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Ms Burnett PS/PS(L)

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BSE AND THE FRENCH AND GERMANS

1. I have heard today that Chancellor Kohl is considering a draft reply to the Prime Minister which agrees on the desirability of not letting the issue take on wider political dimensions but indicates that he would like to speak to the PM at the European Summit in Corfu (24/25 June). He is still, however, keeping open the option of unilateral action against British beef.

2. Any German trade measure limiting imports of British beef will need to go through the German parliamentary system, and they will want to complete that process before their summer recess. In order to defer their decision on unilateral action until after the Summit, the German Government are hoping to persuade the Bundesrat to agree to consider any trade measure with less than the usual six week's notice. If this approach is unsuccessful, the Germans have not ruled out presenting the measure to the Bundesrat before the Summit.

3. I attach two telegrams from our Embassy in Paris which PS(L) may find helpful:

Annex A (dated 15 June) sets out the current French position on BSE. In particular it refers to a letter that Mme Veil and M. Puech (the French Agriculture Minister) are writing to the Commission. Our Embassy in Bonn have had brief sight of the letter which they say is drafted in moderate and Communautaire terms but introduces two new concerns into the debate. These are discussed more fully in the second telegram

Annex B (dated 16 June) which reports on discussions held today between officials from MAFF and the French Health and Agriculture Ministries. The two principal French concerns are:

lymphatic tissue in meat - PS(L) will wish to be aware that tests carried out on the lymphatic tissues of animals with

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clinical symptoms of BSE showed no detectable trace of the infective agent (para 4 of telegram)

guarantees of age of animals/length of time herds had been disease free - this is to do with animals whose meat is exported, and reflects concern about whether these animals are likely to have been exposed to infected feed, or come from herds that have had BSE. However, given that meat is safe to eat (UK legislation requires the prior removal of all tissues which have been shown to contain the infective agent), it is irrelevant to know whether the animal ate infected feed. The EU already requires that bone-in beef for intra-Community trade comes from animals from holdings which have been free from BSE for the previous 2 years.

As background to this issue, PS(L) should be aware that Commission inspectors visited the UK from 24-27 May in order to examine the implementation of EC legislation regarding BSE. The report is generally positive, but there is criticism of the procedures in GB for meeting the 2 year rule mentioned above. In GB, the information obtained is for the last holding on which the animal was kept. In Northern Ireland the identification and registration of animals is fully computerised allowing accurate trace-back of all holdings where the animal has been kept. The Commission would like GB to adopt the system used in Northern Ireland.

General Line To Take

4. Given the approach being taken by the French, it would be helpful, if the opportunity arises, for PS(L) to stress that the only acceptable way of dealing with this issue is to stick with a science-based approach and to await the outcome of the SVC's study.

This chimes in with the line taken in Prime Minister's letter to Chancellor Kohl.



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