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BOV 55

CONFIDENTIAL

## BSE EXPERIMENT

1. This minute sets out proposals for action in the light of the experimental transmission of BSE to a pig at CVL. This follows discussion with the Parliamentary Secretary (Mr Curry) based on my minute of yesterday's date.

2. The Tyrrell Committee is due to meet next Wednesday, 19 September, with the aim of finalising its advice. The note attached to my earlier minute sets out the views which emerged from last week's preliminary meeting of some members of the Committee. They can be expected in particular to recommend that the bovine specified offals excluded from human consumption and protein derived from them, should now be banned for use in feeding to animals as well. A separate submission will be coming forward seeking Ministerial approval to an Order which achieves this. The aim will be that it should come into force as soon as the decision is announced.

3. The current ban on the use of ruminant protein in feed for ruminants applies only domestically; we do not attempt to restrict exports of it, on the grounds that importing countries can decide for themselves what restrictions to apply. However now that a particular type of material will be excluded from feed for all animals it is recommended that we should lay down a requirement that it may not be exported for animal feed.

4. In view of strong public interest and the commitments which have been taken in the past, it will be necessary to make public the results of the experiment, the Tyrrell Committee's advice in response to it, and the action that the Government proposes to take, once the Tyrrell Committee has given its definitive advice. The form in which the Committee offers its advice is of course up to them. But in the light of Mr Curry's views yesterday I will suggest to them that, rather than submitting to Ministers the whole of the note that was attached to my earlier minute, they should use this as the basis of their internal minutes and should submit something much shorter to Ministers for public consumption. Mr Curry was particularly anxious that this should emphasise the massive dose that was used in the experiment, but I am not sure that the Committee will want to make too much of this; the experiment does not prove that a much smaller dose would not have done the job.

5. A ban on the use of specified bovine offals in animal feed will no doubt lead to claims for compensation from the industry, as it will effectively make meat and bone meal derived from them unsaleable. But yesterday's meeting agreed that such claims should be resisted. Leaving aside the cost, a very unwelcome precedent would be created by the payment of compensation for the banning of this material from consumption for health reasons. It is therefore recommended that, when this point is raised we should take a negative line. Nevertheless the ban can be expected to lead to further costs being passed onto the slaughtering and livestock industries by renderers and knackers.

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6. As far as the arrangements for publicity are concerned, officials recommend that this should be handled as far as possible at a technical level. We suggest (and Mr Dugdale agrees) that a press briefing should be taken by the CVO, Mr Bradley (CVL) and Dr Tyrrell. The sooner this happens the better, because of the risk of premature release of the information. At Mr Curry's request, I have explored the possibility with Dr Tyrrell of his being available next Thursday, the day after his Committee meets, but he has firm commitments in Brussels on that day which he cannot break. Dr Tyrrell's presence at the briefing is very important, there is no obvious substitute from among the other members of his Committee, and the passage of another day or two will not greatly add to the risk of disclosure because nobody who does not already know about the experiment will have been told. I therefore recommend that a press briefing should be set up as soon as Dr Tyrrell is available.

7. As suggested by Mr Dugdale, I have asked colleagues in DOH to pursue the possibility of a statement from the CMO about the human health implications of this experimental result, which would be available at the same time as the information is released.

8. Consultation has so far been restricted to a very limited circle. However as the ban on the use of the specified offals for animal feed will apply throughout Great Britain, and will need to be mirrored in Northern Irish legislation too, I hope that the Minister will agree to our telling colleagues from the other Agricultural Departments about what is happening. We will also, if the Minister agrees, set up a meeting for interested industry organisations as soon as the information is released.

9. Is the Minister content with these proposals?

Mr Packer  
 Mrs Attridge  
 CVO  
 Mr Carden  
 Mr Cowan  
 Mr Dugdale  
 Mr Lebrecht (PS/Minister) +1

*A Patterson?*  
 For ROBERT LOWSON  
 Animal Health Division  
 14 September 1990

c.c. PS/Mr Maclean  
 PS/Mr Curry  
 PS/Permanent Secretary  
 Mr Capstick  
 CVO

Mrs Attridge  
 Mr Wentworth  
 Mr Lawrence  
 Mr Dugdale  
 Mr Bradley (CVL)

*M Lowson (by fax)*

I assume you will arrange briefing for use in Brussels and EC and third country posts. It is also important to advise the country posts. *S. Wentworth*

90/09.14/7.2