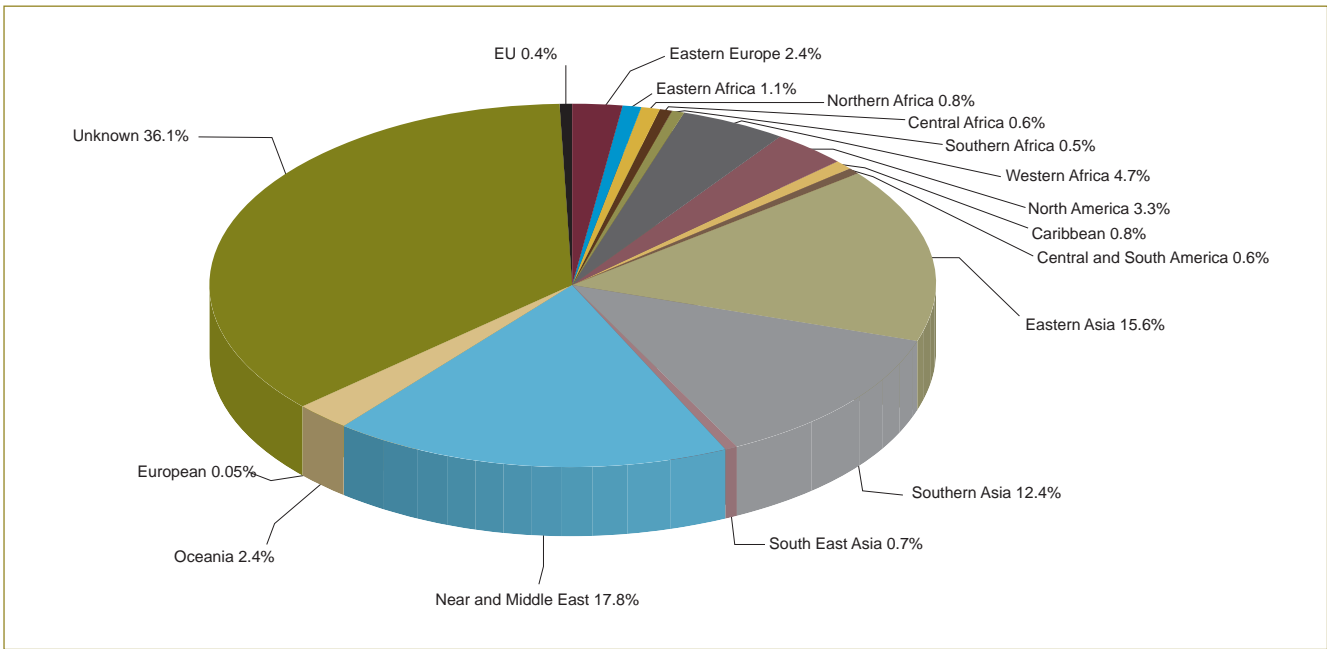
Pie Chart 2 for Table 1: Weight of products of animal origin seized by region during 2012-2013



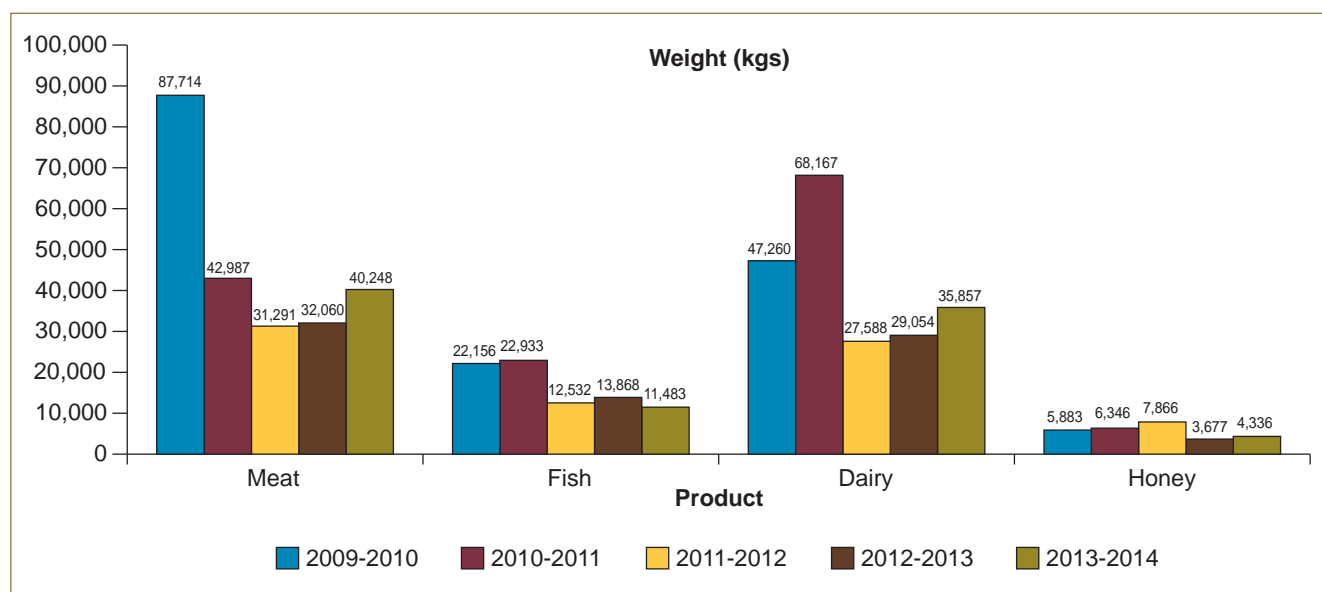
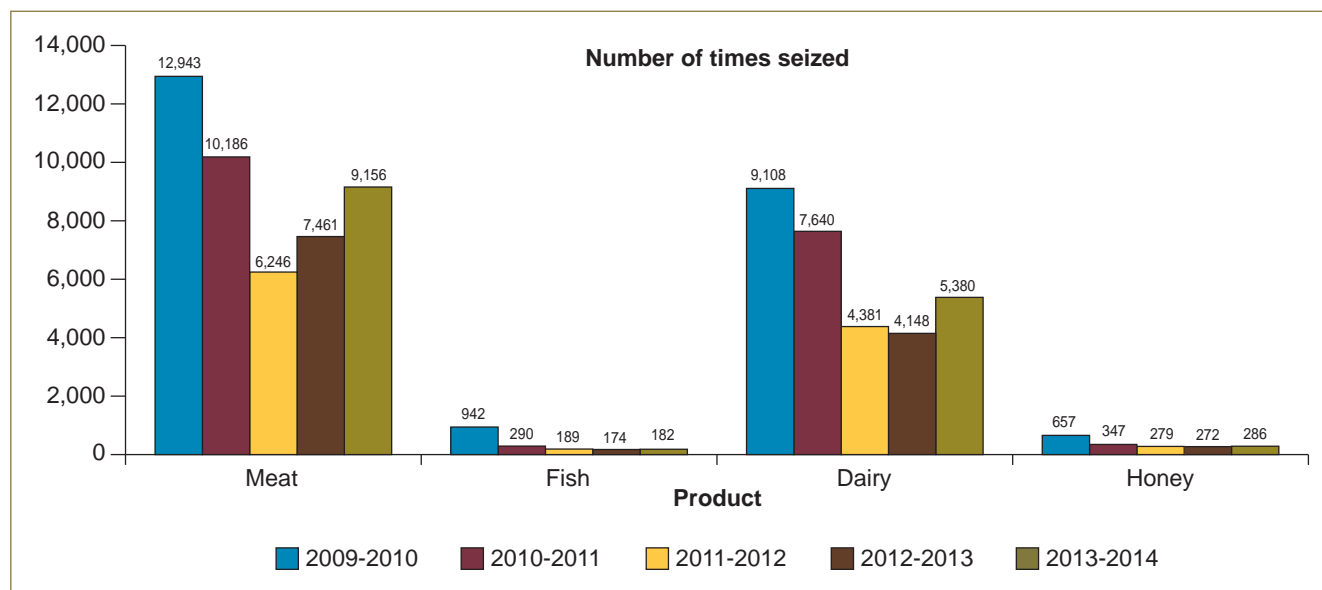
Pie Chart 3 for Table 2: Number of products of animal origin seized by region during 2013-2014



Pie Chart 4 for Table 2: Weight of products of animal origin seized by region during 2013-2014



Graphs illustrating number of seizures and weight by product (2009 – 2014)



Annex E Glossary of commonly used abbreviations and acronyms

ABPs	Animal by-products
ASF	African Swine Fever
AHVLA	Animal Health and Veterinary Laboratories – now known as the Animal and Plant Health Agency (APHA)
BIP(s)	Border Inspection Post(s)
CVED	Common Veterinary Entry Document
DARD NI	Department of Agriculture and Rural Development for Northern Ireland
Defra	Department for Environment, Food and Rural Affairs
EC	European Commission
EU	European Union
FMD	Foot and Mouth Disease
FSA	Food Standards Agency
FVO	Food Veterinary Office
GB	Great Britain
HMRC	Her Majesty's Revenue and Customs
HPAI	Highly Pathogenic Avian Influenza
ID checks	Identity checks
LAs	Local Authorities
NI	Northern Ireland
OIE	World Organisation for Animal Health
OVS(s)	Official Veterinary Surgeon(s)
PAFF Committee	Standing Committee on Plants, Animals, Food and Feed – formerly known as SCoFAH (Standing Committee on the Food Chain and Animal Health)
PHA	Port Health Authorities
RASFF	EU Rapid Alert System for Food and Feed
SG	Scottish Government
TARP	Trade in Animals and Related Products Regulations
TRACES	EU Trade Control and Expert System
WG	Welsh Government
UK	United Kingdom

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Committee Chairs
National Assembly for Wales
Cardiff Bay

16 July 2015

Dear Chair

Draft Wales Bill

As I'm sure you are aware, we expect the UK Government to publish a draft Wales Bill in the autumn with a period of consultation to follow, before the Bill itself is introduced sometime in spring 2016.

I have discussed the matter with the Deputy Presiding Officer in his capacity as Chair of the Constitutional and Legislative Affairs (CLA) Committee. We have agreed that that Committee provides the most appropriate vehicle for the Assembly to consider the draft Bill. I am confident that the Committee has the membership, expertise and capacity to formulate a comprehensive and authoritative response for me and the Assembly to consider and, hopefully, endorse.

Although the Bill falls within the remit of the CLA Committee, its scrutiny will be strengthened considerably if other Committees are involved. In particular, it will be important that CLA Committee and the Assembly as a whole can draw on the policy expertise of other Committees when examining the impact of replacing our current conferred powers model with a new reserved powers model.

I would be grateful if you could consider with your Committee how to make space in what I am sure will be a very busy Autumn programme to undertake a serious examination of the Bill in relation to your Committee's remit. Your clerking team will be able to advise on how to time your response to add value to the work of CLA Committee and to ensure that the Assembly can influence the debate at Westminster.

**Dame Rosemary Butler AM, Presiding Officer
Chair, Business Committee**

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Croesewir gohebiaeth yn y Gymraeg a'r Saesneg/We welcome correspondence in both English and Welsh

Agenda Item 4.5

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref SF/CS/2120/15

Alun Ffred Jones AM
Chair of the Environment and Sustainability
Committee
Cardiff Bay
Cardiff
CF99 1NA

21 July 2015

Dear Alun,

Thank you for your letter of 29 June setting out the conclusions of the Environment and Sustainability Committee's inquiry into fuel poverty and energy efficiency.

I welcome the Committee's response and will keep you updated on any plans we may have to refresh the Fuel Poverty Strategy, on the outcome of the consultation on our new Energy Efficiency Strategy and on progress with *Welsh Government Warm Homes and Resource Efficient Wales (REW)*.

I will also consider the Committee's suggestion that the Welsh Government facilitate an annual forum on actions to tackle fuel poverty and improve energy efficiency in Wales. In response to the Committee's conclusions on data and fuel debt, I am pleased to be able to provide you with following update.

Data

The project to identify gaps in the evidence base for housing conditions, and to develop a business case for investment in fuel poverty and housing conditions data in the medium and long term, is ongoing. I expect a business justification case to be completed and a preferred option for delivering new data to be recommended in the autumn. In addition to the work underway to secure longer term data, I have recently agreed to fund a research project to model existing data sources to produce, in the short term, more up-to-date estimates of fuel poverty levels and the energy efficiency of dwellings. This work is currently being scoped and I am happy to keep the Committee updated as work progresses.

Fuel Debt

Given the importance of ensuring that we lever Energy Companies Obligation (ECO) funding into Wales, my recent meetings with major energy suppliers have focused primarily

Bae Caerdydd • Cardiff Bay
Cardiff
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Page 110

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Correspondence: Carl.Sargeant@wales.gsi.gov.uk

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on their ECO investment. I will be holding regular meetings with energy suppliers and will challenge them on what more they can do to support customers who are in debt, what action they are taking to ensure that customers are not switched to pre-payment meters unless it is the most appropriate payment option for the customer, and on what plans they have in place for the roll-out of smart meters in Wales.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a final upward stroke.

Carl Sargeant AC / AM

Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MB/FM/2666/15

Alun Ffred Jones AM
Chair of the Environment and Sustainability Committee

16 July 2015

Dear Alun

I am writing in response to your letter of 2 July regarding the appointment process for the Chair of Natural Resources Wales.

I have discussed this issue with the Minister for Natural Resources and as this post is regulated by the Office of the Commissioner for Public Appointments, I am content that this provides sufficient transparency and scrutiny.

Yours sincerely

CARWYN JONES

Summary Work Plan 2015 -2016

1. Introduction

NRW's Marine Programme Board oversees a programme of marine work that is intended to deliver against four key work areas expressed as the programme objectives. The overarching aims and four objectives of the programme are set out below:

Aim 1: To support the implementation of the Ecosystem Approach, to achieve the sustainable management of marine natural resources in Wales.

Aim 2: To align NRW marine work to deliver against Welsh Government priorities, including their Marine transition Programme.

Objective 1: To contribute to the development of the first Wales National Marine Plan (WNMP), providing timely evidence and advice to enable this process to deliver sustainable management of the marine environment, and advising on the relationship with new mechanisms within the Environment Bill and other relevant policy and legislation.

Objective 2: To provide consistent and comprehensive evidence and advice to support the implementation of Marine Strategy Framework Directive, seeking full integration with marine planning in order to delivery tangible ecosystem improvements and benefits.

Objective 3: Contribute to the delivery of an ecologically coherent and well-managed network of Marine Protected Areas by 2016, and that the social and economic benefits of these sites are quantified and enhanced

Objective 4: To support the sustainable management of marine activities, providing input to sectoral planning processes and developing the appropriate evidence base to support decision-making.

2. Marine programme work plan for 2015-16

The annual activities for 2015-16 are detailed below. This includes work with specific deliverables this year. These are organised under each of the four objectives above together with a fifth category for cross-cutting evidence work. There is also a further category for 'day job' work that lists ongoing day-to-day work that relates to the objectives of the marine programme and which also absorbs a considerable amount of staff time and resource.

As with the public sector in general, NRW is under considerable resource pressure, and as a result it is not possible to deliver all areas of marine work that should form part of the annual work plan. Key areas of work that is on hold, or significantly slowed or reduced in scope, due to limited resources are also identified.

Objective 1: Marine planning

1. Input to first draft of Wales National Marine Plan (WNMP)
2. Input to formal consultation of the draft WNMP
3. Deliver SEA of WNMP
4. Advise on development of Marine Planning Portal

Objective 2: Marine Strategy Framework Directive

1. Input to finalisation of the programme of measures
2. Input to continued development of targets and indicators
3. Input to MSFD reporting cycle
4. Deliver MSFD Monitoring Programme and PoM requirements

Objective 3: Marine Protected Areas

1. Progress possible new marine SPAs and SACs for harbour porpoise
2. Input to UK MPA stocktake and subsequent analysis of gaps in the network
3. Prepare MPA management improvement plan
4. Support implementation of MPA management improvement plan
5. Provide Wales input to OSPAR MPA management reporting
6. Progress themed review of marine actions in the Actions Database

Objective 4: Managing marine activities

1. Support sustainable delivery of strategic marine industry planning and assessment exercises including: tidal stream, tidal range, marine aggregates, oil and gas, marine energy SEA.
2. Strategic internal support for marine incident management
3. Procedural and best practice guidance (internal and external)
4. Tidal Range Programme delivery
5. Wave & Tidal Stream programme delivery
6. Fisheries HRA advice
7. Cockle management
8. Scallop management

Marine evidence (cross-cutting more than one programme objective)

1. Advise towards WG Marine Evidence Strategy (TBC)
2. Development of cross-cutting marine evidence products
3. Deliver a prioritised survey, monitoring and reporting programme for MPAs in Wales

Day job areas

1. Casework – NSIPs
2. Casework – planning
3. Casework -advice on permits and licenses, including marine licences, EPS licenses etc.
4. Casework – fisheries
5. Regulation: Licensing and permits
6. Internal advice and liaison
7. Internal governance
8. Guidance
9. External advice and liaison
10. Designations: evidence, management, processing etc.
11. Developing the evidence base
12. Monitoring and survey
13. Reporting
14. Staff training and development

On hold, or significantly slowed/reduced in scope, due to resource constraints:

Marine planning

- Develop guidance to support WNMP policies/content (on hold)

MSFD

- Review risks related to NRW delivery of PoM, Monitoring Programme, assessment and reporting (on hold)

MPAs

- Progress Regulation 35 Review (slowed)
- Review site management plans (that are due for review) (slowed)
- Develop conservation objectives and site feature for Skomer MCZ (slowed)
- Progress MPA benefits project (on hold)

Management of marine activities

- Procedural and best practice guidance (internal and external) (some on hold)

Marine evidence

- Identify priority marine biodiversity-related evidence needs/gaps and seek/secure opportunities to address (slowed)
- Development of cross-cutting marine evidence products (some on hold)

3. Monitoring and review

NRW's Marine Programme Board undertakes quarterly monitoring of progress with delivery of the annual work plan. The work plan is then reviewed and refreshed in full each financial year.

Agenda Item 4.8

Rebecca Evans AC / AM

Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref - SF/RE/1855/15

Alun Ffred Jones AM
Chair of the Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

10 July 2015

Dear Alun Ffred,

Thank you for your letter of 12 June about the request for a derogation to the Agreement on International Humane Trapping Standards (AIHTS) to allow the continued use of traps for stoats made by the British Association for Shooting and Conservation (BASC).

The principal aim of the AIHTS is to ensure a sufficient level of welfare for trapped animals by allowing only the use of traps that meet certain humane trapping standards. While the original driver for AIHTS was the welfare of animals trapped for fur, it goes wider than that and includes trapping for wildlife management (including pest control), obtaining fur, skin or meat and capture for conservation purposes. While we do not trap animals for fur in the UK we still have a clear obligation to implement AIHTS.

Spring traps have been legally regulated in Wales since 1957, with their use permitted under successive Spring Traps Approval Orders made under the Pests Act 1954. It is likely, given developments in research, together with improvements in trapping design and technology that certain of the current domestically-approved spring traps will not comply with the humane standards set out in the AIHTS.

If traps currently used for stoats prove to be non-compliant with AIHTS, but cannot be replaced with traps that are, then use of non-compliant traps may be permitted on an interim basis while replacement traps are identified. However, there are traps that are compliant with the AIHTS currently available, or which will be available by the implementation deadline. Therefore the only justification for seeking this derogation for the lethal trapping of stoats would be the cost of replacing non-compliant traps.

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Pack Page 16

Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Cost or financial impacts are not permitted reasons for derogation under AIHTS. Accordingly, a derogation is not available in these circumstances in respect of the lethal control of stoats in Wales. Therefore Welsh Government has not made any representations to the UK Government (or others) for such a derogation.



Rebecca Evans AC / AM

Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Agenda Item 4.9

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Alun Ffred Jones AM
Chair of the Environment and Sustainability Committee

11 August 2015

Dear Alun

Thank you for your letter of 8 July following the Environment and Sustainability Committee's short inquiry into water quality. We have provided responses to the questions you set out in your letter below.

Question 1: Are you willing to consider amending the Water Strategy, to include a reference to wildlife?

The Water Strategy for Wales sets out our strategic direction for water policy in Wales over the next 20 years and beyond. At the heart of our approach are our principles for sustainable development. Our aim is to maintain and enhance the resilience of ecosystems and the benefits they provide, and in so doing, meet the needs of present generations without compromising the ability of future generations to meet their needs.

The Strategy sets out how we will effectively manage our water resources and take appropriate actions in a way and at a rate that will support the achievement of this objective. Wildlife is one of many aspects that will benefit from this approach and whilst not specifically referred to, it is implicit that the improvements in water quality that we are aiming for, will benefit wildlife. We therefore, do not intend to amend the Strategy to make a specific reference to the term wildlife.

Question 2: I would be grateful if you could set out your position on the use of General Binding Rules to improve water quality.

General Binding Rules can be a useful tool to manage small-scale low-risk activities that may have a relatively low impact on the environment when undertaken in isolation, but together result in a more significant aggregate impact. This type of activity is often difficult to regulate through existing permitting and consenting regimes. By providing baseline standards for common, low-risk activity General Binding Rules can work to raise overall environmental quality.

General Binding Rules outline necessary conditions for undertaking specified, low-risk activity. The conditions apply to anyone undertaking the activity, and providing the conditions have been met, the operator is not required to notify or seek additional permission from the regulator.

The Environment Bill White Paper sought initial views on the role of General Binding Rules, including existing and new powers to implement General Binding Rules and to gain support to explore this proposal further. The proposed scope was very broad and would extend beyond the existing use of General Binding Rules in relation to water activities and those activities covered by Environmental Permitting Regulations 2010.

The Environment Bill includes powers for Natural Resources Wales to conduct experimental schemes, which can be used, to identify possible opportunities for the introduction of General Binding Rules. It will enable Natural Resources Wales to identify particular activities that are suitable to be regulated by General Binding Rules and to gather evidence on the appropriate actions to be undertaken to comply with the General Binding Rules.

We are working with Natural Resources Wales to review the effectiveness of the current legislative regime in relation to diffuse pollution. This is an area that could potentially benefit from the introduction of General Binding Rules but any decision will only be made if there is sound evidence to suggest that such changes would be beneficial.

Question 3: Can you please set out your view on the planning, permitting, regulation and enforcement arrangements in relation to poultry farms under 40 thousand birds?

There is no specific national planning policy on poultry farms as Planning Policy Wales (PPW) provides a broad framework for planning and the development of agricultural buildings and infrastructure, and for the management and minimisation of pollution and waste water. PPW is supplemented by technical advice notes, with relevant guidance contained in Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) and Technical Advice Note 23: Economic Development (2014). In the vast majority of cases, local planning authorities are responsible for the determination of planning applications and the enforcement of any conditions attached to the award of planning permission.

Question 4: Do you believe that more evidence is needed to understand the nature and extent of pollution from poultry farms?

Natural Resources Wales advises it has no evidence that poultry farms are causing Water Framework Directive failures, but the increasing number of small sites does increase the risk of pollution. Natural Resources Wales is already investigating this potential risk, working with land managers, local authorities and wildlife groups within the catchments. Natural Resources Wales will deal with any issues in the course of its regular enforcement regime, but is focussing on prevention of pollution by raising awareness of the potential issues.

Question 5: Without straying into the broader points raised in relation to Glastir, we would be grateful if you could set out how you believe the RDP and Glastir will deliver improvements to water quality.

Glastir is supported through the European Union's European Agricultural Fund for Rural Development and forms part of the Welsh Government Rural Communities - Rural Development Programme (WGRCP) for Wales 2014-2020. It is designed to deliver against the Welsh Government's sustainable land management priorities to improve water quality, by reducing surface run-off. This prevents agricultural and forestry inputs entering water bodies and helps reduce flood risks, by slowing overland water flow and increasing soil absorption. This is achieved by introducing beneficial management commitments and capital projects that farmers and foresters are required to follow for the duration of their Glastir contracts. These commitments have been approved by the European Commission

because they exceed usual farming practices, the Code of Good Agricultural Practice and Cross Compliance.

In Glastir Entry, this includes, for example, the management and creation of hedgerows, the creation of connectivity strips, rough grass margins and zero input grassland and arable management.

In Glastir Advanced, selected farms that are within the Water Quality Priority Area are visited by Natural Resources Wales to undertake a Nutrient Management Plan and a Water Management Plan. The Nutrient Management Plan is drawn up by Fertiliser Advisers Certification and Training Scheme (FACTS) qualified specialists. These specialists assess:

- soil sampling results.
- the amount of slurry and manure available and the current farming practices to provide a suitable plan that makes best use of available nutrients.
- set the optimum amount of fertiliser to maintain productivity, while reducing the risk of nutrients being lost to water bodies.

The Water Management Plan identifies key risk areas on the farm and recommends mitigation actions. Contract Managers use this information to influence their decision making process when considering the location of appropriate management options and capital works to best address water quality.

A recent independent evaluation of a selection of Glastir Advanced contracts found that most of the sample contracts in areas where water quality management is a high priority were supported by good Water Management Plans. In addition, it was found that the Water Management Plans delivered by Natural Resources Wales on behalf of Welsh Government are very clear, informative and easy to understand.

During the previous Rural Development Programme, a capital grant project, Glastir Efficiency Grants, operated for farmers in Glastir Entry. This enabled targeted investment in water quality areas to improve farm infrastructure, such as rainwater separation and increased slurry storage capacity. It also encouraged enhanced farming techniques, such as precision slurry spreading and soil aerator equipment. This targeted investment will continue in the new WGRCP period through a new capital fund scheme, Sustainable Production Grants.

Under the WGRCP, the Welsh Government will also develop a Small Grant Scheme for farmers who wish to provide environmental benefits, including for water quality, on only part of their farms. The Small Grants Scheme will be aligned to the capital works grants currently available in Glastir Advanced.

Glastir Woodlands ensures any woodland support is only provided where it can meet the UK Forestry Standard (UKFS), which includes industry guidelines to ensure water quality is not adversely affected. Glastir Woodlands includes three elements. These are:

- Glastir Woodland Creation - to create new woodlands, which can slow water flow by creating roughness, reducing compaction and preventing soil run-off.
- Glastir Woodland Management - to ensure existing woodlands are managed in accordance with the UKFS water quality guidance.
- Glastir Woodland Restoration - to restore woodlands damaged by disease, thus ensuring these areas are maintained as woodland and not converted to other land

uses, such as agriculture or development, where the water quality benefits provided by woodland, described above, could be lost.

The Glastir Monitoring and Evaluation Programme (GMEP) has been in place since 2012. Preliminary results show that Glastir interventions that are designed to meet our obligations under the Water Framework Directive, are having a measurable impact on the quality of headwater streams in particular. The work undertaken by GMEP not only provides evaluation of scheme impact upon headwater streams, it also provides a valuable insight into the wider condition of these underrepresented systems. The indicator is an aggregate of micro invertebrates, diatoms, habitat modification and nutrient status. The status is determined using a combination of biological and chemical conditions and also pressure due to habitat modification.

Question 6: Can you please set out the steps the Welsh Government is taking to ensure that land managers receive the advice and support they need to contribute to the improvement of water quality in Wales?

The Knowledge Transfer, Innovation Support and Advisory Services Programme within the Welsh Government Rural Communities Programme aims to provide focussed support and advice, delivered through a Wales wide programme of knowledge transfer activities, specialist advice and support for innovation.

The Welsh Government has recently awarded a contract for the core Farming Connect service with an aim to reinforce delivery and magnify the long term impact of capital investment and area based pillars of programme activity, targeting the farming, forestry and food sectors in Wales. It will be aligned to and integrate with other Welsh Government business support packages and activities including Business Wales and Resource Efficient Wales.

We are currently designing the detail of delivery prior to contract commencement in October of this year.

Question 7: Can you set out your view on the role that PES could play in improving water quality in Wales?

The development of Payment for Ecosystem Services (PES) in Wales is a significant component of our green growth agenda. Green growth is commonly understood to be a means to achieve economic progress that is environmentally sustainable and socially inclusive. The development of PES is one mechanism that can help us deliver on our green growth ambitions, by for example providing a new source of income for our rural communities, aiding our tackling poverty agenda as well as delivering on our environmental objectives.

PES describe a variety of innovative, market-based incentive schemes that reward managers of land, including farmers for example, for maintaining and enhancing environmental benefits (ecosystem services) such as water regulation (e.g. water quality, flood regulation) and climate regulation. PES involves a willing 'buyer' (e.g. a water company), or beneficiary, of an ecosystem service (e.g. water quality) to voluntarily pay a 'seller' (typically a land manager) who is willing to adopt measures to ensure the provision of the particular ecosystem service.

The Welsh Government is working with buyers and sellers to identify the mechanisms and infrastructure that would foster trust to enable buyers the confidence to invest in natural resources as well as the evidence that this investment delivers the specified outcomes.

Question 8: When do you expect PES to be a realistic and viable option for both buyers and sellers of ecosystem services in Wales?

PES as a concept has been in existence for many years and takes many forms. For instance, the Wye and Usk fishing passport scheme is a PES scheme and has been operating for 10 years. The woodland carbon code has been operating for 5 years and has a few sites in Wales. Its sister scheme the peatland code has some key sites in Wales. There are also a number of local specific schemes, such as Dŵr Cymru Welsh Water's weed wiper trial in the Teifi catchment designed to tackle issues of specific pesticides causing drinking water quality failures. The challenge is to develop PES as a mainstream approach to sustainable development in Wales.

Question 9: Can you set out the action Welsh Government is taking to address the issue of water pollution from mines in Wales and an estimate of the costs involved?

Abandoned metal mines are one of the most significant pressures on our water environment. They are responsible for a significant number of water bodies currently failing to meet their required quality objectives under the Water Framework Directive and put a number of other water bodies at risk of failing to meet their objectives in the future. Nine of the ten catchments most polluted by abandoned mines in the UK are in Wales.

Natural Resources Wales and the Coal Authority estimate that a programme to deliver improvements in all water bodies impacted by metal mines could total £88m over 25 years. Restricting works to water bodies where the outcome would be cost beneficial reduces that total to £52m.

Natural Resources Wales have proposed a pilot programme which over five years would:

- complete basic investigations in all water bodies to identify and apportion sources.
- fully characterise 20 water bodies and the sites within them causing the failure.
- Research and prove the suitability of mine water treatment technology through the Mine Exchange project.
- undertake feasibility studies to identify pollution sources and treatment options at 9 sites;
- deliver treatment at 4 priority sites.

We are currently working with Natural Resources Wales and the Coal Authority to explore funding options for this work.

Question 10: Can you please provide us with more information in relation to the timing of infrastructure investment needed to meet the Water Framework Directive targets and what steps you are taking to keep the level of actions and investment needed during the third cycle 'at a manageable scale'?

The targets set by the Water Framework Directive are extremely testing and ambitious. There are a number of elements that are measured as part of Water Framework Directive compliance. The "one out all out" approach means that a water body can fail to achieve good ecological status because a single element does not meet the required standard. This means that a number of improvements can be made to water bodies to increase the element level compliance but the water body will still fail to meet good ecological status if one of those elements does not meet the required standard. An unintended consequence of this approach is that some benefits attributed to these improvements may not be realised.

The second cycle river basin management plans (2015-2021) due to be published in December 2015, will meet the statutory objectives of ensuring no deterioration in water body status as well as meeting the protected area status whilst outlining the other work we expect to achieve outside this. The measures outlined in the plan will be cost beneficial and achievable and will be based on current and future budgets. We will undertake work to ensure a number of water bodies move up to good ecological status as well as measures to move poor water bodies up to moderate status. These measures are in place to ensure that the work required in the final cycle will be more manageable.

Yours sincerely

A handwritten signature in cursive script, reading 'Carl Sargeant'.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources

A handwritten signature in cursive script, reading 'Rebecca'.

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Agenda Item 4.10

Rebecca Evans AC / AM
Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref

Alun Ffred Jones AM
Chair of the Environment and Sustainability Committee
National Assembly for Wales

15 September 2015

Dear Alun Ffred,

Control of Horses (Wales) Act 2014

Thank you for your letter of 8 July to the Minister for Natural Resources about the post-legislative scrutiny session in respect of the Control of Horses (Wales) Act 2014 (the Act). This matter falls within my area of responsibility so I have provided a response to the questions you raised.

Scrutiny of the Bill

As a result of the increase in fly grazing incidents across South Wales in 2012/13 and the resulting severe welfare problems, the then Minister for Natural Resources and Food set about finding a solution before the winter of 2013/14 when the welfare issues were expected to be the most severe.

Local authorities and equine welfare organisations had been lobbying the Welsh Government for action and local authorities in particular felt that legislation was needed in order to provide them with the necessary tools to address the problem more quickly and more cost effectively. Horse welfare and animal charities such as Redwings and the RSPCA also supported this approach believing that such measures were necessary to alleviate problem and create an environment in which behavioural changes amongst breeders might occur. The response and in particular the speed with which the Welsh Government reacted to something that was seen by the industry as 'at crisis point' was commended at the time by stakeholders.

I am aware that the then Minister had discussions with opposition party spokespersons, the Environment and Sustainability Committee, the Constitutional and Legislative Affairs Committee and the Finance Committee. Detailed discussions also took place with stakeholders including the Cross Party Group on the Horse, the Cross Party Group for Gypsies and Travellers, the All Wales Equine Task Force, local authorities across Wales,

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Paek Page 124

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the WLGA and representatives from various equine charities to ensure that the Act was appropriate to address the issues identified.

Engagement and Communication plan

The Action Plan developed to sit alongside the Control of Horses Act sets out how the Welsh Government works with stakeholders and partners to ensure that the most appropriate solutions are found for the multitude of situations that arise. This has been achieved through effective engagement between officials, local authorities and equine welfare charities which has been ongoing since the implementation of the Act.

Although a communications plan has not been published, the Welsh Government has undertaken considerable communication with organisations and members of the public to ensure that they are aware of the Act and make full use of it. This has included production of guidance which was distributed to Local Authority Animal Health Officers; equine charities; the gypsy and travelling community support officers and police forces in Wales. The guidance was also published on the Welsh Government website. Articles were published in the Welsh Government Gwlad magazine and a dedicated helpline was set up to assist members of the public that had concerns regarding horses that were potentially fly grazing.

Many of the actions within the communications plan relate to identification, education and improving compliance which are associated with planned changes to the Identification Regulations by the European Commission. Engagement and communications about the Act will continue, but it is considered more appropriate and best use of resources to publish the communication plan in tandem with the introduction of the new equine identification regulations in 2016.

Costs to Third Parties

The committee requested data on costs incurred by third party organisations which is not routinely held by Welsh Government. Officials requested this information from equine welfare charities, the police and fire and rescue service and their responses are provided in the table enclosed below.

Name of Organisation	Costs incurred 01/4/2014- 31/03/2015
World Horse Welfare	£89,756
Blue cross	£164,813
Society for the Welfare of Horses and Ponies	£91,864
British Horse Society	NIL
RSPCA*	No costs available
Police forces of Wales	No costs available
Fire and rescue services	No costs available
Total	£346,433

It is difficult to confirm that scale of these changes as many of the organisations do not differentiate between cases e.g. fly grazing and welfare rescue, many take horses from other organisations following a rescue so do not know whether it was taken into care as a result of fly grazing or some other issue. Similarly, many of the organisations are based outside Wales and when receiving horses are not always aware of the location of seizure. The British Horse Society confirmed that they had not incurred any costs in response to fly

grazing incidents and the RSPCA is unable to provide any information due to the disproportionate nature of obtaining the requested data.

The Police and Fire and Rescue Services were able to provide details of animal related incidents but were unable to provide costs for instances where they have assisted local authorities to implement the Act. The Association of Chief Police Officers Cymru commented that the impact of this piece of legislation since it was passed has been a positive one for the Police and that they will continue to work with local authorities where there is an identified need for assistance.

Local Authority Resources

The Act was designed to reduce the financial burden on local authorities, particularly those areas most badly affected by the problems of fly grazing, and to free up budget resources for appropriate application elsewhere. For example the reduction of the period before disposal to a minimum of 7 clear days from the previous minimum 21 clear days (as contained in both the original local Acts and the Animals Act 1971) will have helped to significantly reduce the financial burden from the stabling of seized horses.

It is recognised that some enforcement authorities are pressured to deal with fly grazing equines that are semi-feral in nature which intensifies their resource pressures due to the difficulties of accessing these locations. Equine Welfare charities, particularly the larger ones, have the necessary expertise and equipment to deal with these situations and where they can are providing assistance to local authorities to successfully resolve local issues.

The Welsh Government has in the past provided funding to support major operations and any future funding requests from local authorities would be carefully considered on a case by case basis. Welsh Government ran a series of highly successful equine handling courses for local authority colleagues under the historic Companion Animal Welfare Enhancement Scheme to help with the practical aspects of this work.

Central Horse Database

The European Commission issued a 5 point action plan in 2013 in response to the revelations surrounding horse meat contamination within the human food chain. The plan included actions to tighten the requirements on equine identification and place a mandatory requirement on all Member States to record horse passports in a central national equine database.

The National Equine database was abolished by the UK Government in September 2012 without consultation with the Welsh Government. The loss of the database in the UK has resulted in difficulties for local authorities in their endeavours to check the identification and ownership of equines.

The new central national equine database is expected to contain records of all horses in the UK which have been properly identified, including whether or not the horse has been signed out of the food chain. Local authorities and the Food Standards Agency will have access to the database to help them carry out their enforcement checks effectively.

Like the previous national equine database the new database will be a repository of statutory identification information. The key differences are: it will contain records of all horses including those imported into the UK; record whether or not a horse is eligible for human consumption. Importantly it will now provide access to information to enforcement bodies and enable an increase in the exchange of information between Member States.

Officials are currently working with Defra and the other UK administrations on the implementation details and in particular the options and user requirements for a UK database. A consultation on the new regulations to include the requirements of the database is planned for later this year which will include engagement with Welsh local authorities.

Micro-chipping of horses – derogations

The derogations for defined populations of semi feral ponies were introduced under the Equine Identification (Wales) Regulations 2009. These regulations introduced micro-chipping and allowed any ponies born on specific derogated areas to remain there without a passport and accompanying microchip until such time they are brought into domestic use.

The derogations are limited to very specific areas and those operating derogations (namely the Hill Pony Improvement Society and the Carneddau Society) are required to forward management plans to the Welsh Government on scrutiny on an annual basis. There is a provision within the new European Regulations for Member States to operate derogations in specific circumstances which will be consulted on later this year.

The Welsh Government listened to the views and evidence provided by the third sector, enforcement authorities and stakeholders when developing the legislation, it was widely recognised that there was an urgent need for a quick, cost effective and simple solution to help deal with the problem which the Act provides. Officials continue to work collaboratively with local authorities, horse charities and members of the public to ensure that the Act is used as part of the suite of measures available to deal effectively with the issues of fly grazing.

A handwritten signature in black ink, appearing to read 'Rebecca', written in a cursive style.

Rebecca Evans AC / AM

Y Dirprwy Weinidog Ffermio a Bwyd
Deputy Minister for Farming and Food

Agenda Item 4.11

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Wales



Alun Ffred Jones
Environment and Sustainability Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

14 January 2015

Dear Alun

Grid connectivity and the development of marine renewable energy in Anglesey

The Enterprise and Business Committee is currently undertaking an inquiry into the maritime economy in Wales, including the opportunities provided by marine renewable energy, the potential economic benefits of this sector, and how effectively the sector is being supported. At a recent meeting we heard evidence which seems to be relevant to the remit of your Committee.

When we visited Anglesey Energy Island on 9 July we heard from those involved about the significant opportunities for development of marine renewables, and the fact that Anglesey hopes to be a world centre of excellence in this sector. We were told that many international companies are interested in investing and / or establishing themselves in the area. Opportunities exist not only in generating electricity on and around Anglesey, but also in establishing a cluster of firms in the area with expertise which could lead to innovations in the sector, with potential opportunities for manufacturing as well as export of equipment and construction of installations elsewhere in the UK and beyond.

However, we were also told that securing adequate grid connectivity represents the most significant of three critical issues for future development of marine

renewables on Anglesey, along with securing the necessary permissions for development and finance (both investment and the electricity price).

Energy Island has an ambition to generate 140MW of marine renewable electricity, and considers grid connectivity to enable the export of 150MW to be required. However, we were told that while grid connections are often provided reactively in response to specific requests, a more proactive approach is needed because of the nature of the industry as a rapidly emerging sector, and the number of companies considering Anglesey as a base. The reactive approach currently applied appears to be a barrier to the development of the sector.

This is also an issue which Rhodri Glyn Thomas AM has also identified in his work in this area on behalf of the Committee of the Regions.

The Environment and Sustainability committee has considered energy generation already in this Assembly, and I understand you are about to return to this area. Consequently, we felt it might be helpful to share the evidence we have heard in this area as you consider your future work.

Kind regards,

William

William Graham,

Chair, Enterprise and Business Committee



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref

Alun Fred Jones AM
Chair
Environment and Sustainability Committee

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3 September 2015

Dear Alun Fred

I enclose a copy of an independent report that has been produced over the summer by Professor Stuart Cole on Active travel in Wales entitled "Active Travel benefits, delivery, Behaviour"

The report makes a compelling case for the role of Active Travel in our jobs and growth agenda in delivering better access to low cost transport for those on low incomes to get to work, health facilities and education sites, and in delivering on improvements in the Health and well-being of the people of Wales.

At a high level, the report draws on the experience and success of other countries in increasing the active travel modal share, experience that may prove beneficial for adoption in Wales.

I would very much welcome the Committee's consideration of the content of this report and more generally assistance in relation to this agenda. I am sure Professor Cole would be very happy to provide advice and support to any consideration by the Committee.

I am writing in similar terms to William Graham AM in his capacity as Chair of the Enterprise and Business Committee.

Edwina Hart

Encl.

Adroddiad annibynnol ar deithio egnïol – Athro Stuart Cole:
Active travel independent report – Professor Stuart Cole:

<http://gov.wales/docs/det/publications/transport/150916-professor-cole-active-travel-report-en.pdf>