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From: Dr Metters Med SEB

Date: 9 June 1989

cc: Dr Pickles
 Dr Rubery
 Mr Hagger - *for CSM interests.*

BSE: ACTION PROPOSED BY MAFF MINISTERS ON BOVINE OFFAL

1. Following your telephone of 2 June, I spoke to Sir Richard Southwood and Dr Tyrrell to find out if either thought the scientific knowledge base on BSE had changed in any significant way.

2. Sir Richard told me that he considered the scientific position, and with it the case for a total ban on bovine offal had not changed since his report. He had been asked to Mr McGregor's meeting, scheduled for Wednesday June 7 and would say as much then.

Dr Tyrrell took a similar view. There was no new data. However the infective agent was so similar or identical to scrapie that in scientific terms it was difficult to justify a ban on bovine but not sheep offal.

3. Infectivity of Offal

Dr Tyrrell drew attention to the mouse model experiments which suggest that the spleen is the most infective organ in the presymptomatic stage whilst the brain is most infective once the animal has symptoms. Dr Tyrrell also drew attention to the infectivity of reticulo-endothelial elements of the gut.

4. Bovine Components of Pharmaceuticals

I also spoke to Mr Hagger about CSM's action to review licensed products that incorporate material of bovine origin. Mr Hagger's minute to you is attached at Annex A.

5. Preliminary Briefing Meeting

The meeting between Mr McGregor and Sir Richard was scheduled for Wednesday 7 June. However, at half an hours notice I was called to a preliminary briefing meeting on June 6 at the House of Commons. Mr McGregor wished to decide the detailed line he would take in discussion with Sir Richard the following day. This

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briefing was attended by a large number of MAFF officials, including their Permanent Secretary. All MAFF officials had copies of various papers, which had not been copied to DH.

6. Mr McGregor's Line

From the outset it was clear Mr McGregor believed there was an overriding political case for action even if the science had not changed. He was under increasing pressure from the public and the industry to ban bovine offal from the human food chain. There was talk of the food industry taking its own measures and he could not allow MAFF to be upstaged by the industry. While Mr McGregor emphasised he did not wish to take action that was not sustained by scientific evidence, he felt the matter was now very urgent and action must be taken as soon as possible.

7. MAFF's justification for a total ban on these selected bovine offal

Mr McGregor would justify a ban because:-

- (i) The public perception of the risk of BSE has changed.
- (ii) There is circumstantial evidence that cattle with BSE are getting though to the human food chain although in small numbers.
- (iii) Public reaction to the ban on bovine offal in baby food is that it should also be banned from all human food.

There remains the problem of justifying different actions on bovine and sheep offal.

8. DH Points

I told Mr McGregor of my conversation with Sir Richard Southwood earlier in the day, and I thought it unlikely Sir Richard would change his mind on the science. I mentioned Dr Tyrrell's point about the inconsistency of banning bovine but not sheep offal. I also said that the CSM did not yet have the necessary data on which to consider pharmaceuticals with a bovine component and advise on any necessary action. A ban on bovine offal by MAFF could shift attention to the pharmaceutical problem.

Mr McGregor noted the stance Sir Richard was likely to take. He considered action on bovine offal was now so urgent it could not wait, particularly if CSM were unlikely to advise until September.

9. Offal to be Banned

Discussion then turned to the types of offal to be banned and how the ban would be introduced. MAFF had grouped these under four categories. There was agreement that the first category, brain

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and spinal cord must be banned and that from the second category, spleen, tonsils and thymus. However the remaining tissues in category two namely, lymph nodes, intestines and nerves present a problem. It was agreed that a carcass could not be cleaned of all lymph nodes and nerves. The intestines were the most difficult. MAFF argue that these need not be banned as the endothelium is stripped off before their use in human foods and this stripping removes the potential infective tissue. However MAFF are taking further advice from Dr Kimberlin about this as he was the member of the Southwood Working Group who was most concerned about it.

Bovine heart, liver and kidney would not be banned.

MAFF's note of this briefing meeting is at Annex B.

10. Submission to DH Ministers

It was clear to me that Mr McGregor saw only one outcome of his discussion with Sir Richard Southwood. He expected to persuade him to support the ban. I therefore felt DH Ministers should be alerted without delay to MAFF's proposed action. My submission to Secretary of State is at Annex C. I have received no written response but verbally his office think Secretary of State will be content.

11. Meeting between Mr McGregor and Sir Richard

This duly took place on Wednesday 7 June. It was much smaller than the preceding briefing meeting. Dr Pickles and I attended for DH.

Mr McGregor duly advanced his case for a ^{WIDER} ~~total~~ ban on bovine offal. Sir Richard stuck to his view that the science has not changed. Nevertheless he accepted that some cattle with BSE were getting through, as well as pre-clinical cases. Sir Richard recognised the political pressures for action.

Discussion then turned to the consultation necessary to ban bovine offal in baby foods. Presentational it would be far easier for MAFF to consult on a ban on certain bovine offals for human consumption than to limit this to baby foods only. Sir Richard saw the logic of this. After further discussion about which offal should be banned, Sir Richard told Mr McGregor he would publicly support the proposed ban. He could speak of it as another step to reduce still further the very small risk of BSE transmission to humans via the food chain.

The main point having been won Mr McGregor then turned the discussion to which offals were to be prohibited. Sir Richard agreed to those mentioned in paragraph 9 above and about the need to consult Dr Kimberlin on the question of potential infectivity of striped bovine intestines.

Calf spinal cords were discussed as these carcass are not normally

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split and hence routine extraction would not be possible. It was agreed calves spinal cord would not be included in the ban. This could be justified as animals under 10 months of age have not been fed ruminant based animal food stuffs. It was recognised this disregards the possibility of vertical transmission.

A more detailed note of the discussion with Sir Richard is at Annex D.

12. Timing

Mr McGregor asked his officials to press ahead with the necessary clearances with other Departments and the EC Commission. He wants to announce his action as soon as possible. In this context I told him that you would be back in the office on Monday 12 June.

13. Points to Watch

There remain some awkward inconsistencies.

First, to justify action on bovine offal but not on sheep.

Second, on the potential infectivity of bovine intestines and lymph nodes.

Thirdly, on the exclusion of calf spinal cord when vertical transmission of BSE has not been ruled out.


MAFF officials believe they have satisfactory answers on these, but recognised the sheep offal issue as the most difficult.

14. DH Interests

The possibility that MAFF's action may refocus attention on bovine constituents of pharmaceuticals cannot be ruled out. While I put this point more than once, it cut little ice with MAFF officials.

On the question of timing it seems likely that MAFF could be ready to make their announcement very early next week.

Lastly, I apologise for the length of this note but I thought it best to provide a comprehensive account of the weeks BSE events.



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