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FILE TITLE:	SERIES
AGRICULTURE	RURAL AFFAIRS
	PART 14
PART BEGINS: 14 MAY 2002	PART ENDS: 30 MAY 2002
	CAB ONE

PART 14 CLOSED

Labour Administration

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PART

CLOSED

DATE CLOSED	30/5/02

Series : **RURAL AFFAIRS**

File Title : **AGRICULTURE**

Part : **14**

Date	From	To	Subject	Class	Secret
14/05/2002			Briefing for the Secretary of States meeting with Ben Gill	U	
14/05/2002			Briefing for the PM and Secretary of State meeting with ben Gill	C	
14/05/2002	PD(MH)	EU/PS	CAP Payments - Fischler	U	
14/05/2002	PM		To Peter Barr - Seminar thanks	C	
15/05/2002	ms/dfes	PD(JK)	Training in the Meat and Poultry Industry - Sector Skills Councils	U	
15/05/2002	PD(MH)	Ch.Staff	Interview with Iain Anderson	C	
16/05/2002	SS/DEFRA	FCS	EU Thematic strategy on soil	C	
16/05/2002	DEFRA	Cab Off	Material on the contiguous cull and footpaths	U	
16/05/2002	DEFRA	EU/Parliament	Temporary Committee on foot and mouth disease	U	
16/05/2002	DEFRA	PD(MH)	London Wholesale Markets	U	
16/05/2002			Phoenix the calf	R	
16/05/2002	PD(MH)	Ch.Staff	Questions for the Prime Minister	U	
16/05/2002	Cab Off	PD(MH)	Lessons Learned Inquiry	R	
17/05/2002	PD(MH)	PPS	Foot and Mouth Disease - Timeline	U	
17/05/2002	SS/DEFRA	Leader	Agriculture and Environment Biotechnology Commission: A Debate A	U	
17/05/2002	PD(MH)	PM	Interview with Iain Anderson - FMD lessons learnt	C	
20/05/2002	PD(MH)	DEFRA	Meeting with ben Gill	U	
22/05/2002	FCS	SS/DEFRA	Reform of the Common Agricultural Policy	U	
22/05/2002		PD(MH)	From Teresa Wickham - Peter Barr, Red meat industry forum	C	
23/05/2002			Foot and Mouth Disease Lessons Learned Inquiry: Draft Note of Mee	U	
23/05/2002	FSA	PD(MH)	Agriculture and Biotechnology Commission	U	
27/05/2002	ost	Leader	Agriculture and Environment Biotechnology Commission: A Debate A	U	
27/05/2002	DFID	Leader	Agriculture and Environment Biotechnology Commission: A Debate a	U	
28/05/2002	SS/DTI	LP	Agricyulture and Environment Biotechnology Commission : A Debate	U	
28/05/2002	Cab Off	EU/PS	Veterinary Supervision of Slaughterhouses	U	
29/05/2002	PD(JK)	PPS	Judicial Review on LWDS	R	
30/05/2002	PD(MH)	PM	Foor and Mouth Inquiries	R	
30/05/2002	PD(MH)	DEFRA	Documents for Anderson Inquiry	R	
30/05/2002		CST	The Policy Commission on the Future of Food and Farming	U	

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RESTRICTED

10 DOWNING STREET
LONDON SW1A 2AA

From the Senior Policy Adviser

30 May 2002

Dear Francis

DOCUMENTS FOR ANDERSON INQUIRY

I have today sent across to Alun Evans a few more documents relating to the foot and mouth epidemic, with the usual caveats that they should not be made public without explicit clearance from here. These concern the build up to the decision on the contiguous cull. I believe that all the papers were put to the PM at the time, although the inquiry team will be aware that this is no guarantee that they were actually read!

Copies are attached. David King has given his consent for the epidemiological paper to be included.

A copy of this letter, and the papers, goes to Andrew Allberry in CO.

Martin Hurst

MARTIN HURST

Francis Marlow, FMD inquiry unit, DEFRA

RESTRICTED

FOOT AND MOUTH DISEASE 2001 – EPIDEMIOLOGICAL FORECASTS

NOTE FOR TECHNICAL BRIEFING, 23 MARCH

The outlook for FMD in Great Britain 2001 is for a very large epidemic. It will grow fast in the next few weeks and continue for many months. The number of cases will rise steeply with rapid expansion in the existing areas in spite of current controls. Estimates vary from 70 cases a day over the next two weeks to over 4000 cases by June 2001.

The Ministry of Agriculture and the Food Standards Agency held a joint meeting on 21 March to receive urgent advice from independent expert epidemiologists. Jim Scudamore (Chief Veterinary Officer), Sir John Krebs (Chairman FSA) and Professor David King (Chief Scientific Adviser) heard reports from Neil Ferguson and colleagues (Imperial College) Mark Woolhouse (University of Edinburgh) and opinions from experts at the Institute of Animal Health and Veterinary Laboratories Agency. The models and analysis use data recorded by MAFF up to 19 March 2001. A brief summary of the different teams' findings is attached.

The effect of controls on animal movement from 23 February was noted, but all the experts advised the need for further drastic action to bring disease under control. Otherwise FMD will become established in Britain.

Speedier slaughter of infected animals will help to reduce transmission. But this needs to be accompanied by immediate slaughter of all susceptible species around infected farms otherwise the final number of cases will be very high. Depending on the extent of these interventions, the combined strategy could reduce the epidemic substantially.

The experts said the last major epidemic in UK 1967/8 was quite different. In 2001 more of the country is affected, sheep are an important reservoir of infection, the scale of dissemination by animal movement was enormous early on. In addition the size of flocks and herds means the scale of operations is very big.

It is stressed that these are preliminary results, which do not represent a final view from the modelling teams, or from the Government. The external teams have not yet had the opportunity to model the impact of FMD's geographic distribution, or of the characteristics of different species.

MATHEMATICAL MODELS AND EXPERT OPINION

Model and authors	Imperial College Professors Ferguson, Anderson, Dr Donnelly et al	University of Edinburgh Professor Woolhouse	VLA/NZ InterSpread model Professor Wilesmith, Arnold, Sanson et al
Report number and date	3 22/3/2001	2 21/3/2001	2 20/3/2001
Overview with current controls - duration - number of incidents - location - cases/day	Many months Accelerating epidemic All GB likely without additional controls 70/day next 2 weeks	Beyond July More than 918 GB 9%/day	Model A - 100 %[1] Beyond 1 June 4411, no end predicted Not expanding greatly outside current infected areas
Outlook	Huge epidemic. Further interventions are urgently required	Epidemic doubles in size every 8 days	Current control measures are insufficient
Options – to enhance controls	1.Reduce interval report to slaughter. Reductions of 1 and 2 days slows transmission significantly	1.Early diagnosis Reduce interval infection to report	1. Model B 56% Reduce tracing time by half to 1, 2 and 7 days from 17/3/01, increase patrols around infected premises.
	2.Pre-emptive slaughter 3km (ring cull) reduces epidemic. By up to 80% if immediate and rigorous.	2. Early slaughter of affected holdings Reduce interval report to slaughter –one day reduction reduces final size of epidemic by at least 25-50%	2. Model C 77% Pre-emptive slaughter pigs and sheep 1.5km radius of each IP from 17/3/01
	3.Combined reduction in report to slaughter interval and pre-emptive slaughter achieves dramatic decrease, albeit with a long tail of later cases.		3. Model D 58% Combines C and D
	4. Ring vaccination less effective but will still achieve significant reduction if implemented rapidly		
Level of confidence	Results increasingly robust: model incorporates local and long range spread. Can be used to simulate interventions. Additional work needed to model regional and species differences.	Depends on quality of data from MAFF. Does not use regional variation. Affected by undiagnosed outbreaks.	Sufficient to test different strategies Based on one iteration Uses UK spatial data, expert opinion, UK sheep and FMD data

[1] Relative percentage of premises slaughtered (infected and pre-emptive)

Model and authors	Imperial College Professors Ferguson, Anderson, Dr Donnelly et al	University of Edinburgh Professor Woolhouse	VLA/NZ InterSpread model Professor Wilesmith, Arnold, Sa[redacted] et al
Report number and date	3 22/3/2001	2 21/3/2001	2 20/3/2001
Key statistics - Report timing Infection to report Report to confirm Report to slaughter Confirm to slaughter	Calculates: 9.4 days 1.2 days 2 days 1-2 days	Calculates; 7.8 days 2.25 days	Assumes: 1-3 days (according to size)
Key statistics - Size Ro-composite reproductive number CRR-case reproduction rate EDR -estimated dissemination rate	Before 23/2/01Ro 5.-10 After 23/2/01Ro 1.7–2.7	Before 23/2/01CRR 1.9 After 23/2/01 CRR 0.86 – 1.7	Before 14/3/01EDR 1.7
Key statistics - Speed of spread (generation time)	Current incidence doubling time of 8-11 days.	After 23/2/01 6.3 days (0-19 days)	
Key statistics- Number of current outbreaks (reported and infected)		325 on 21 March by back calculation	
Epidemiology pattern	Differs from 67/68 Long delay report to slaughter Greater spatial dispersion Long range transmission early on, which becomes local, with c8.4 neighbourhood premises		
Assumptions	Composite species. Incubation 7-11days. Holding is a unit, classified according to disease/diagnosis stage: susceptible, asymptomatic (uninfectious), undiagnosed (but infectious), reported (infectious), confirmed (infectious), slaughtered (uninfectious). Local spread between farms assumed to be current dominant mode of transmission.	Steady policy from GB controlled movements 23/2/01	Model A Movement restriction from 23/2/01 Incubation period 2-14 days Slaughter dangerous contacts Local spread <3km Airborne spread pigs <10km Tracings in 2, 5, 14 days (HML risk) Animal and market movements ??
Method	Contact network for susceptible species. 3 parameters fitted (Ro, time of first infection and contact network) Deterministic. Model fitted with maximum likelihood methods.	3 key parameters derived from data Stochastic	Farm level spread, compares current position (hypothetical) A and interventions B, C, D Seeded with supposed source (case 2000/4) Mechanistic simulations
Data sources	MAFF FMD spreadsheet 20/3/01 MAFF web daily reports GB census June 2000	MAFF FMD spreadsheet 120/3/01 MAFF web daily reports GB census June 2000	MAFF Animal Health database (Vetnet), GB census June 2000, MAFF FMD data

FMD 2001 OUTBREAK – DISCUSSION DOCUMENT ON FUTURE VETERINARY OPTIONS FOR CONTROL

Issue

1. The sequence of events to date indicates that the number of cases of FMD confirmed each day will continue to rise for several months.

2. The policy currently in operation involves rapid investigation of reported cases, confirmation of disease, destruction of clinically infected animals and valuation and slaughter of the herd within as short a period as possible. Every effort is made to reduce the report to destruction period to less than 24 hours. In addition, neighbouring farms should be visited daily to check the stock and other farms in the 3km zone should be visited on alternate days for checking.

3. If we are to continue with this policy, experience is now showing that we will need more vets or will have to train and use lay persons as spotters. There is also a need for more disposal facilities for the increasing number of carcases resulting from the slaughter of animals on infected farms and dangerous contacts.

4. The existing policy has been tried and tested and would normally eliminate the disease, enabling the UK to return to its FMD disease-free status within 3 months after the last case.

5. However, given the way in which the disease has developed over the past week, some elements of the existing policy need to be strengthened. These need to take into account the disease situation, with rapid dissemination around the country by sheep which are not obviously affected. The minimum time between detection of the disease and slaughter of the animals is crucial, as is the need to undertake controls in the 3km zones around each outbreak, which prevent local spread.

6. It is important in meeting our overall strategy to ensure that we keep areas free of disease and minimise spread in the risk areas. In order to do this we need to prioritise the workload. The results of one mathematical model suggest that removal of susceptible species, cattle, sheep and pigs in the 3km zone around an infected premises will have a dramatic effect on the outbreak. Another model suggests that removal of all sheep and pigs within 1.5 km would also have an impact on the course of the epidemic.

7. At present, susceptible species in neighbouring premises are destroyed only if they are considered to pose a risk and are

potentially infected with FMD. Legislative changes may be needed if an automatic cull within 3 km is agreed, but there may be difficulty in justifying such an approach legally or to the farming community at large. We could be challenged to require that animals be blood tested for FMD before slaughter and this would result in further redeployment of veterinary resources away from the early identification of disease. There may be a need for a fall back position either to remove susceptible animals on contiguous premises or within a radius of 1km from the infected farm.

8. We can divide GB into 4 areas for control purposes:

Area 1: No evidence of disease and probably free (e.g. Norfolk)
Area 2: No evidence of disease but at risk (e.g. Hampshire, Surrey)
Area 3: Disease outbreak but currently contained (e.g. Oxfordshire, Kent)
Area 4: Disease outbreaks spreading rapidly. This area includes Cumbria, Devon, Dumfries, Galloway, Welsh Borders and possibly Anglesey.

9. The strategy will be to give priority to Areas 1 and 2 and apply a combination of stamping out and rapid response processes rigorously for suspect cases in these areas.

10. In Areas 1, 2 and 3 based on predictions of the mathematical models, we will take the following actions:

- veterinarian to visit farm within 2 hours (where practical) of a report of an infection (highest priority in Area 1, followed by 2 and 3)
- slaughter all animals on the farm if there is a suspicion of disease before confirmation by lab results
- slaughter all animals within a specified radius of the centre of a farm on which infection has been diagnosed as quickly as possible (the radius needs to be specified and agreed)
- on confirmation of disease outbreak, slaughter all animals on contiguous farms.

11. With this policy we should be able to achieve more effective deployment of limited veterinary resources and release veterinary resources from some of the patrol work around infected premises. These controls should minimise potential lateral spread from infected farms.

12. There is a resource constraint with the heavy level of infection in Area 4, particularly Cumbria/south Scotland, although dispensing with part of the patrol will have a marked effect. The removal of

animals in an area around an infected farm may not be welcome to the farming community and will impose a considerable logistical load in slaughtering and disposing of stock. It may also be difficult to justify adoption of a 3km zone legally.

Regionalisation

13. This builds on the current strategy and identifies specific solutions for two hot spot areas in Cumbria/south Scotland and Devon. Specific solutions are needed in areas where there is a high density of infection. In these areas it is possible to apply a number of options (which are discussed in detail within the Annex). The question is whether these options can be delivered in terms of farmer acceptability, the legal framework and the logistics involved. Any vaccination programme can be delivered by external resources, although there would need to be some input by the SVS through veterinary officers to supervise the campaign.

14. There are 3 options:

Option A

15. Slaughter all remaining sheep, pigs and cattle within a 3km radius of an infected premises starting at the periphery of the infection envelope in the Solway/Cumbrian area. This provides the most clear cut solution to disease control in the area but would take time.

Option B

16. Vaccinate all cattle and slaughter them at a later date. This will relieve pressure on veterinary resources and protect susceptible cattle against FMD, particularly when they are put out to grass.

17. Slaughter all fattening sheep and pigs. Breeding sheep to be serologically tested before going to the hills for grazing.

18. This policy will buy time in terms of resource and will allow retention of valuable genetic potential in hill sheep. There are serious problems of disease status if the vaccinated animals are not killed at a later date (see the Annex for Cumbria/south Scotland)

Option C

19. Vaccinate all animals without slaughter. Since vaccinated animal can carry FMD virus, this could result in FMD establishing itself at a low level as an endemic disease in these areas. Success

will depend on effectiveness of the regionalisation policy which will require the establishment of buffer zones and prevention of vaccinated animals mixing with non-vaccinated animals in other parts of the UK.

Conclusions

20. Disease is spreading rapidly in Cumbria/south Scotland, and increasingly so in Devon and Wales, and action is required either to slaughter all animals in zones, or commence vaccination (which will not be possible for a number of days), or a combination of the two.

21. We need to introduce in all areas apart from hotspots slaughter of all animals in an agreed zone around each new infected premises. Additional legal powers may be needed to achieve this objective.

22. There has not been time to calculate the staff days of veterinary time which will be released in the short term by any of these options. In the longer term assuming the disease incidence drops in Cumbria/south Scotland it will be possible to redeploy veterinary resources in other parts of the country.

Chief Veterinary Officer's Group
March 2001

Annex

FMD: CONTROL POLICY FOR CUMBRIA, DUMFRIES AND GALLOWAY AND DEVON

Dumfries and Galloway, Cumbria bordering on the Solway Firth

1. There is a heavy concentration of infection in sheep in this area, numbers having been increased by the wintering of hill sheep which will start lambing in the coming weeks. Infection is believed to be widespread in fattening sheep and is spreading into breeding sheep. Outbreaks of FMD could increase dramatically in the coming weeks as cattle, which are currently housed, are turned out to grass. There is not the manpower to "stamp out" disease in this area. If left unchecked, the disease could escalate rapidly.

Cumbria/ South Penrith

2. Disease is affecting mainly cattle in this area and is spreading rapidly. Sheep are also involved but not to the same extent as in the Solway area.

Devon

3. Disease is cycling in sheep and cattle in the Devon area due to the close, tight knit nature of the farming.

Vaccination

4. Vaccinated animals can continue to carry and excrete FMD virus even though they show no clinical signs of disease. Vaccination would need to be repeated every 6 months. Vaccination would have greater benefits when used in cattle than in sheep. Countries that have attempted to control FMD in sheep through vaccination have usually been unsuccessful.

5. *Ring vaccination* an area might serve to prevent the spread of disease out of an area but would not reduce the incidence of disease within. It is not considered appropriate to the present situation in the UK. *Area vaccination* could be used to dampening down infection and the species that should be vaccinated in priority order are cattle. There is little point in vaccinating animals which are destined for slaughter (fattening sheep) as culling would provide a more effective route to removing infection. .

Consequences of Vaccination

6. Vaccination carries consequences in terms of national and international disease considerations.

7. In OIE (and EU) terms, the UK is (was) classed as an "FMD-free country without vaccination." To retain this status, we must stamp out infection, carry out surveillance and wait 3 months after the last case of FMD" Within this framework, we could have recourse to *emergency vaccination.* In this case, the waiting time after FMD was eradicated would be 3 months after the slaughter of the last vaccinated animal, stamping out of clinical disease and serological surveillance remain obligatory. This presumes we would kill vaccinated animals

8. If we didn't kill vaccinated animals, we could re-obtain "FMD-free status without vaccination" provided there had been no outbreak of FMD and no vaccination had been carried out for at least 12 months with documented evidence of an effective system of serological surveillance and all regulatory measures for FMD control had been carried out. Additionally we would not to have imported animals vaccinated against FMD since the cessation of vaccination.

9. The OIE Code does not provide advice on our present situation, so we cannot be sure how they and Member Countries, including the EU would react. The 12 month wait post vaccination seems reasonable but the snag is the requirement not to import vaccinated animals. The OIE Code requires that where zone vaccination takes place, a buffer needs to be established between the vaccinated and non-vaccinated areas.

10. If we went for regional vaccination in Cumbria and Devon, it is not unreasonable to assume that a buffer zone would have to be put in pace around the vaccinated areas and no vaccinated animals could be moved from the vaccinated areas into the non-vaccinated areas, i.e. *we would need to impose internal movement controls within the UK.* This could prove problematic. We certainly could not allow vaccinated and non-vaccinated animals to mix because vaccinated animals could be carriers/excretors of disease.

Control of FMD in Cumbria and the Solway Firth

Kill all sheep, cattle and pigs within a 3-km radius of existing infected premises

11. Given the current weight of infection in this area, much of it cycling unseen in sheep, the lack of resources available for "stamping out" and its capacity to increase rapidly when cattle will shortly be turned out to grass and mix with sheep, the preferred approach to control is to kill all cattle, sheep and pigs in the area.

Vaccinate cattle, kill pigs and fattening sheep, serologically test breeding sheep.

12. If stamping out is not an option then we could consider a mixture of vaccination and stamping out. Cattle pose a particular risk, especially those that are still housed. If turned out and mixed with infected sheep, the number of outbreaks could rise dramatically and disease could be spread further.

13. Under this option, *all cattle would be vaccinated* over the next few weeks (estimated 150,000). Two doses would be required given one month apart. Revaccination would be necessary every 6 months. Ideally, cattle that have been vaccinated should be killed later

14. *Fattening sheep and pigs would be culled as quickly as possible*. FMD exists primarily in fattening sheep and is difficult to detect. There is little point in vaccinated animals already destined for slaughter. If they become infected, pigs pose a major risk to other animals through aerosol spread.

15. *Breeding sheep would not be vaccinated and would not be killed immediately*. Although disease is spilling over into breeding sheep it is not thought to be circulating in them unseen to any great extent. Vaccinating cattle and killing fattening sheep and pigs should reduce the weight of infection in the area such that *breeding sheep could be blood tested for FMD after lambing and before they were turned out to upland grazing*. Those that tested positive for FMD could then be killed, those that did not could be release.

Discussion

16. Vaccinated animals could transmit infection to those that had not been vaccinated. If the intention were to regain "FMD-free status without vaccination" as soon as possible, all vaccinated animals would need to be killed once the disease had been stamped out.

17. If vaccinated animals were not to be killed then GB would have to be regionalised and a buffer zone filled with non-vaccinated animals would have to be established around the vaccinate area to prevent the mixing of vaccinated livestock with non-vaccinated livestock in the rest of GB. The movement of animals out of the zone into other parts of GB would have to be controlled. Even then, we could not apply for FMD-free status without vaccination until12 months after vaccination had stopped.

18. The option of combining vaccination with culling offers potential benefits for breeding sheep. Vaccination of sheep is fraught with difficulties and experts for Pirbright advise against it because of the need to also vaccinate lambs and replacement breeding animals. By not vaccinating or culling breeding sheep at the outset, we (a) buy time in terms of control and (b) offer the prospect of retaining uninfected breeding stock, particularly those from hefted breeds, and allowing them to return to hill grazing. Serological testing

might take time and we could avoid the welfare problems associated with delaying the return of ewes with lambs at foot by importing feed to lowland grazing areas.

Summary

19. Culling all cattle, sheep and pigs in the Solway/Cumbrian area provides a clear cut solution to disease control in the area but would take time.

20. An alternative approach would be to vaccinate cattle, cull fattening sheep and pigs and release breeding flocks from the area provide they tested negative for FMD. Ideally vaccinated animals should be killed at a later date if we wished to regain our "FMD-free without vaccination" status at the earliest opportunity. To not do so would require us to regionalise the area and impose controls on the movement of animals out of the area. The policy would buy time in terms of resource use and would allow retention of valuable genetic potential in hill sheep.

R J G Cawthorne

R J G Cawthorne

FAO DAVID NORTH (7839 9044)
[IMMEDIATE]

cc: JJH
PU

FMD – GETTING AHEAD OF THE GAME

Helene Hayman
Minister of State
21st March 2001

To: Minister (P)

Cc: Minister of State (Commons) — By hand
Parliamentary Secretary
Brian Bender
Special Advisers
Jenny Bacon
Kate Timms
Jim Scudamore — fax
Robert Lowson — by hand

1. Herewith some very sketchy thoughts on how, given the likely projections of the scale and length of the FMD epidemic, we create the space to manage FMD in a less febrile atmosphere.

2. The epidemiological reports we are soon to receive are likely to be grim. They do however provide us with the opportunity of repositioning into 'long-haul' rather than 'crisis-management' mode. If we can manage the next few days without making major policy announcements – but showing we are taking effective action on identified pressure points – we could use the disease projections to take the initiative. They would form the background to an FMD Phase II strategy setting out 'work in progress' over the months to come.

The strategy would outline how we were: -

i). providing the resources for our strategy of an eradication policy for the medium/long term future: being clear that this has had to change in the light of the extent and focus of the disease and may/will involve limited vaccination.

(ii). fleshing out further the outlines of a recovery plan, region by region for the wider rural economy and the mechanism (RDA's ?) and funding streams (contingency funds ?) earmarked for delivering it. This would include measures focused specifically on charities and the voluntary sector (through National Lottery Funds ?)

02072385867

(iii). spelling out the parameters of a recovery package for agriculture which would use the 'opportunity' of FMD for building on the principles of the agriculture strategy. My preference – although not an easy one to deliver – would be to announce the money but not the detail of how it would be spent.

(iv). putting forward a package of interim measures (on imports, swill feed, and movement restrictions etc.) to reassure people we are doing something immediate to prevent reoccurrence while we consider the broader issues.

(v). providing a single source of advice (Rural Stress Information Network ?) for those in distress to access immediate financial aid from the DSS/Inland revenue or the charitable funds that have been set up and putting effort into publicising it widely (another mailing to all farmers ?)

3. A package like this would allow us to move away from the daily press conferences which gained us enormous advantage in the first few weeks, but in a 'Phase II' run the risk of fuelling the front pages and encouraging an expectation of speedier action that we can realistically deliver.

4. All this is aimed to shift gear – to give the impression we now know what we are facing: it is a long and difficult road, but the Government has action in place to tackle each of its individual components. Putting the package together will take time and we will need considerable resources – human, logistical and financial - but creating an expectation of a longer time frame and an atmosphere of control seems to be the crucial task over the next week or so. A statement early next week to launch the programme would be the ideal timing if we can draw the strands together in time.

HELENE HAYMAN

02072385867

File

MAFF

Ministry of Agriculture, Fisheries and Food,
Nobel House, 17 Smith Square, London SW1P 3JR
Tel: 020 7238 5339 Fax: 020 7238 5727

From the Principal Private Secretary

David North Esq
10 Downing Street
LONDON
SW1A 2AA

22 March 2001

Dear David,

FMD : NEXT STEPS

As agreed at the Prime Minister's meeting this morning, I attach a note setting out options for enhanced action to tackle the deteriorating disease situation.

It needs to be read alongside the letter of earlier this evening from the Secretary of State for Defence on the scope for additional assistance by the MoD and Armed Forces, and work underway by a team of Operational Research experts from MoD on the issues to be tackled in order to deliver systematically a period of detection to slaughter in 24 hours.

My Minister intends beginning informal discussion of the options with the NFU and leading vets from the private sector tomorrow afternoon. He would present it as a means of delivering the strategy he announced on 15 March (tackling the hot-spots, cleaning up the areas where there are sporadic outbreaks, and keeping the clean areas clear) in the light of the deteriorating disease situation. Implementation in Cumbria would incorporate the approach the Prime Minister announced when he was in the area this afternoon.

The proposed way forward would free up some vet resource in the hot spots, in order to deliver more effective action in other parts of the country. We have also taken a number of steps to reduce the resource requirements on vets; and have (as agreed with the Prime Minister this morning) strengthened the unit in MAFF which deals with veterinary recruitment issues.

My Minister also intends publishing tomorrow the attached summary of the work by external epidemiologists on the development of the disease. In doing so, he will reiterate how we believe the disease arose and spread. He will also announce his attention to consult

Recycled Paper

on banning the use of pig swill and (in normal times) on the movement of livestock for 21 days after they arrive on farms.

I am copying this letter to the Private Secretaries to the Deputy Prime Minister, the Foreign Secretary, the Chancellor of the Exchequer, the Secretaries of State for Defence, Northern Ireland, Wales and Scotland, the Agriculture and Rural Affairs spokesmen of the Devolved Administrations, Sir Richard Wilson, Sir John Krebs and Professor David King, and to Sir Nigel Sheinwald.

Yours ever

ANDREW SLADE

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Imperial College

OF SCIENCE, TECHNOLOGY AND MEDICINE

Monday, 26 March 2001

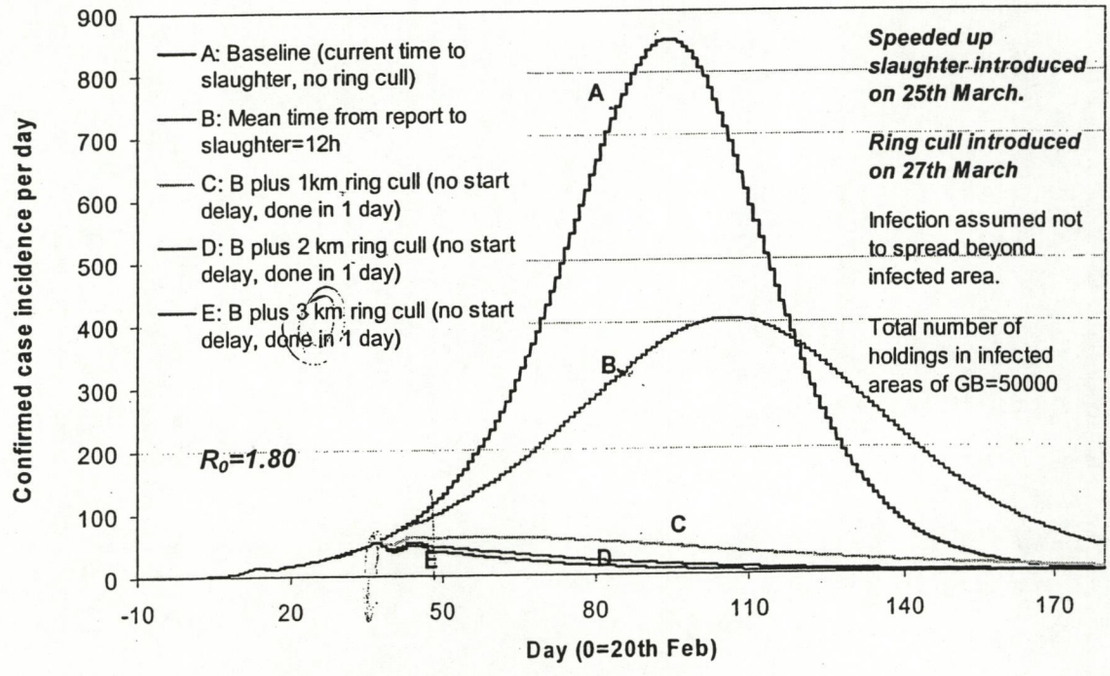
Confidential: not for public release without prior permission.

To: Prof. David King, Debby Reynolds, et al.

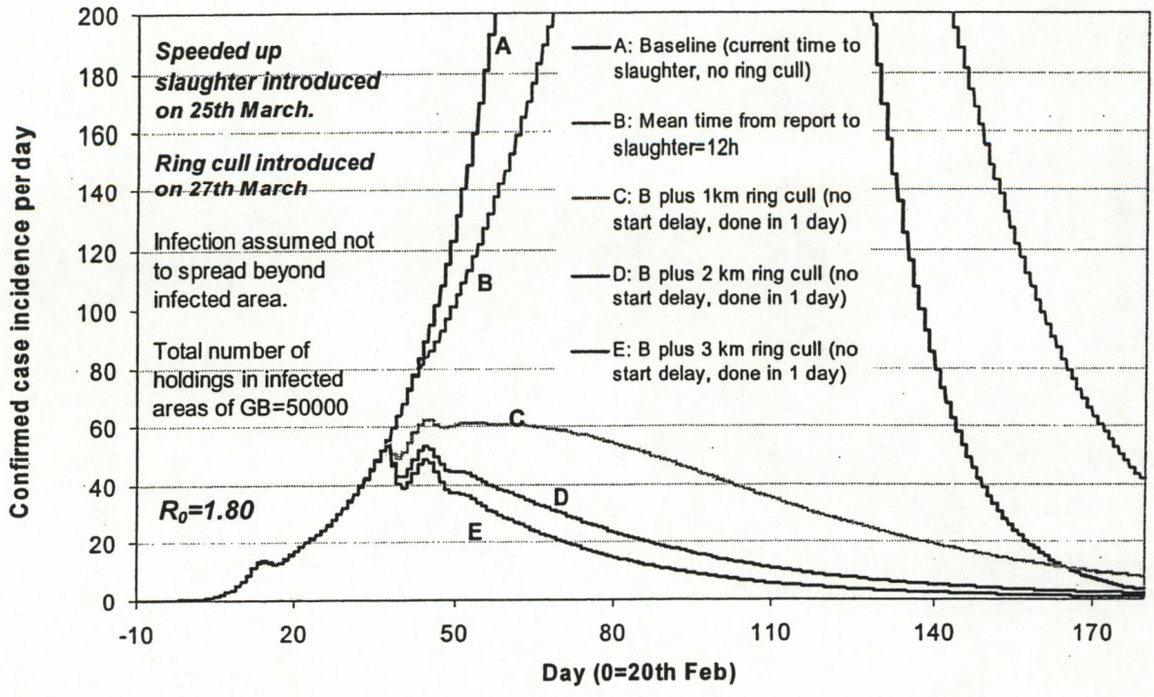
Regional analysis of FMD epidemic and effect of varying ring radius in ring-culling.

1. Parameters for these simulation results have been derived from an analysis of the new data provided by Prof. John Wilesmith on 24/03/01. A number of parameter estimates have changed, particularly in relation to the contact data, causing some changes in distributional parameters.
2. **GB-wide model results:** The 'baseline' scenario has changed, due to further analysis giving an estimate of a previously unknown model parameter, corresponding to the degree of connectedness of the transmission contact network between farms. Additionally, we have slightly changed baseline assumptions about the duration of the asymptomatic unifectious period following infection entering a holding, reducing this period from 5 to approximately 3.5 days.

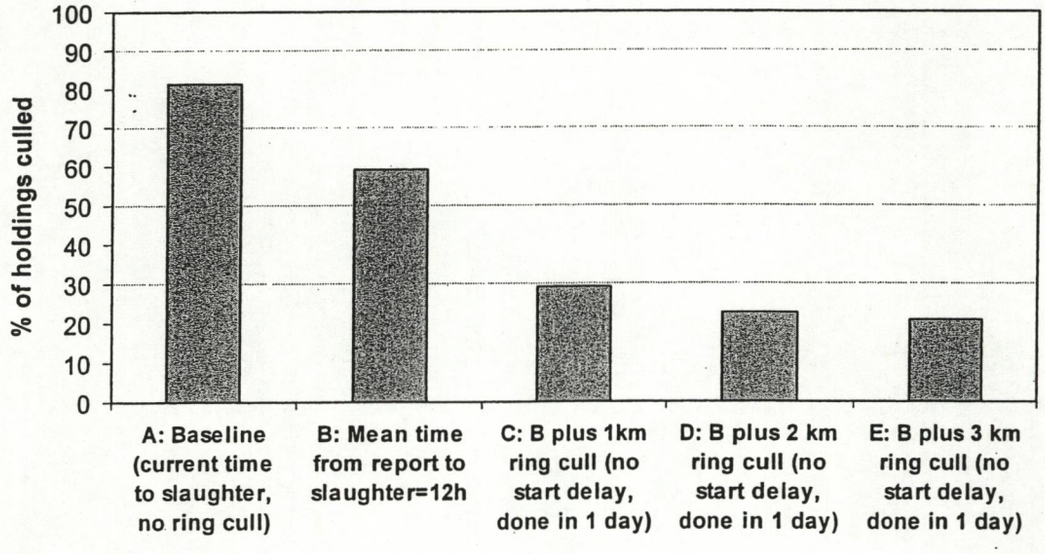
   Combined, these changes, together with new estimates of other parameters generated by fitting the model to incidence data up to 23/03/01, have slightly (~10%) reduced the size of predicted epidemics under the baseline scenarios. Ring-culling is also now predicted to have a slightly larger impact on disease transmission than previously. This is shown below, where we also examine the predicted effect of reducing the ring-cull radius below 3km:



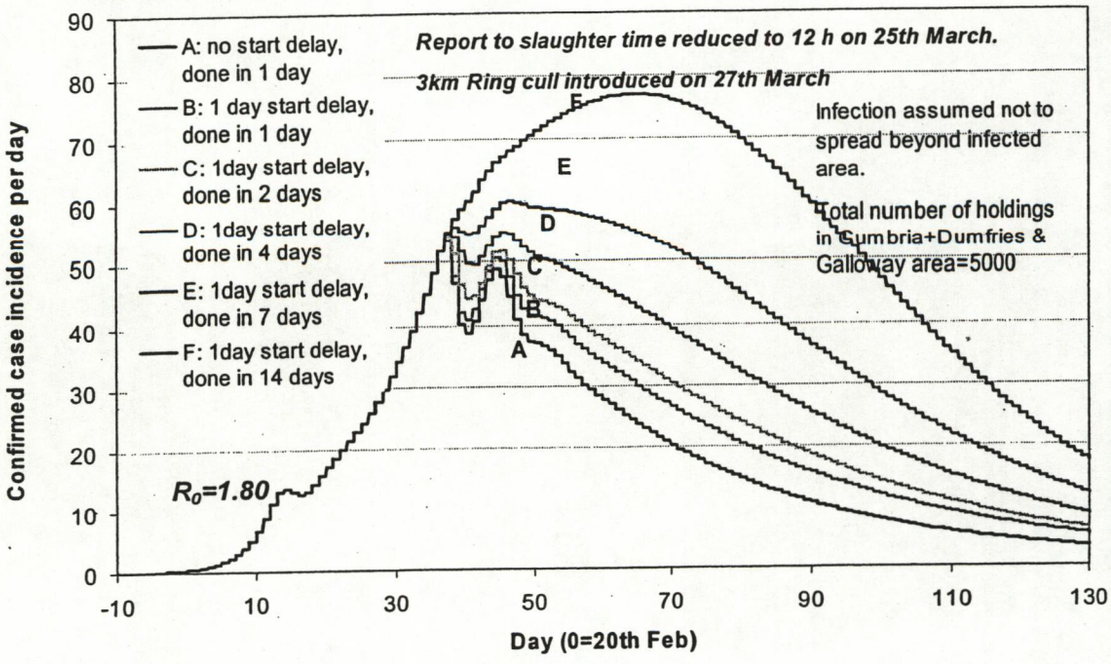
Note that scenario A above assumes the current ~3 day time from report to slaughter of an infected farm, while B assumes an average of 12 hours from report to slaughter is achieved from 25th March. The following graph zooms in on the detail of the culling-related curves of the graph above:



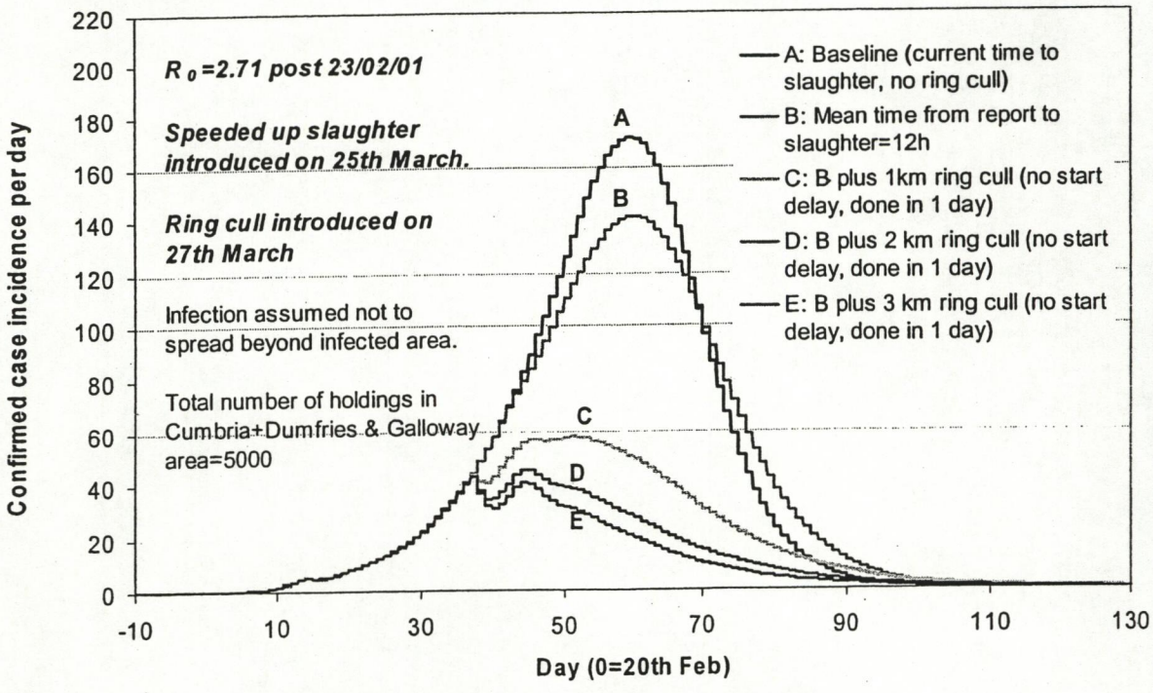
The next graph shows the savings gained (in terms of culls prevented) by the above policies:

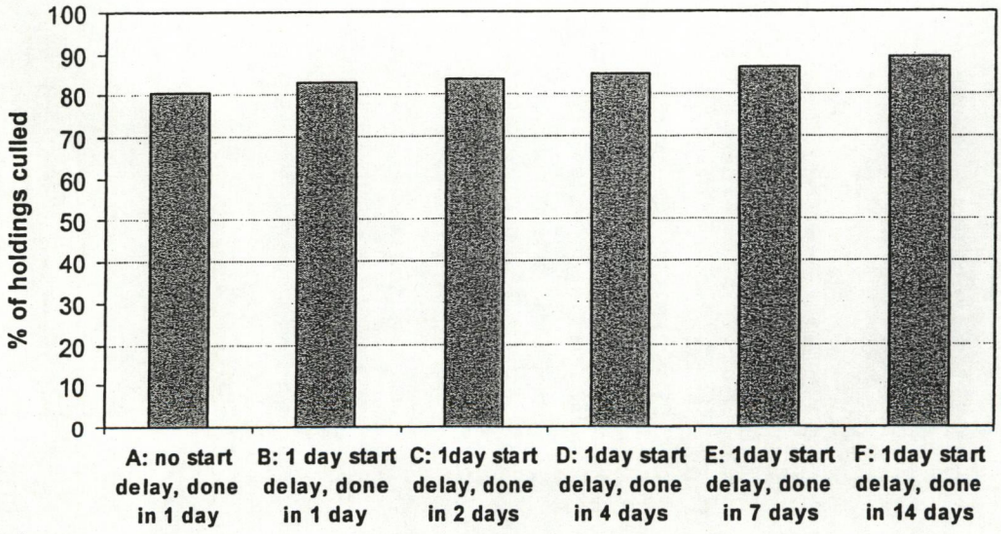


We have also explained the effect of increasing the delay between culling of an index farm and its neighbours, or lengthening the time taken to complete a ring cull:

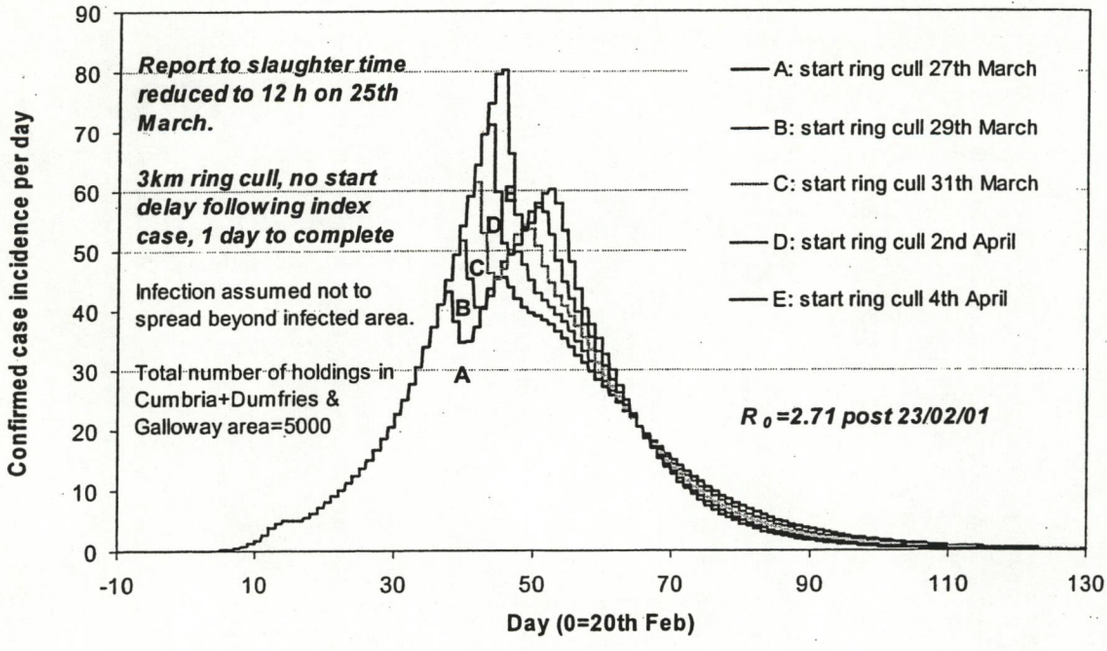


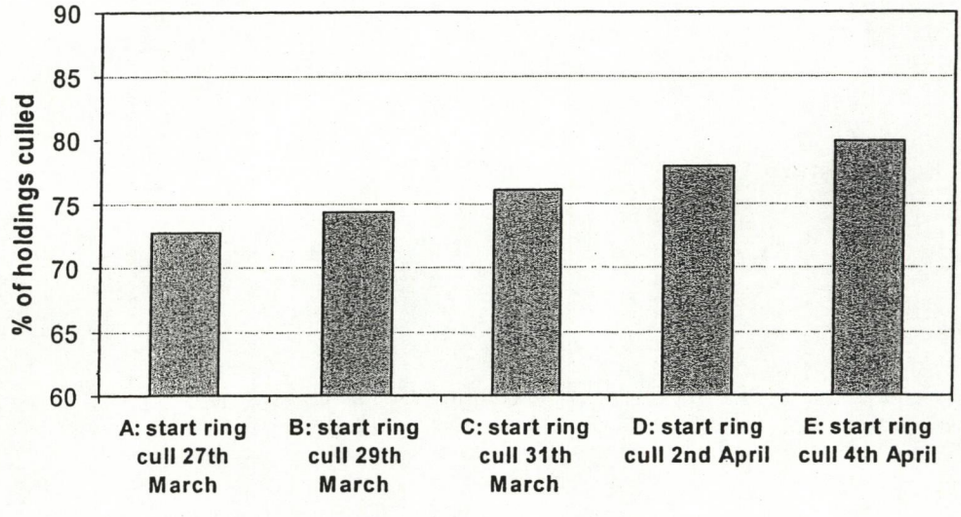
3. **Cumbria and Dumfries & Galloway region:** We have estimated distributional and contact parameters and fitted the model separately to data from the infected area largely comprising Cumbria and Dumfries & Galloway (CDG). Distributional and contact/spatial parameter estimates differ significantly between this area and 'the rest' (where data from 'the rest' has been analysed as a single dataset, due to the relatively small case numbers in other individual regions). Under the assumption that the infection will not spread beyond the edges of the currently defined infected area, the smaller number of holdings in CDG (~5000) means that the peak predicted epidemic size for that region is correspondingly smaller than for all infected GB regions. However, transmission intensity (measured by R_0) is estimated to be larger than the rest of the country, so that culling is (relatively) less effective than for GB as a whole:





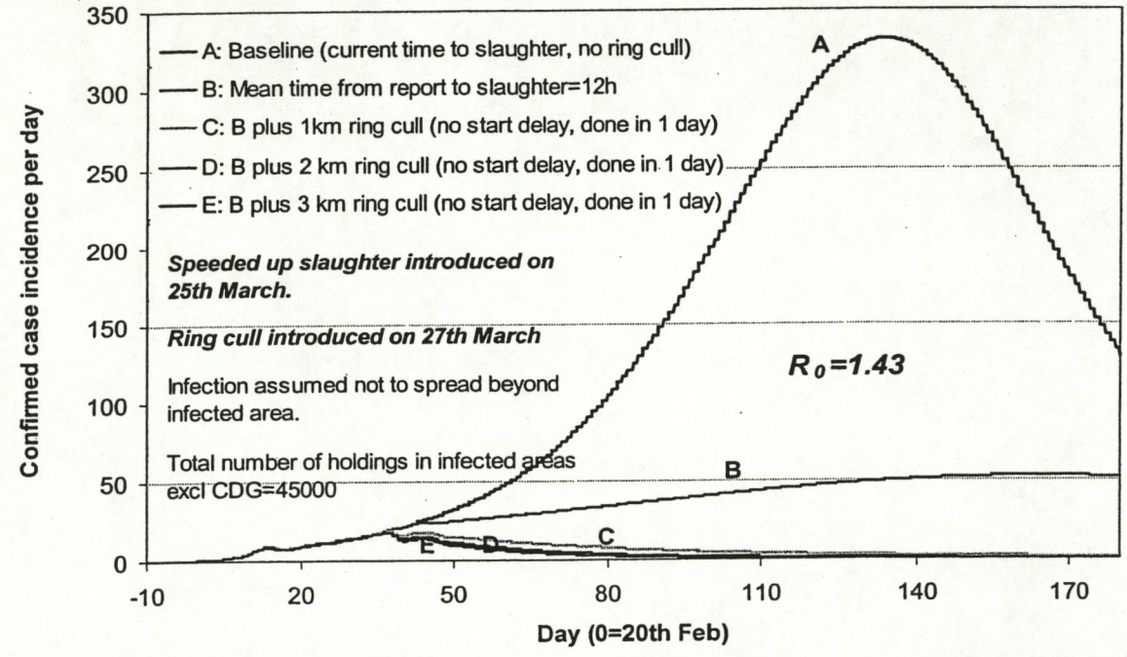
Furthermore, so long as the report to slaughter delay is reduced to of the order of 12 hours, moderate delays in implementation of ring culling are not predicted to have an enormous effect on the long term magnitude of the CDG epidemic:

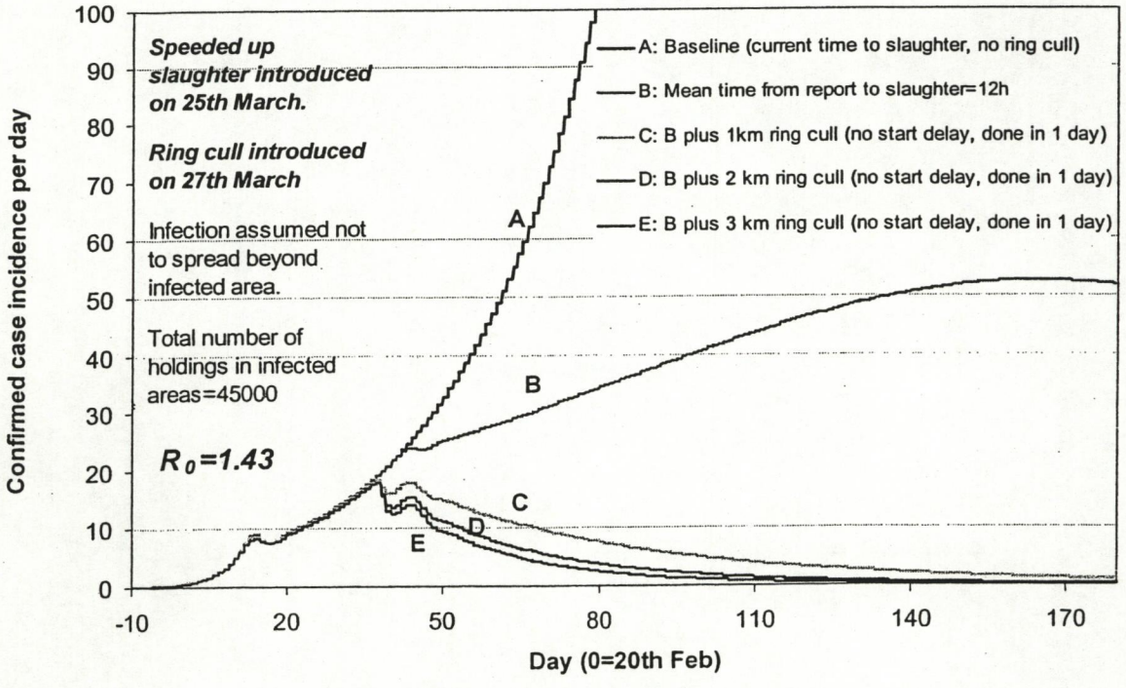




4. **Non-CDG areas:** It is informative to derive parameters and fit the model to regions excluding the CDG area. As might be expected from the fact that the CDG R_0 value is higher than the national estimated, the GB excluding CDG estimate of R_0 is lower than the national average, at 1.43 for the baseline model estimate. However, it should be noted that the fit generating this parameter estimate tends to underestimate the last few days case numbers, and adjustment to correct this (while generating a worse fitting parameter set overall), increases the R_0 estimate to 1.51. In either case, the resulting predicted epidemic size is considerably proportionately smaller than the size generated by fitting to UK data as a whole. Even when the CDG and non-CDG epidemics are summed together, the result still remains some 30-40% smaller than the overall GB model predictions. A further note of caution needs to be added, however – the dynamics of the sum of the multiple small disconnected epidemics in non-CDG areas may not be very well described by equating this situation with a single larger epidemic, as the separate area epidemics may not be synchronised, and may have different R_0 values themselves.

   Overall, control policies are estimated to have higher effectiveness in non-CDG regions than CDG as a whole, due to the lower R_0 value:





See my changes to my evidence. This needs v. careful handling.

From: Martin Hurst
Date: 30 May 2002

PRIME MINISTER

cc: Jonathan Powell
Jeremy Heywood
Godric Smith
Joanna Key

FOOT AND MOUTH INQUIRIES

We are nearing the finalisation of the three UK reports: Anderson, Royal Society and NAO. The first, the NAO report, will appear on 21 June, with the others over the following month. Brian Bender will appear before the PAC on 3 July. There is also the prospect around the same time of conclusions from the EU vet fund (likely to withhold part of our bid for EU support because of irregularities). Finally, there are a number of ongoing court cases which could hit the headlines. This note seeks a steer on handling, and on the Anderson inquiry. An annex brings you up to date on the other inquiries/cases.

You have a chance to discuss handling in the wider context of rural politics with Margaret, Alun and Brian Bender on June 11. Brian will then hold an administrative meeting to co-ordinate arrangements.

General handling

We are continuing to urge a 'front foot' approach. We should if anything increase our efforts as publication of the reports nears to explain that we did very well to control the disease as fast as we did, and to flag up the unprecedented nature of the outbreak. And we can do more to get out messages in forward looking mode – need now to put FMD behind us and work for sustainable disease free UK agriculture, through Curry proposals and CAP.

But I think we should also start to soften the mood music, to avoid the appearance of arrogance. We should therefore start to temper our messages with wider and more public acceptance that we have already drawn some lessons, and that we hope and expect that the inquiries will draw other lessons for us from their in depth analysis of the outbreak. We may also want to start preparing our 'friends' – the more sensible country voices like Ben Gill, Don Curry, RSPB, National Trust, and the CVO/CSA/John Krebs – to be prepared to offer public support (or in Ben's/National Trust's case at least not to rock the boat).

Do you agree with this approach? Yes, but do continue to stress we did actually learn it out in Cumbria.

Lessons learnt inquiry

You saw Iain Anderson last week. The secretariat's note of the interview – with a few changes we think sensible – is attached. It will be placed in the public domain. **Do you have any changes.**

Iain has just about finished his interviews, and is now writing the report. He is currently planning on publication on July 18 (later than he wanted, because of the need not to clash with the Spending Review). There will probably have to be a parliamentary statement accompanying its release. We should see a copy of the report in advance, but perhaps not with a lot of warning – Iain is very worried about leaks. Publication – of the report and the main evidence (including your interviews) is planned to be under parliamentary privilege so as to avoid any legal risks.

I have reported before on Iain's likely conclusions, and you got a pretty good flavour of these from your interview with him. Management information; logistical expertise and training; sound science are all likely to loom large. It is less certain how hard hitting he will be about 'failures': informationally in the first three weeks; gearing up logistically thereafter; footpaths; overpayment under the Livestock Welfare Disposal Scheme.

We are setting up the private meeting which you have requested with Iain, and will give you for this a firmer and more rigorous line on the first three weeks. **Is there anything else you would like us to do to prepare?**

NO. That's fine.

Signed : Martin Hurst
30/05/2002

MARTIN HURST

Annex

Royal Society

This inquiry, on the science, is being led by Brian Follett. It is currently planning to report on 9 July, although we are pushing DEFRA very strongly to avoid this date. It would probably require a parliamentary statement in response.

The Royal Society's work has run alongside the Anderson inquiry, to avoid overlaps. We have as yet less feel for its outputs, although I have been promised an early bilateral briefing. It seems likely to recommend increased research and research capability – possibly through a new research institute (although DEFRA are working to water this down, given SR pressures). It will also explore the roots of the disease, and will make recommendations on surveillance/vets, vaccination – pro emergency vaccination to live, import control and animal movement controls. All of these are sensitive issues with the farming community.

NAO

This could have been the report with the worst press, and it may still. But following a really dreadful first draft from the NAO, DEFRA – and Brian in particular – have secured very considerable watering down. That said - and even given the relatively weak recommendations, most of which we have already taken on board in the interim contingency plan and other fora - there are still some singularly infelicitous phases that can and will be taken out of context.

It is due for publication on 21 June, with Brian's appearance in front of the PAC – perhaps the bigger media focus, and less easy to water down! – on 3 July.

EU vet fund etc

We applied last October for £1bn from the EU, to cover our costs incurred through compensating farmers for culled stock and for expenditures such as disinfecting premises. The EU auditors have been over for the past 6 weeks, and are now preparing their report. We expect this report, which while private will probably be leaked about the end of June, to say that we overcompensated. And as a result should receive quite a lot less – but we are hopeful we will not have to pay back any of the £220m we have already received back.

This is not surprising – reductions of around 25% are commonplace – e.g. for the Dutch outbreak and for our own classical swine fever. And we will formally appeal against its findings. But it will resurrect suggestions that we paid through the nose to help farmers, while leaving the countryside to suffer. And there will be allegations of maladministration.

Legal cases

The 'Class law' legal case – suing the government for £1bn to cover rural hardship largely outside the farming industry - is set to run for a number of years. We are confident of our case, but stories will emerge – e.g. about a shipment of animals which was blocked, and the animals dispersed across the country three or four days after the first case of FMD.

The NFU are suing the government over the early scale down in the livestock welfare disposal scheme. They claim the existence of a private pledge that the figure would not be scaled down within 2 months. David North has confirmed that no such pledge was made.

FOOT AND MOUTH DISEASE LESSONS LEARNED INQUIRY

Note of meeting

Date: **20 May 2002**
Location: **10 Downing Street**

Present: The Prime Minister
Jonathan Powell (Chief of Staff)
Jeremy Heywood (Principal Private Secretary)
Martin Hurst (Private Secretary)

Iain Anderson, Inquiry Chairman
Alun Evans, Secretary to the Inquiry

1. Dr Anderson thanked the Prime Minister and his staff for finding the time in a busy schedule to meet the Inquiry team for a second time. He gave a brief update on the progress of the Inquiry and indicated that he hoped to publish his final report in mid July. The following points were made in discussion:

2. At the start of the outbreak nobody had been aware of the extent of the disease within the country and the nature of the spread that had happened from Longtown market. In the first discussions that the Prime Minister had held with the Minister of Agriculture and the Chief Veterinary Officer (CVO) the hypothesis was that there had been a single source of introduction of the virus and that the tracing work would allow the SVS to get on top of the disease and eradicate it in a relatively short period of time. ~~It soon became clear that that was not so.~~

3. Asked what "trigger points" existed for identifying an impending crisis of this sort the Prime Minister said that, initially, the SVS had been fairly confident that the tracing process would identify all cases. It was only after about 2-3 weeks that the true extent of the disease became clear. With hindsight the lack of a sufficiently robust information system to identify the actual extent of the spread, may have meant that earlier action was not triggered.

   ? may have caused us not to know the full facts

4. Put to him that nevertheless some fairly drastic action had been taken early on on the basis of limited information (such as the ban on animal movements on 23 February and the closure of footpaths on 27 February), the Prime Minister agreed, and added ~~said~~ that some people said that those decisions were an overreaction. ~~Again, it was another example of where better management information systems would have helped.~~

5. Asked why information about the seriousness of the developing crisis did not appear to have been getting through and what systems of reconnaissance existed the Prime Minister reiterated that, in the first 2-3 weeks, the information he had received confirmed that all cases were

traceable back to the one index case. He was told that the tracing and subsequent slaughter of infected premises and dangerous contacts would tackle the disease. By about 12 March it was clear that the situation had became completely different in size and nature. Put to him that this should have been spotted sooner (given that there were by then almost a quarter of a million animals awaiting slaughter) the Prime Minister said that he did not think that information was available at the time. MAFF had been holding meetings with stakeholders from the early days of the outbreak and if those stakeholders had had concerns about the strategy alarm bells would have been ringing. By the week commencing 12 March that had begun to happen. Dr Anderson said that one of his tasks would be to make recommendations about the need for a robust system of intelligence gathering and making sure that such information did reach the highest levels.

6. The Prime Minister said he always acted on the professional advice that he received. He recalled that he was constantly asking MAFF whether they had sufficient resources to tackle the disease and was assured that they thought they had.

7. Dr Anderson suggested that the Cabinet Office and the Government Offices in the Regions might have done more in the early stages to alert the centre of the potential size and severity of the crisis. He cited the work of the Food Standards Agency (FSA) who, from a very early stage, had been concerned by the outbreak and had put in hand rapid action to respond to it.

8. Asked whether the Prime Minister was confident that, by mid March, the Senior Civil Service had the skills and competence to deal with a major animal disease outbreak, the Prime Minister said that, in practice, officials' abilities varied. By convening the Cabinet Office Briefing Room (COBR) when he did it meant that the full resources of government could be directed at the disease. He agreed that the Senior Civil Service did need greater project management skills and greater crisis management skills. One of the reasons for setting up the Civil Contingencies Secretariat in the Cabinet Office had been to ensure that there was sufficient crisis management capacity at the centre to support the lead department in any future crisis.

9. The army had made an enormous difference both in terms of the logistical skills that it brought to bear but also because of the way in which it got things done. Asked why the armed forces were not brought in earlier the Prime Minister said that their logistical skills could have made a big difference earlier on in the crisis. MAFF ~~did~~could not have had the ~~the~~ sufficient relevant expertise for this kind of crisis. For ~~too~~ a long time they felt that what they had lacked was veterinary ~~skills~~resources whereas in fact what was lacking was managerial, organisational and logistical skills/resources.

10. The science of the disease developed throughout the outbreak. Spotting the disease in sheep became critical. It was clear that for any future animal disease outbreak, a science group of the best people should be formed early on to inform decision making. It was essential that decisions were based on sound science, that there were good management information systems to support decision making and that there was good project management throughout.

11. Asked why the Contingency Plan available on 20 February appeared to be so inadequate the Prime Minister said because of the sheer scale of the outbreak. He agreed that some stakeholders locally had also not been fully involved in an integrated way and also agreed that, in future, stakeholders should be more involved in contingency planning. The Prime Minister had not been aware of the work on the Interim Contingency Plan recently produced by DEFRA, although his office had been involved.

12. Asked if he agreed with the proposition that tourism had had to pay the price of protecting agriculture the Prime Minister said he ~~would not put it in that~~ way. The government had had to eradicate the disease. It was having a much wider effect than on just the agricultural sector of the economy. Tourism was suffering greatly, not least from the fall in overseas tourists who were concerned by what they saw in their media. Eradicating the disease was also the best outcome for the wider economy. The Prime Minister said he had argued the tourism case consistently throughout the crisis.

13. Asked if he would handle the issues of footpath closure differently the Prime Minister said there had been two opposing criticisms – overreaction and under-reaction. Some groups of people, notably the NFU, were vociferously campaigning for closing down all access to the countryside. It was necessary to make some closures and allow local authorities the scope for more closures if they thought appropriate. At that time, it was argued that the possibility of spread by walkers ~~did exist~~could not be ruled out and there was no guarantee of stopping that without allowing footpath closure.

14. Dr Anderson said that some of the responses received by the Inquiry on this point argued that, while in the short term it was understandable to have shut the footpaths on a precautionary basis, on reflecting on the science, it would have been better if they had then been reopened except in areas of infection. The Prime Minister disagreed. The pressure from ~~the~~local farming community~~y~~ies had been immense. Similarly the pressure from many local authorities was for continued closure – despite government exhortation. But the government was trying to convey a complex message at a time of high tension in the country and much press comment and speculation. A blanket policy of reopening footpaths would not have been possible. ~~The government was trying to convey a complex message at a time of high tension in the country and much press comment and speculation.~~

15. The presence of the disease in the countryside was a huge problem for both the farmers and tourist sectors. Both sectors therefore had a shared objective in eradicating the disease as fast as possible. That was in the the best interests of all rural stakeholders – farmers, the tourist industry and others.

16. Asked if the Government paid disproportionate attention to the views of the NFU the Prime Minister said, no. The government certainly listened to the NFU. Their views and those of the farming industry as a whole were essential to such important policy issues as culling, vaccination and disposal. The NFU was an essential vehicle for helping to achieve the consent of the farming community for the policy measures adopted.

17. Dr Anderson said that the operation of the Livestock Welfare Disposal Scheme - LW(D)S - had been described to the Inquiry by many people a "nightmare". Asked if he knew that the late decision to increase the prices paid under LW(D)S had had the effect of suddenly increasing demand for the scheme the Prime Minister said that he was aware of the problems. The Minister of Agriculture and officials had been at the meeting which had agreed the increased rates. The farming industry had argued that the rates paid for animal welfare disposal were less generous than those paid as compensation for slaughtered animals. It was essential to get animals into the scheme on welfare grounds. There was the possibility that, had rates not been raised, farmers would not have used the welfare scheme. The LW(D)S had put great pressure on the capacity of the Intervention Board to cope. Eventually it became completely swamped by the level of demand. The Prime Minister offered to send the Inquiry a further note on the problems associated with the operation of the LW(D)S.

18. Similarly there were problems with some valuations that were too high. However there was a need for a quick route to ensure speed of valuation and speed of slaughter. That was the reason for the introduction of the slaughter on suspicion policy. In any crisis there were times when issues had to be handled quickly, sometimes on an ad hoc basis, in order to tackle the problem and move things forward.

19. Asked why he changed his ministerial team during the crisis the Prime Minister said that, by 8 June, when DEFRA was created, the peak of the crisis was in the past. He would not, and indeed could not, have changed ministers 2 or 3 months earlier.

20. Asked why he delayed the calling of the general election the Prime Minister said it would have been impossible to have held elections at a item when the crisis had not been brought fully under control. That was why he took the decision to delay the election. By June 7 all the systems for disease control were established and up and running. He had not said that the disease was over but that it was, by then, being controlled. He had had to take an overall judgement. He had been concerned by the message that would be sent out by delaying the election but, equally, he realised that he could not possibly have been ~~seen to be~~ campaigning

4

during April when the disease was still active in many areas. He would have postponed the election still further had the needs of disease control required him to do so. However he thought it would have been very bad for the tourism industry had he delayed the election beyond the summer.

21. Asked about the main lessons that the Prime Minister had himself already drawn he said:

- Ensuing effective management information systems;
- Handling civil contingencies and the role of COBR;
- Getting sound scientific input as soon as possible;
- Connecting with stakeholders
- Communicating effectively

22. On vaccination it had never been clear to the Prime Minister that the case in favour had been comprehensively demonstrated or could be delivered. This was a disease whose spread was uncertain. The science of it was unclear and eradicating it on the ground was a massive logistical task. Throughout the whole lifetime of the disease he had sought to balance the needs of the farming and tourism.

23. Asked what confidence the public should have that the Prime Minister and his Government would learn the lessons and implement the recommendation of this Inquiry, the Prime Minister said that the Government was determined to learn all the lessons from the experience of Foot and Mouth. That was why it had chosen Dr Anderson to lead the Inquiry.

FMD Inquiry Secretariat
May, 2002

D.T.Y. CURRY, THE MIDDLE FARM, BARRASFORD, HEXHAM, NORTHUMBERLAND
NE48 4DA

Dear

See enclosed for information

CC JSH

Yours

Sir Donald Curry

30th May 2002

Paul Boateng MP
Chief Secretary, Treasury
Treasury Chambers
Parliament Street
London
SW1A 3AG

temporarily retained
THIS IS A COPY. THE ORIGINAL IS RETAINED UNDER SECTION 3 (4) OF THE PUBLIC RECORDS ACT

The Policy Commission on the Future of Food and Farming

The Policy Commission on the Future of Food and Farming met on 27th May where we discussed Andrew Smith's letter to Sir Peter Davis and David Varney of 9th May. I hope it is useful to have some feedback on why we believe it is so critical to have a positive response to our report in the Spending Review. We fully recognise that the current spending round is tight and that you face many competing pressures. This is why it is so important to see our recommendations as an opportunity to invest in the future of farming and rural areas, in ways that will force change and generate long term economic and social benefit – the Commission do not see this as a one-off demand on public funding that is confined to one sector.

It is clear that we share, with your Department, the same analysis of the current state of farming and the problems caused by the CAP. Narrowly based production supports lack credibility and do not generate the added value in the wider community that we are confident will be achieved by supports based on delivering public benefits. Our vision, which reconnects farming with the rest of the economy, society and the wider environment, is also a vision that delivers financial flow-through in ways that will reduce the burden on the public purse in the long term future.

Crim 49/ 2804

Letter dated
30 May 2002

The need for change is widely recognised and understood in the public at large. It is not an exaggeration to say that you have a once in a generation opportunity to address issues which have proven stubbornly intractable for your predecessors.

We firmly believe that the extra investment we seek through modulation and in other ways will repay itself many times over if spent in the right way. Just as one example, the National Trust has shown that one job created by the Trust in looking after a high quality countryside and rural heritage generates between 5 and 9 further jobs in the locality, largely through additional tourism and visitor spend. The converse situation was demonstrated vividly last year when constrained public access to the countryside caused a collapse in spending and income for rural areas of far-reaching importance.

We believe that

- Investment now can have a positive impact in the regeneration of the rural economy as a whole.
- Transferring resources away from production subsidies will reduce the distortions in the market that currently suppress entrepreneurship and discourage farmers from responding to trends in consumer demands.
- This change in the direction of funding will encourage farmers to seek market solutions and lead to improvements in the efficiency of the food chain. Farming is a critical component of an important wealth-creating part of our economy, namely food processing, manufacturing and retailing.
- Changes in agricultural practice – particularly increased growth and successful marketing of fruit and vegetables – should have a direct impact on nutrition and hence on levels of public expenditure on coronary heart disease and other illnesses associated with poor diets. (For example, some £2bn of the current NHS spend of £40bn is thought to be linked to diseases which are attributed to poor diet.)
- It will deliver environmental benefits to society as a whole and reduce the costs of mitigating future environmental damage or land use change, such as flooding and pollution.

You have already recognised the benefits of modulating production subsidies through your plans to increase modulation to 4.5% by 2005. These benefits are already becoming visible and the spending round provides the opportunity to accelerate the process to a rate of 10% by 2004. With greater flexibility within the Rural Development Regulation and when linked to a requirement for whole farm plans and audits we believe real and lasting benefits can be assured.

Finally, in our report and subsequent correspondence with DEFRA we have made it very clear which recommendations can be implemented without significant public funding as well as those which require it. But our report is a package and we do not believe it would be helpful to single out particular measures for your attention, although the progress that has already been made is very welcome.

I would very much like to meet you to discuss the Policy Commission report as a matter of urgency, as soon as your diary permits.

Donald Curry

C.c. Brian Bender
Martin Hurst
Sheila Watson
Ed Balls
Andrew Lebrecht

File

RESTRICTED

From: Joanna Key
Date: 29 May 2002

JEREMY HEYWOOD **cc: Martin Hurst**

JUDICIAL REVIEW ON LWDS

The NFU is taking the Government to Judicial Review of the decision to lower the rates under the Livestock Welfare Disposal System (LWDS) during the Foot and Mouth outbreak. This has implications for David North, from whom DEFRA may request a witness statement, and for policy on disclosure of documents.

There was at a meeting here on 22 March with the Prime Minister, Nick Brown and the NFU, which discussed compensation for animals that had to be destroyed due to welfare concerns. The meeting agreed to establish the LWDS and rates of compensation. The meeting also agreed that the scheme would be reviewed after two months.

However, the original rates were set too high, with the consequence that too many farmers were using the LWDS, and the scheme became untenable. The rates were lowered on 30 April – some five weeks after they had been originally set. The NFU are contesting this decision on the basis that they had a 'legitimate expectation' that the rates would be unchanged for two months. They are also claim that this expectation was formed on the basis of discussions at the 22 March meeting, and another meeting on 20 March (notes of both meetings are attached at flag A).

Clearly, the agreement reached at the 22 March meeting - that "*the scheme would be reviewed two months after it had begun*" - does not amount to an agreement not to review the rates of compensation. We can therefore respond to NFU quite robustly. But this means that:

a) David North may have to provide a witness statement (he was the only official present at the 20 March meeting, and has confirmed that no agreement to fix the rates was ever made);
b) we may have to release the notes of the meetings.

On b), we have already released official meeting notes e.g. to the Andersen Inquiry. **Are you content for DEFRA to release these notes as well, and to approach David North about a possible witness statement?**

Yes.

Joanna Key

JOANNA KEY

10 DOWNING STREET
LONDON SW1A 2AA

G

From the Private Secretary

COPY
JK

23 March 2001

Dear Andrew

FMD: WELFARE SLAUGHTER SCHEME

The Prime Minister, your Minister, Carwyn Jones and Brid Rogers met Ben Gill (NFU), Richard McDonald (NFU), Huw Richards (NFUW), Jim Walker (NFU Scotland) and Douglas Rowe (UFU) on 22 March to discuss the foot-and-mouth disease outbreak. Jonathan Powell, David Crawley, Kate Timms, Philip Andrews and I were also present.

Ben Gill said that there were encouraging signs that the eradication strategy was working. The new MAFF Directors of Operations were making a difference. The armed forces were making big improvements on logistics. The current strategy had to succeed. The NFU were strongly opposed to vaccination. Jim Walker and Hugh Richards agreed.

Jim Walker and Ben Gill said that the rates for the welfare slaughter scheme needed to be resolved that day. There was an urgent need both to resolve welfare problems and to pump financial liquidity into the system. The main points of the following package were agreed during the meeting, and finalised by your Minister with the farming unions immediately afterwards:

- the scheme should be UK-wide (with the detailed arrangements for funding the devolved administrations to be agreed subsequently);

- the scheme should be reviewed two months after it had begun (with no expectation that it would continue);

- all figures below should be read against a standard tariff, and all payments should be subject to a veterinary certificate that there were genuine welfare problems to be addressed:

- 90% compensation for breeding cows and ewes;
- 70% for other livestock, except for clean beef cattle for which a rate of to 80p/kg was set;
- 70% for fat pigs. The Government would, in addition, pay the existing levy for producers;
- a flat rate of £75 for cull breeding sows;
- £1.20/kg for hoggets, subject to a cap of £45.

I am copying this letter to the Private Secretaries to those Ministers present, the Chancellor of the Exchequer, the Chief Secretary, the Secretary of State for Defence, to Richard Abel and Patrick White (Cabinet Office), and to David Crawley (DERAD).

Yours ever,

David North

DAVID NORTH

Andrew Slade
MAFF

faxed to all

10 DOWNING STREET
LONDON SW1A 2AA

COPY
JK

From the Private Secretary

21 March 2001

Dear Andrew,

FMD: MEETING WITH FARMERS' LEADERS

The Prime Minister and your Minister met Ben Gill, Richard Macdonald (NFU), Jim Walker (SNFU), Hugh Richards (NFU Wales) and Douglas Rowe (UFU) yesterday on the FMD outbreak.

The following points emerged from the meeting:

(a) Ben Gill and Jim Walker in particular said that there was a huge amount of frustration about delays in the slaughter and removal of livestock. They claimed that the delays were occurring at various stages, and in particular between confirmation of the disease and slaughter, and between slaughter and removal. More vets, slaughtermen and machinery for disposal were needed;

(b) Ben Gill said that the valuation of animals for compensation was sometimes a factor in the delays (though Richard Macdonald subsequently said that it was "almost a red herring"). The NFU more or less said that they would support a standard tariff, although they would prefer to move to a system of valuation after slaughter;

(c) Ben Gill thought that roads should be closed in Devon and Cumbria where they passed through areas in which the disease had been confirmed. He said that such closures had been recommended in the report following the 1967-68 outbreak, and that roads were being closed in Scotland and Wales;

(d) Jim Walker in particular was very critical of the proposal to pay only two-thirds of the market value for animals slaughtered through the welfare slaughter scheme. He accepted that setting the rate at 100% would simply turn the scheme into a market-distorting purchase for disposal mechanism. He thought that a rate of 85-90% would be right;

(e) Ben Gill said that abattoirs were currently reluctant to receive sheep for slaughter because they feared that, if a case of the disease were confirmed on the premises, the plant would need to be shut down for at least 24 hours. Abattoirs did not think this worth the commercial risk, particularly where they had cutting/processing plants on the same premises. The problem could partly be overcome by separating slaughter and processing licenses. The Prime Minister said that he would pursue the point.

The Prime Minister outlined the additional steps that we had taken to strengthen the eradication effort. We were putting senior MAFF Directors of Operations in Carlisle and Exeter to take control of operations and communications. We had put army logistical units into both areas, and had tasked them with significantly improving the project management of the slaughtering and disposal effort. The Directors of Operations would ensure that local communications with farmers were improved significantly, including by issuing daily bulletins and information on the radio, and by bringing farmers' representatives into the control rooms.

There was finally a brief discussion on the question of a recovery plan for the industry. The farmers' leaders agreed with your Minister that any plan should contain both short-term aid and longer-term structural measures. The Prime Minister said that your Minister should discuss the latter further with the farming leaders.

I am copying this letter to the Private Secretaries to the Chancellor of the Exchequer, the Chief Secretary and Michael Meacher and to Richard Abel (Cabinet Office).

Yours ever,

David North

DAVID NORTH

Andrew Slade Esq,
Ministry of Agriculture, Fisheries and Food.

FROM: **John BOURNE**
DATE: **28 May 2002**

STEPHEN WALL

cc: Martin Donnelly
Rachel Green
Martin Hurst

VETERINARY SUPERVISION OF SLAUGHTERHOUSES

A. Submission to Yvette Cooper
B. Draft Ministerial letter
C. Draft letter to Commission
D. Commission letter of 24 May

1. We are on track to get Ministerial agreement to the FSA letter to the Commission committing ourselves to full compliance with EU law. The deadline is tight but achievable. The Commission have written again threatening us with reactivating infraction proceedings.

2. FSA have now submitted to Yvette Cooper (**Flag A**) recommending that she write (**Flag B**) to Jack Straw, Gordon Brown, Lord Goldsmith, and Margaret Beckett seeking their agreement to the draft letter to the Commission (**Flag C**). The submission and Ministerial letter (too long) appear to reflect the situation accurately and flag up the risk of the Commission not accepting our March 2003 target date for full compliance with EU law.

3. FSA say, rightly, that we have to get a reply into the Commission by 13 June at the very latest. It would be better to do so sooner. They have gone for direct Ministerial correspondence rather than EP correspondence to avoid a round up and speed things up (with official level agreement from FCO). This could be awkward if any Department objects strongly but this is unlikely. There may be some discussion between HMT and FSA on funding aspects but this should not threaten our ability to send the letter.

4. Separately we have today received a new letter from the Commission (**flag D**). This draws attention to the fact that we have not provided the Commission with the surveillance report (jargon for veterinary supervision) we promised them in our letter of 30 January. And it threatens to reactivate the infringement proceedings.

5. No action is required but we must ensure immediately after the holiday that Departments are responding and we are on track.

John BOURNE
European Secretariat
Room 338 70W
☎7276 0011

To John Stewart – APS / PS (PH)

From

Room
Tel:
Fax:

Date

A

cc See attached list

VETERINARY SUPERVISION IN LOW THROUGHPUT SLAUGHTERHOUSES

Issue

1. Clearance by Ministers of the UK line in response to the European Commission's request for information about veterinary supervision levels in low throughput slaughterhouses in Great Britain.

Timing

2. Very Urgent. A meeting of the European Commission's Infraction Chefs is scheduled for 20 June to consider outstanding infraction proceedings against Member States, and the UK response needs to be with the Commission lawyers in advance of that meeting.

Background

3. In the face of European Commission infraction proceedings against the UK for non-compliance with EU rules, Ministers agreed collectively in 1998 that we should bring veterinary supervision levels in licensed meat plants into line with EU requirements. Given the difficulties involved in recruiting the required veterinarians, the target date for full compliance was 1 April 2001. It was also agreed that the UK would provide the Commission with regular updates on progress towards the target. As a result, the Commission put its infraction proceedings against the UK on hold.

4. We notified the Commission in November last year that full veterinary supervision in conformity with the EU Directives had, by then, been achieved in all GB full throughput slaughterhouses. As the actual position in respect of low throughput premises was not clear at that stage, the report to the Commission deliberately was silent about such premises. The Commission has subsequently asked formally for information on low throughput premises. The background to this is spelt out in the attached draft letter to the Foreign Secretary (Annex A).

Reporting to the Commission

5. We have a good story to tell as regards veterinary supervision levels in the majority of licensed meat premises, but the position in respect of low throughput slaughterhouses remains non-compliant with EU rules. It is therefore important that we indicate to the Commission that the UK remains committed to securing full compliance current EU rules in this area as soon as possible. Only by doing so can we avoid the Commission referring the matter to the European Court, with all its attendant adverse publicity for the UK etc.

6. As before, the main constraint on full compliance will be whether the Meat Hygiene Service can find enough veterinarians willing to undertake this kind of work. Given the time likely to be required to identify, recruit and train the required veterinarians, and to make the logistical preparations for their efficient and effective deployment, this points to a commitment to the Commission of 31 March 2003 to achieve full compliance.

7. The FSA does not believe that the UK could or should offer the Commission an earlier commitment since we might not be able to deliver it, and to fail again to meet such a commitment would likely provoke the Commission into immediately referring the case to the European Court.

8. The position proposed by the FSA is set out in the attached draft letter to the Commission (Annex B). There is a risk however that the Commission will not be satisfied by our proposed target date March 2003 (ie a full 2 years after the previously promised date). If the Commission were to seek a commitment to an earlier date, we would have to try and negotiate a reasonable compromise. But, it is also just possible that Commission might lose patience with the UK and immediately refer the case to the European Court without any further discussion with the UK authorities. On balance, however, the FSA considers that the less risky route is to offer the Commission a commitment we are likely to be able to meet (ie March 2003) rather than one we know we could not meet (eg autumn 2002), whilst stressing to the Commission our continued commitment to securing full compliance in the shortest time possible.

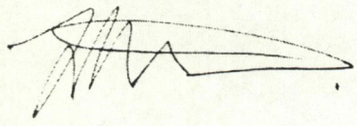
Views of other Departments

9. The FSA has discussed this problem at official level with other interested Departments, notably the Cabinet Office and the Foreign Office. Their view is that, given the risks involved, the position needs to be explained to Ministers and their approval sought on the proposed response to the Commission. Normally this would be done using EP correspondence but that requires at least 10 working days and timing is now a problem since the Commission has (unexpectedly) called a meeting of infraction chefs for 20 June at which a number of

outstanding Commission infraction cases will be discussed. The UK's response therefore needs to be with the Commission in good time for the meeting on 20 June. The cabinet Office therefore suggested that urgent clearance of the UK's proposed position needs be sought from those Ministers with an interest, namely the Foreign Secretary, the Chancellor, the Law Officers, the Secretary of State for Environment, Food and Rural Affairs, the relevant Ministers in the Devolved Administrations, as well as the Cabinet Office. A suitable draft letter for PS (PH) signature is therefore attached (Annex A).

Next Steps

10. PS (PH) is invited to consider the commitment to be given to the Commission, and in particular the target date we offer for securing full compliance. If you are content with the position proposed by the FSA, PS (PH) is invited to write round urgently to other Ministers etc explaining the risks and seeking agreement to the proposed response to the Commission.



T P FOSTER

Circulation

Stephen Waring - PS/SoS
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Jonathan Lighthill - PS/Deputy Chair
Geoffrey Podger – Chief Executive
Jon Bell – Deputy Chief Executive
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Debby Reynolds – Veterinary Director
Chris Lawson – Chief Executive, MHS
Peter Hewson – MSSD
Allan Hutton – FPIT
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George Paterson – FSA Scotland
Joy Whinney – FSA Wales
Morris McAllister – FSA Northern Ireland

John Bourne – Cabinet Office
James Kariuki – Foreign Office
Phillipa Brown – HM Treasury
Roy Norton – UKREP
Jim Scudamore – DEFRA
Sonia Phippard – DEFRA
Steven Parkinson – Law Officers department

DRAFT LETTER FOR SIGNATURE BY PS (PH)

B

The Rt Hon Jack Straw Esq MP
Foreign Secretary
Foreign and Commonwealth Office

VETERINARY SUPERVISION IN LICENSED FRESH MEAT PLANTS IN GREAT BRITAIN

I am writing to seek your urgent consideration of, and agreement to, the line we propose to take with the European Commission on the question of bringing the level of veterinary supervision in low throughput slaughterhouses in Great Britain into line with EU rules. We recognise the need to provide the Commission with a commitment that will avoid it referring the matter to the European Court, but there are certain risks associated with the line we propose to take. The Commission is likely to consider this matter again on 20 June so the UK's response needs to be with the Commission by 13 June at the latest. Given the urgency it is not possible to deal with this matter by EP correspondence.

The background to all this is as follows. The European Commission is pressing the UK for information about veterinary supervision levels in low throughput premises. This is a long-standing issue that arises from the UK's under-implementation of the relevant EU Directives. This failure to fully implement EU law was identified by the EU Commission following a number of EU inspections to check on the UK's compliance with various meat hygiene and BSE related rules. Infraction proceedings were started in 1998, but were put on hold when the UK response to the Commission's Reasoned Opinion agreed to bring veterinary supervision levels in licensed meat plants into line with EU requirements, with a target date for full compliance of 1 April 2001. Regular updates to the Commission on progress toward that target were promised.

The outbreak of Foot and Mouth Disease at the beginning of last year diverted attention away from providing the regular updates required by the Commission. Nevertheless we did write to the Commission in November last year to report that full veterinary supervision in conformity with EU Directives had by then been achieved in GB in full throughput slaughterhouses, cutting premises and cold stores. The letter was silent on the position in respect of low throughput premises, as it was unclear at the time. The Commission has now formally requested that information.

The position has now been evaluated and it is clear that we continue to fall far short of full compliance with the EU legislation in low throughput slaughterhouses with many premises receiving veterinary supervision

considerably below that required. The situation is worse in poultry plants than in red meat plants.

The legal position in low throughput slaughterhouses is not as clear as for full throughput, and the UK wrote to the Commission seeking clarification in 1999. The clarification was received and it required us to increase resources to provide veterinary supervision of ante-mortem inspection in all low throughput slaughterhouses. At the time that advice was received, the high costs of increased supervision would have had to be recovered from plant operators, and would have rendered those businesses uneconomic. Given this, and the Government's desire at the time to assist small businesses, MAFF officials took a decision to freeze veterinary supervision levels in low throughput premises at May 1999 levels, pending a decision on the best way forward. In December 1999 a package of proposals for taking the issue forward was put to the Cabinet Office. Although those proposals were defensible in public health terms and would not have imposed unacceptable new burdens on industry, they were not approved since they still fell short of full compliance with the EU legislation. No further action has been taken since then and the situation prevails through to the present.

Some consideration was given to bringing supervision levels in low throughput premises into line with EU requirements on the back of the changes to the meat inspection charging regime in April last year. Under the revised charging regime most meat plants now pay a (relatively low) throughput charge rather than the actual cost of inspection, and the Government picks up the shortfall in cost recovery (some £20m per annum). The threat of closure of small business is therefore no longer an issue and the cost of increased inspections in these plants would also be picked up by Government. The cost of full compliance in low throughput premises will amount to some £1.5 million in a full year. Although the FSA does not have a budget to cover this cost, it is in discussion with the Treasury as part of SR 2002 about how the additional supervision can be funded.

In public health terms full veterinary ante mortem inspection brings little or no additional benefit. But, the EU infraction proceedings against the UK are not presented in such terms. It is accepted therefore that if we are to avoid provoking the Commission into referring the case to the European Court, with all the attendant adverse publicity etc for the UK, we have to give the Commission a concrete commitment to increase veterinary supervision levels in order to comply fully with the EU Directives. Our difficulty however is that various constraints, notably the dearth of veterinarians in GB willing to undertake meat hygiene work, make it impossible for us to give a commitment to secure full compliance before March 2003. We recognise that, at two full years after the previously promised date for full compliance, a target date of March 2003 may not satisfy the Commission and that it might seek an earlier target date. If so, we would have to negotiate a suitable compromise. The bigger potential risk, however, is that the offered target date of March 2003 might cause the Commission to lose patience with the UK and to refer the case immediately and without prior warning to the European Court.

We have therefore looked very hard at the target date we should offer the Commission, and considered whether we could or should offer an earlier date. Bearing in mind the long lead-in time involved in identifying, recruiting, training and deploying the required additional veterinarians to the 200 slaughterhouses involved, we do not consider that it would be sensible to give an earlier commitment to the Commission about supervision levels, because to fail (again) to secure full compliance by the due date would almost certainly incur the wrath of the Commission and provoke a reference to the Court. In our view it would be much safer to seek agreement to a longer timescale for compliance, thereby improving our chances of actually meeting the agreed date. We recognise the risks of this approach not satisfying the Commission, but on balance consider it is a risk worth taking.

I would therefore be grateful for your urgent endorsement of the proposed line and for your approval to send the attached draft letter to the Commission as soon as possible, and by [10] June at the latest. This will ensure that we are able to get our response to the Commission in good time for a meeting of infraction chefs, which the Commission has (unexpectedly) scheduled for 20 June. In view of the shortage of time, it is not possible to deal with this matter by means of the more usual EP correspondence.

I am sending copies of this letter etc to Gordon Brown, Lord Goldsmith, Margaret Beckett, Mary Mulligan and Ross Finnie in Edinburgh, Jane Hutt and Carwyn Jones in Cardiff, and to Sir Stephen Wall and Nigel Sheinwald.

YVETTE COOPER

Annex B

DRAFT LETTER FOR SIGNATURE BY UKREP

R J Coleman Esq
European Commission
Health and Consumer Protection
Directorate-General
Rue de la Loi 200
B-1049 Brussels

June 2002

VETERINARY SUPERVISION OF LICENSED FRESH MEAT PREMISES IN GREAT BRITAIN

Further to my previous letter, I am now able to provide the Commission with the further details it requested about veterinary supervision levels in licensed GB fresh meat premises. My authorities have asked me to convey their apologies for the delay in providing this information.

In line with earlier commitments the UK authorities have secured full compliance with EU rules in respect of veterinary supervision of licensed full throughput slaughterhouses, licensed cutting plants and licensed cold stores. The UK authorities aim to secure full compliance in respect of veterinary supervision in low throughput slaughterhouses as soon as possible and by 31 March 2003.

As you know, the UK authorities undertook in 1999 to secure additional veterinary resources in order to bring the veterinary supervision arrangements by the Meat Hygiene Service (MHS) in licensed premises in Great Britain into full compliance with EU requirements. The UK authorities agreed to increase supervision levels in stages, with the ultimate aim of ensuring full compliance from April 2001. You will also know that the ability of the UK authorities to meet this target was heavily dependent on the MHS being able to recruit or otherwise contract the services of sufficient veterinary surgeons to undertake OVS duties in meat plants. This task was made more difficult by the shortage of veterinarians in the UK willing to undertake meat hygiene work, but intense

efforts were made by the UK authorities to identify and recruit the necessary resources, both from within the UK and from other Member States and beyond.

In line with the staged approach to increasing supervision levels, the UK authorities sought to concentrate its efforts in securing compliance with EU requirements in respect of those types of fresh meat premises likely to present the biggest potential threat to public health, namely full throughput premises. Notwithstanding the exceptional and very difficult operating circumstances for the British meat industry and the Meat Hygiene Service arising from last year's Foot and Mouth Disease epidemic, the UK authorities were nevertheless successful in implementing full time OVS supervision in all full throughput fresh meat slaughterhouses from November 2001.

The UK authorities have also succeeded in bringing veterinary supervision of licensed cutting plants and cold stores into line with EU requirements. In the case of full throughput cutting plants, all plants now have an OVS visit on every operating day, and all low throughput (permanently derogated) cutting plants have OVS supervision of at least one hour per week, fulfilling the requirement "to regularly monitor compliance with hygiene rules". Cold Stores receive at least one hour of OVS supervision/monitoring each month, again fulfilling the Directives' requirement for "regular" supervision.

Regrettably, veterinary supervision levels in low throughput (permanently derogated) slaughterhouses remains less than is required by the Directives. The position varies between MHS regions. Although a number of premises have veterinary supervision in excess of 50% of operating hours (and some have supervision for all operating hours) many more are currently receiving supervision of less than 50% of operating hours.

The UK authorities recognise that measures will need to be taken urgently to improve veterinary supervision levels in low throughput slaughterhouses. With the ending of the FMD epidemic and a return to normal trading patterns, the UK authorities have reviewed how best to bring veterinary supervision

levels in low throughput premises into line with EU requirements, paying particular attention to veterinary ante mortem inspection. As a first step, the MHS has already been instructed as a matter of priority to implement full veterinary ante mortem inspection of all bovine animals slaughtered in low throughput abattoirs. Notwithstanding the ongoing shortage of veterinarians willing to undertake meat hygiene work in the UK, the MHS has also been asked to seek the necessary veterinary resources in order to bring veterinary supervision levels in all low throughput slaughterhouses into compliance with EU rules as soon as possible and by March 2003. My authorities will keep the Commission informed of progress.

In addition, the MHS has been instructed to implement a pilot project aimed at increasing the number of OVSs directly employed (as opposed to those employed on a contractor basis). The project, which will be piloted initially in two of the five MHS regions, has a number of different objectives, including primarily an evaluation of the costs and benefits of a more widespread introduction of such an arrangement. A major benefit of directly employing more OVSs is likely to be an improved career structure for such staff, which should in turn help the MHS overcome some of the OVS recruitment difficulties experienced in the past.

In closing, my authorities have asked me to make clear their recognition that more needs to be done to bring supervision of low throughput slaughterhouses into line with EU rules and that urgent action is in hand to address this. However, my authorities consider that considerable progress has been made in the UK in securing compliance with the supervision requirements in other categories of licensed premises, in spite of problems arising from the shortage of veterinarians willing to undertake such work, and operational difficulties such as the FMD outbreak.

UKREP

EUROPEAN COMMISSION
HEALTH & CONSUMER PROTECTION DIRECTORATE-GENERAL

Director-General

SANCO

24. 05. 2002

Brussels,
A2/GNH/kh D(2002) 120641

Received in UKRep
28-05-2002

Sir,

In you letter of 30 January 2000 you indicated that good progress had been made in the increase of surveillance levels in low throughput slaughterhouses, cutting plants and cold stores.

You also indicated that a detailed report on the surveillance situation in the United Kingdom would be provided to the Commission within two weeks.

I am unfortunately unable to trace receipt of this report.

You will appreciate that this matter is still subject to infringement proceedings which were frozen pending the United Kingdom's undertaking to move towards 100% compliance with its surveillance obligations within an agreed time scale.

That limit not having been respected in respect of the above mentioned categories of establishment it may now be necessary for the Commission to consider reactivating the proceedings.

I would therefore request you to inform me of the current situation as a matter of urgency.

please fax to: TIM FOSTER - FSA
DEBBY REYNOLDS - FSA
BARBARA RICHARDS - FSA
JOHN BOURNE - CO
JAMES KARIUKI - FCO

I know a draft is being prepared, and Ministers are being consulted, but note the call for an urgent reply.
SIMON Stannard

Yours faithfully,

Robert J. Coleman

Robert J. Coleman

cc KW, KM, SS + File/NB

His Excellency Sir Nigel SHEINWALD KCMG
United Kingdom Permanent Representative to the European Union
Avenue d'Auderghem 10
B-1040 Bruxelles

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Office: B232 7/107. Telephone: direct line (32-2) 2968245/68371. Fax: (32-2) 2996298.

The Rt Hon Patricia Hewitt MP
Secretary of State for Trade and Industry

The Rt Hon Robin Cook MP
President of the Council and
Leader of the House of Commons
2 Carlton Gardens
London
SW1Y 5AA

28 May 2002

Secretary of State
Department of
Trade and Industry

1 Victoria Street
London SW1H 0ET

Direct Line
020 7215 6272

DTI Enquiries
020 7215 5000

URL http://www.dti.gov.uk
e-mail mpst.Hewitt@dti.gsi.gov.uk

GN

cc GS MH JK

Dear Robin,

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION: A DEBATE ABOUT THE POSSIBLE COMMERICALISATION OF GM CROPS

I am grateful to Margaret Beckett for sending me a copy of her letter to you of 17 May.

I agree that we should broadly endorse the AEBC's proposals and am content with further, more detailed, discussion at the next SCI(BIO) meeting. We need to engage the public in a dialogue, to get to the bottom of public, rather than media, concerns about GM crops. It will also be a useful way to inject science into a debate which will inevitably take place as the end of the Farm Scale Evaluations draws nearer. If we move quickly we will be able to be proactive and ensure that a proper base for the debate is introduced, rather than reacting to an NGO agenda.

It is important that we make progress on taking forward the AEBC's proposals. Industry is looking to the Government to provide a steer which enables them to plan with certainty and this will be further emphasised once the results of the Farm Scale Evaluations are known. The proposal to assess the economic element of commercialisation is to be welcomed. For many years the debate on GM crops has been polarised and there is a clear need for evidence, not only to inform the public debate, but to support any policy decision made. However in assessing the costs and benefits of commercialisation the wealth created by a strong science base and active research should also be taken into account. It will also be important to consider the wider applications of biotechnology and the impact negative decisions on commercialisation will have on other future applications, such as edible vaccines and non food crops, which offer the potential for enormous economic and health benefits. I also concur that the international impact to trade and development must also be assessed.

I understand that David King will be responding in more detail about the science strand, which I believe will be vital to inform the debate, so that it can be based on sound science. It is also important that we think about the role of the AEBC and how they might contribute as an independent body to add credibility to the debate.

I am copying this letter to the Prime Minister, members of SCI(BIO), David King, Sir John Krebs, Sir Richard Wilson and Geoff Mulgan (PIU) and am writing in similar terms to Ross Finnie, Carwyn Jones and Dermot Nesbitt.

Best wishes,

Patricia

PATRICIA HEWITT

Office of Science and Technology
1 Victoria Street, London SW1H 0ET
Telephone 020 7215 5000 Direct Line 020 7215 3825 Fax 020 7215 0314
E-mail: mpst.king@dti.gsi.gov.uk

From the Chief Scientific Adviser and Head of the Office of Science and Technology
Professor David King ScD FRS

S14961

MH
cc. OK
GN
OJ

Rt Hon Robin Cook MP
President of the Council and
Leader of the House of Commons
2 Carlton Gardens
LONDON
SW1Y 5AA

27 May 2002

Dear Robin,

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION: A DEBATE ABOUT THE POSSIBLE COMMERICALISATION OF GM CROPS

I have seen Margaret Beckett's letter to you about the public debate on GM crops.

I fully support a GM crops debate that takes account of public concerns and is informed by good science. Sir John Krebs, Howard Dalton and I have had a preliminary meeting to discuss how we might help with the science dimension of the debate. Like the AEBC, we favour a bottom up approach that starts off by identifying the issues of concern to the public. I agree with John Krebs that focus groups could be a useful way forward. It is important that we work as closely as we can with the AEBC on this, as on all aspects of the debate: the more involved they are, the more buy-in we shall get.

The basis of our work would be to assemble and review the published scientific work on GM crops, to form a basis for the scientific element of the debate and to inform the Government's decisions on GM crops. One possible contribution to the debate might be to publish a revision of the GM crops paper that I produced last year, although I recognise that this would need to be carefully handled. We might also seek to engage scientists of all strands of opinion to debate the issues, perhaps drawing on the experience of the ACRE

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Telephone 020 7215 5000 Direct Line 020 7215 3825 Fax 020 7215 0314
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From the Chief Scientific Adviser and Head of the Office of Science and Technology
Professor David King ScD FRS

open meeting earlier this year, which was viewed as successful. We certainly need to involve scientists from outside government in updating and validating the work. There are other possibilities and I have asked that officials from the Office of Science and Technology get together with officials from No.10, DEFRA and the Food Standards Agency to explore ideas further, and develop a detailed action plan on the science strand for your consideration.

I understand that a series of GM programmes is scheduled to be shown on BBC1 and BBC2 from 8 June. It would therefore be useful if the announcement of the Government's approach could be made before then.

I am copying this letter to the Prime Minister, members of SCI(BIO), Sir John Krebs, Sir Richard Wilson, Geoff Mulgan (PIU) and also to Ross Finnie, Carwyn Jones and Dermot Nesbitt.

As ever

Dave

Professor David King

full.

DFID Department for International Development

Parliamentary Under-Secretary of State

1 Palace Street, London SW1E 5HE
Direct Line: 020 7023 0462
Direct Fax: 020 7023 0831
Email: pspuss@dfid.gov.uk

The Rt. Hon. Robin Cook MP
President of the Council
2 Carlton Gardens
London
SW1Y 5AA

27 May 2002

JK
MH
GN
OJ
AW

Dear Robin

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION: A DEBATE ABOUT THE POSSIBLE COMMERCIALISATION OF GM CROPS

I am writing to express my broad support for both the advice from AEBC on taking forward a public debate on GM crops and the additional, complementary elements proposed in Margaret Beckett's letter to you of 17 May, in particular, the intention to address the international dimension in the economic evaluation.

The Performance and Innovation Unit has already been in touch with DFID officials regarding the latter and we look forward to providing further assistance in this area. It is very important that the British public is fully aware of the issues relating to GM technology and developing countries. I believe that such awareness will help achieve a more balanced public debate.

I am copying this letter to the Prime Minister, members of SCI(BIO), David King, Sir John Krebs, Sir Richard Wilson and Geoff Mulgan (PIU).

Yours ever

HILARY BENN

DRAFT

FOOT AND MOUTH DISEASE LESSONS LEARNED INQUIRY

NOTE OF MEETING

Date: 23 May 2002
Location: 9 Whitehall

Present: Sir Richard Wilson GCB, Secretary of the Cabinet and Head of the Home Civil Service

Dr Iain Anderson, Chairman of the Inquiry
Mr Alun Evans, Secretary to the Inquiry

1. Dr Anderson welcomed the Cabinet Secretary and his Principal Private Secretary and emphasised that the focus ~~purpose~~ of the Inquiry and the meeting was on the lessons to be learned from the recent outbreak of Foot and Mouth Disease (FMD) and recommendations for the future. In discussion the following points were made.

2. Dr Anderson began by expressing his thanks and appreciation for the full~~some~~ co-operation given to the Inquiry by Ministers, civil servants and others during the course of its work.

3. Asked to describe his role and engagement during the crisis, the Cabinet Secretary first set out the typical pattern of his working week and the constitutional context in which he supported the Prime Minister and collective government, and provided leadership for the Home Civil Service.

4. Asked about the specific events of the FMD crisis, the Cabinet Secretary said that he recalled a messageenger coming into his office to say that the Ministry of Agriculture, Fisheries and Food (MAFF) had confirmed a case of FMD at an abattoir in Essex. He had prepared a weekly update note of current issues on 22 February 2001 for the Prime Minister, in which FMD was one of 18 current key issues identified across Government. By 2 March it had risen to the top of a list of around 12 key issues.

5. The outbreak had been discussed at Cabinet on 7 March but at that stage it appeared that MAFF had it under control. The Cabinet Secretary had asked the Economic and Domestic Secretariat in the Cabinet Office to monitor developments and around 15 March they had told him that the efforts to eradicate the disease did not appear to be going according to plan. On Sunday 18 March, he had had long telephone conversations with the Prime Minister and the MAFF Permanent Secretary, as it was becoming increasingly clear that things were going badly wrong. He had asked the MAFF Permanent Secretary if there were proper structures on the ground, adequate flows of management information upon which to base decisions and sufficient resources to implement them.

6. Following a further telephone conference call, also involving the Prime Minister and the Minister of Agriculture, the Permanent Secretary had agreed to prepare an options paper for the following day. This had led to the deployment of the first Regional Operations Directors to Cumbria and Devon. Following a further meeting with the Prime Minister on 22 March, the Cabinet Secretary had asked for the Cabinet Office Briefing Room (COBR) to be opened.

7. He had the chaired the first meeting of COBR that afternoon, which was attended by every available Permanent Secretary. The meeting went through the operational process in place to eradicate the disease and looked at the available resources at each point of the process. In doing so, it was clear that the problem was not confined simply to a lack of vets. It was agreed that the crisis should be tackled as a massive project management task and the Cabinet Secretary had asked the Ministry of Defence to consider what role the Armed Forces could play. The Chief Scientific Adviser had set out a series of projections for the spread of the disease and there had been a lengthy discussion about culling and contiguous zones. The meeting had concluded by commissioning further work to put hard edges on the operational approach. The Cabinet Secretary had continued to chair/attend regular meetings of COBR until Easter. He had stepped back after this point and had asked the Cabinet Office Permanent Secretary to keep him informed of developments, although he had continued to attend some meetings of COBR.

8. Dr Anderson said that it had been put to the Inquiry that the opening~~establishment~~ of COBR on 22 March and of the Joint Co-ordination Centre (JCC) on 26 March had marked a significant turning point in the Government's response to tackling the disease. The Cabinet Secretary said that MAFF had been building up its efforts in previous days. Asked what lessons should be learnt about triggering such mechanisms in Government earlier, the Cabinet Secretary said that there was a need for systems to improve horizon scanning and threat assessment. Management information at both the strategic and operational level had to be integrated into a systematic and strategic approach. Getting accurate, reliable and timely management information ~~from MAFF~~ had been ~~one of the~~ a ~~biggest~~ challenge~~s~~ for MAFF ~~during~~ the crisis.

9. Asked why, on 12 March, the Government was still saying that the outbreak was under control despite evidence presented in the media to the contrary, the Cabinet Secretary said there were a number of contributory factors: MAFF had produced a convincing model of how the outbreak sh~~w~~ould be managed; the resource problem at that stage was thought to be limited to the number of available vets; and people on the ground were saying that they could cope.

10. He agreed that it had been difficult to challenge the paradigm upon which judgements were being taken. People had responded to the crisis as best ~~that~~ they could given the information at the time. Looking to the future, a more systematic and professional approach to horizon scanning was required along with a mechanism that could identify issues at an early stage and challenge the approach being taken to them.

11. Mr Evans put forward the view that some attempts had been made within MAFF to raise concerns, but that the information had not reached the right levels. The Cabinet Secretary said that what was needed was a system, perhaps modelled on the Joint Intelligence Committee, for feeding in intelligence in a way that was compatible with the pace of events. It would need to be in a form that could be delivered routinely and considered quickly.

12. Asked whether it would be reasonable, as part of the contingency planning process, to examine the mechanisms for providing additional resources to cope with a wide range of scenarios, the Cabinet Secretary said that it was very difficult to foresee

events outside normal experience. There was a risk that seeking to test every scenario could waste resources.

13. Dr Anderson said that one of the key requirements of any contingency plan was the community of resources available to deal with a particular crisis. During the FMD outbreak, that community of resources had extended far beyond central Government. Local authorities, for example, had played a very important role. However, views had been put to the Inquiry to the effect that discussion and rehearsal of the FMD contingency plan with external partners had been limited. The Cabinet Secretary said that the need to exercise with all stakeholders against civil contingencies was always ~~would be an~~ important ~~lesson.~~.

14. Asked whether it would be useful to have a resource that was not involved directly in emergency response whose role would be to capture key decisions, the Cabinet Secretary said that it was important to have an orderly record keeping process. However, during a crisis, the priority was often just to get on with it, and under those circumstances record keeping might not be perfect. As a minimum, a note of the actions, deadlines and those responsible for them out should be kept.

15. During a crisis, it would be desirable to have in place a team that could stand apart from the main response effort to observe, record, question, challenge and report. This had been one of the traditional roles of the Cabinet Office. However, those resources tended to be drawn in to operations if the situation deteriorated.

16. The Cabinet Secretary had been very concerned about the impact on staff, all of whom had been doing their heroic best. By 22 March, when the response had been expected to accelerate, many staff were already tired, having worked extremely hard for 4 weeks. Dr Anderson pointed out that, at the start of the outbreak, the SVS had already been exhausted as a result of dealing with the CSF outbreak of the previous autumn.

17. Asked whether he had been confident that the Civil Service had had the skills to project manage a task of the scale of the FMD response, under enormously stressful conditions and against a background of very aggressive publicity, the Cabinet Secretary said that the Civil Service Reform Programme had recognised a lack of staff skilled in project management. However, the Civil Service was now bringing in skilled people and was increasing training provision. A database of senior staff across Government with a record of successful project management was being ~~had been~~ developed.

18. On 22 March, the meeting in COBR~~Cabinet Secretary~~ had identified the military~~army~~ as the prime source of project management expertise of the kind that was required. The military~~army~~ was effective because it placed great emphasis on training and spent~~,~~ considerably more money on it~~so~~ than the Civil Service. Asked whether, considering the leadership, management and sensitivity demonstrated by the army, it should have been brought in earlier, the Cabinet Secretary said that MAFF had entered into discussions with MoD around 14 March, as soon as it had become apparent that the paradigm upon which the initial response had been based was not sufficient to deal with the developing crisis.

19. Staff welfare had been a cause for significant concern. Many staff, at all levels, had been working very long hours~~potentially dangerous patterns~~. The army tended to

be effective at relieving staff in such positions. For example, Brigadier Wood had been replaced part way through the outbreak. The Civil Service was less successful~~effective~~ in this respect, largely because of the difficulty in finding replacements.

20. Dr Anderson said that many in the rural community reacted positively to the idea of engaging people, on a voluntary basis, to form a trained reserve that could be drawn upon if there were future outbreaks of major infectious animal diseases. The Cabinet Secretary said that the experience of the voluntary sector showed the willingness of people to volunteer and play a part in their communities, particularly ~~agreed in principle, and raised some points for further consideration: people tended to volunteer~~ for activities they found interesting. ~~; the reserve could be drawn upon for a wide range of civil contingencies, e.g. flooding;~~. There were existing structures that could be drawn upon and not duplicated, including the Womens' Royal Volunteer Service and similar bodies. ~~; it should be accessible and available on line.~~ But the idea of trained reserves which could be available for a wide-range of civil contingencies, e.g. flooding, might be worth considering.

21. Asked whether he had been disappointed that the necessary IT systems had not been available to assist the response from the outset, the Cabinet Secretary agreed. The lack of information available to COBR had given rise to great difficulty. It had been caused partly by the absence of the IT system, but also partly by MAFF's dual chain of command. The lesson to be drawn was that management information systems were of critical importance. However, crises never came at the time people wanted them to.

22. Despite initial concerns about their physical separation, the relationship between COBR and the JCC had functioned effectively.

23. Looking back over the outbreak, the Cabinet Secretary said that he believed that the efforts that had been made after 22 March had brought the crisis gradually under control. The scientific model had been imperfect, but had been refined over time. COBR and the military~~army~~ had performed well. Identification of disposal sites had been particularly difficult, and there had been a number of operational issues to deal with, such as the acquisition of human resources and equipment for carrying out slaughter, and the use of foreign vets. ~~However, one of the most difficult issues had been the replacement of tired staff.~~

24. Asked whether it might be useful for Government to adopt certain principles set out in the Turnbull report on risk assessment, the Cabinet Secretary said that the Civil Service was moving much further towards good practice in this area. He had seen evidence that Departments were now examining the risks to their projects. However, he saw the role of officials as providing the best advice possible in the time available, and this was not always compatible with full risk assessment. It was the responsibility of the Minister to make the final decision, and to defend it.

25. Asked about the practicability of requiring Permanent Secretaries to sign off Departmental contingency plans, the Cabinet Secretary said that it was important not to under-estimate the size of Government or the variety of unforeseeable risks which could arise. The larger the department, the more difficult the task would become. ~~Management of a large organisation changed with its size.~~

26. Dr Anderson said that if exchanges took place within a Department to the effect that the level of resources for a particular area were "dire", senior management should be aware. Such exchanges had taken place within MAFF before the outbreak, prompted by the Drummond Report.

27. Dr Anderson asked what confidence the many people who had engaged with, and submitted evidence to the Inquiry, could have that the Government would listen to its recommendations. The Cabinet Secretary assured Dr Anderson that the Government would take the Inquiry's recommendations very seriously. It would, respond to the recommendations after careful consideration and be held accountable for its decisions by Parliament and the media. ~~however, make up its own mind and be held accountable for its decisions by Parliament and the media.~~

28. The Cabinet Secretary said that the crisis had been painful for farmers, for the public and for everyone involved in handling it. It was important to try to see events through the eyes of those dealing with them at the time on the basis of what they knew and not on the basis of hindsight. There were improvements which could be made to systems. But he believed that given the knowledge they had at the time, the Government and its staff had done their level best to act reasonably, rationally and vigorously; and indeed the crisis had been brought under control.~~, on the basis of the knowledge they had had at the time, the Government and its staff had acted reasonably and explicably, even though the crisis had been painful for the public.~~ Dr Anderson said that if the need for speed, and the dangers associated with the presence of large numbers of live infected animals had been recognised at all levels, the outcome of the crisis might have been different.

FMD Lessons Learned Inquiry Secretariat
May 2002

IS-Policy

FAX COVER SHEET

www.food.gov.uk

FOOD STANDARDS AGENCY

(1) Matrix
(2) file

PS/ Prime Minister

From Lorna Curney

Telephone

Telephone 020 7276 8621

Facsimile 7930 9572

Facsimile 020 7276 8627

Date 23 May 2002

This plus Pages 2

Message

Agriculture & Biotechnology Commission: A debate about the Possible Commercialisation of GM Crops

Please see the attached letter to Robin Cook from Sir John Krebs, Chairman of the Food Standards Agency, regarding the above subject.

Lorna Curney
Private Office Clerk

Room 615C, Aviation House, 125 Kingsway, London WC2B 6NH
Tel: 020 7276 8621 Fax: 020 7276 8627 E-mail: lorna.curney@foodstandards.gsi.gov.uk

R 2715

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FOOD STANDARDS AGENCY

From the Chairman, Sir John Krebs FRS

MH
—
a JIC
GM
DJ

The Rt Hon Robin Cook MP
President of the Council and
Leader of the House of Commons
2 Carlton Gardens
London
SW1Y 5AA

23 May 2002 Reference:

Dear Robin

AGRICULTURE AND BIOTECHNOLOGY COMMISSION: A DEBATE ABOUT THE POSSIBLE COMMERCIALISATION OF GM CROPS

I am grateful to Margaret Beckett for sending me a copy of her letter to you of 17 May. I have taken the opportunity of discussing her proposals with David King before writing.

I agree with the suggestion made by Margaret that, in broad terms, we should take forward the proposals made by the AEBC. However, I would suggest a slightly modified approach which I believe is both consistent with the broad thrust of the AEBC report and reflects the approach used successfully by the FSA in handling difficult issues.

I fully agree with the AEBC on the need for a bottom up approach to help frame the debate, but I believe that at the same time this process needs to be structured in order to ensure that the output is as useful to government as possible. I would therefore advocate the commissioning of some focus group research, to be conducted over the next few weeks, to ensure that the real issues of concern to the general public are identified first. This research, supplemented by existing evidence gained from DEFRA's public meetings in connection with the farm scale evaluation programme and our recent focus group work on GM food issues, would provide the context for the debate.

Aviation House, 125 Kingsway, London WC2B 6NH
Switchboard 020 7276 8000 Tel: 020 7276 8010 Fax: 020 7276 8627

There would then be an opportunity for the Government, with the help of independent scientists, to provide clear, scientifically based papers, which address the issues raised. The proposed PIU study could similarly inform the debate by addressing some of the broader issues, including the international dimension.

Presentationally this approach would have the advantage of the Government being seen to respond to the concerns of the public whilst at the same time ensuring that the debate is underpinned by sound scientific information. If such an approach is accepted there is much detail to sort out and I would propose that officials from No 10, OST, DEFRA and the FSA take this forward with a view to drawing up a detailed action plan for agreement by SCI(BIO).

I am copying this letter to the Prime Minister, members of SCI(BIO), Professor David King, Sir Richard Wilson and Geoff Mulgan (PIU).

Yours

John

JOHN KREBS

TWA Communications

Fax Cover Page

To: Martin Hurst c/o 10 Downing St
Company:
Fax Number: 0207 839 9044

From: Teresa Wickham
Company: TWA Communications
Fax Number: 44-01892-723723

Message:

Dear Martin

I am faxing you on behalf of the Red Meat Industry Forum.

The Chairman, Peter Barr CBE received a very supportive letter from Tony Blair following the Downing Street Seminar, mentioning the Red Meat Forum.

We are publishing our first newsletter on the Forum in June and would like to include a quote from the Prime Minister.

I would be grateful for your help in securing this. Do you want us to draft something - we only need two lines saying he recognises the valuable work that the Red Meat Industry Forum has been doing (as per his letter) and he is delighted both to offer his support and also to be kept informed of the progress.

Thank you for your help in this matter.

Kind regards
Teresa Wickham

Fdb

Redrafted, on DEFRA advice.
10/6.

Teresa Wickham
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147976

FCS/02/113

SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

Reform of the Common Agricultural Policy

1. Thank you for your letter of 8 May about reform of the Common Agricultural Policy. I have seen replies from Andrew Smith, Clare Short, Peter Hain, Alan Milburn and Patricia Hewitt; as well as those from your Devolved Administration Agriculture colleagues Ross Finnie (Scotland), Carwyn Jones (Wales) and Brid Rogers (Northern Ireland).

2. Your letter and accompanying note set out a strategy for ambitious reform of the CAP to promote sustainable, competitive and adaptable farming as part of a successful rural economy. You argued that the policy should offer better value for money for taxpayers and consumers; and contribute to other international objectives including EU enlargement, a successful Doha development round, promoting sustainable development and tackling poverty at a global level.

3. Your main goals for the Mid Term Review would be:

i) a shift in support from production linked subsidies to environmental and rural development measures;

ii) a significant increase in the UK's share of second pillar funding

iii) degressivity of direct payments on an equitable basis;

iv) support price cuts (especially dairy and cereals) and relaxation of associated production controls

v) decoupling of direct livestock payments from production.

4. Andrew, Clare, Peter, Alan and Patricia all strongly endorsed your overall objectives.

5. Andrew highlighted the importance of an economically more rational CAP for the benefit of consumers and taxpayers. Degressivity of payments was particularly important. He questioned your proposed line on decoupling - arguing that we should not compromise our objectives in this area by focussing too heavily on minimising its redistributive effects.

6. Clare argued that the proposals, particularly shifting support from pillar one to pillar two, degressivity and decoupling, would reduce global agricultural distortions and their pernicious effects on poor countries. Substantial agricultural trade liberalisation was essential to eradicating global poverty and achieving a Development Round in the WTO negotiations.

7. Patricia and Peter strongly agreed that your proposals supported international objectives on enlargement, sustainable development and the WTO round. They both argued that we should be lobbying hard across the Commission and departments of EU member states, not just on the Agriculture net. Peter added that we needed to get the presentation right to explain at home, in the EU and in third countries how

our reform proposals would benefit different constituencies while managing expectations of what would undoubtedly be a difficult negotiation. They noted the challenge presented by the US Farm Bill as well as strong opposition to reform in France, Spain and elsewhere.

8. Andrew, Clare, Peter and Patricia all argued that control of the budget through degressivity is an important UK objective, particularly in the context of enlargement. Patricia and Clare also highlight the contribution that degressivity can play in opening up market access to other countries.

9. Alan was particularly keen to see reform of the tobacco regime with an early phasing out of tobacco subsidies.

10. I note that Agriculture Ministers from the Devolved Administrations all expressed reservations over the degressivity objective, and that some support should remain for the social and environmental functions of farming. They also highlighted their support for your principle that reform should be equitable and not discriminate against UK producers. Brid Rogers could not support the removal of support in the dairy sector.

11. I consider the balance of the arguments across government Ministries gives you a clear mandate to lobby on the objectives as set out in your note. Agricultural support will not disappear under your proposals – but it will be rationalised and be made more effective and affordable. DEFRA and HMT officials should find a balance on the language on decoupling and redistribution that does not compromise the prospects of proposals on the former. You should take account of the Department of Health's objective on tobacco support. But with reforms agreed earlier this year and further review due in 2003, I understand from officials that the

Commission is unlikely to consider additional tobacco proposals in the Mid Term Review.

12. You should remain in contact with colleagues in the Devolved Administrations, as well EP, as the negotiations go forward. Whitehall colleagues should also draw on your note, reflecting my comments above, to lobby across a full range of Commission and EU government contacts for ambitious CAP reform. The message should be tailored for each audience to reflect the range of economic, social, environmental, trade and development elements of our proposals.

13. Officials should work on the presentational and parliamentary handling issues set out in Peter's letter. UKRep Brussels and FCO Posts should play a role on both lobbying and presentation.

14. I am copying this minute to the Prime Minister, members of EP Committee, Sir Stephen Wall, Sir Richard Wilson and Sir Nigel Sheinwald. I should be grateful if you could convey the content to the Devolved Administrations.

(JACK STRAW)

Foreign and Commonwealth Office
22 May 2002

File (In inbox) Emailed to cc's.

10 DOWNING STREET
LONDON SW1A 2AA

From the Senior Policy Adviser

20 May 2002

Dear Gavin

MEETING WITH BEN GILL

The Prime Minister met Ben Gill and Richard McDonald of the NFU on May 14. Your Secretary of State was present, as were Jonathan Powell and myself.

Ben explained that the situation in the farming industry was not good. While farm incomes had risen somewhat in 2001 off the previous year's floor he though they had probably fallen back this year. The dairy and cereals sectors had very low prices, the latter due to European mismanagement of imports from Eastern Europe. Investment (for example in processing) was slow to materialise, and the industry was tense, and fearful of change.

Ben stressed that the NFU were behind the Curry commission's agenda for change. They were putting a lot of their time and resources into taking these forwards. It was noted that the availability of money from the spending review fully to implement Curry would also be an important sign of government resolve.

On specifics, Ben felt something needed to be done about the bureaucracy of the ADS grant process, and regulation such as the Nitrates directive. There might also be a case for a more imaginative approach to ADS, giving a few medium sized grants rather than many small ones. Finally, the exchange rate was perhaps the single key issue – a short discussion about the Euro then ensued.

Richard stressed the need for a more strategic approach in three areas: competition policy (with regard in particular to co-operative and collaborative ventures); environmental regulation; and illegal imports.

The Prime Minister reiterated his opposition to gold plating. He stated that we should do everything short of breaking EU law to combat illegal imports, and

pledged his personal support within Whitehall. He would also, once the French elections were concluded, return to the issue of the French ban on British beef.

Ben finally stressed the importance of the Mid Term review of the CAP. We needed a mechanism for radical change. In his view this needed to include a considerable widening in production of non-food crops.

Yours ever

Martin Hurst

MARTIN HURST

Gavin Ross, PS/Margaret Beckett

[redacted] Debbie Ailes

From: Jonathan Powell
Sent: 17 May 2002 09:06
To: Debbie Ailes
Subject: FW: FOOT AND MOUTH DISEASE – TIMELINE

Could you print this out for me please?

-----Original Message-----
From: Martin Hurst
Sent: 16 May 2002 20:57
To: Jeremy Heywood; Jonathan Powell
Subject: FOOT AND MOUTH DISEASE - TIMELINE

narrative for anderson.doc

David, bless his little cotton socks, had saved a near final version of his timeline on his computer at home. This is it, amended as agreed. Can you check you are happy for it to go the the inquriy team. I'll give it another going over tomorrow, and prepare copies.

FMD NARRATIVE

	DATE	EVENTS	DAILY CASES	TOTAL CASES
		Week 1		
M	19 Feb	• Suspected FMD discovered by Meat Hygiene Service vet in Cheale Meats Abattoir, Essex. 27 sows and 1 boar in lairage. Animals came from two farms: Buckinghamshire and Isle of Wight. Blood samples to Pirbright for testing.	0	0
T	20 Feb	• Blood test results confirm Type O FMD Virus. 151 pigs slaughtered. • Food Standards Agency say no implications for human food chain. • Helene Hayman's office telephone John Spellar's PS (Minister for Armed Forces) on possible future request for military assistance if outbreak is not confined to one area.	1	1
W	21 Feb	• FMO2 in linked farm in Essex. • HH statement to Lords (Commons in recess). • European Commission ban on UK animal and meat exports until 1 March. • NI impose complete ban on import of dairy and animal products from GB. • MAFF daily press briefings begin (Nick Brown). • DECC opened at Page Street, London. • Tracing of farms supplying Essex abattoir identifies Heddon-on-the-Wall as possible source of outbreak.	1	2
Th	22 Feb	• FMO3 in linked farm in Brentwood, Essex. • Ben Gill tells public to avoid trips to countryside unless necessary. • Ramblers Association advise people against rural walks.	1	3

		• MAFF advise public to avoid farmland to prevent spread of FMD. • Hunting suspended for seven days.		
F	23 Feb	• FMO4 confirmed in Heddon-on-the Wall. (First case outside Essex.) Old lesions suggest disease has been in herd for three weeks. • FMO5 in Essex and FMO6 in Northumberland. • Immediate standstill on all livestock movements throughout GB from 5pm until 2 March (i.e. one week). Britain declared a controlled area, with fairs and markets closed. Deer and fox hunting, and hare coursing, prohibited. "In announcing these measures, my Minister would also call on the whole farming and rural community to exercise responsibility, and avoid any unnecessary gatherings of people, or movements of large numbers of people, on farmland." (PS/NB to DN) • Woburn Safari Park temporarily closed to protect animals. Whipsnade Animal Park bans all cars. RSPB closes nature reserves for a week. National Trust closes all its parks containing livestock. Royal Parks in London containing livestock to be shut by weekend. • Meeting at Cabinet Office to discuss the FMD outbreak. Chaired by Paul Britton and attended by MAFF, DH, FCO, HMT, NAWAD, DARDNI, SERAD, Home Office and No. 10. • First MAFF Stakeholders Meeting.	3	6
Sa	24 Feb	• Reports of first case in Devon (confirmed following day). Tracing shows that sheep and cattle originated from Longtown Market.	0	6
Su	25 Feb	• EU told that a major sheep trader is involved in the outbreak and that contact with exported animals may have taken place.	1	7

		• Limited exemption to livestock movement ban. Any animal that has died on premises or has been slaughtered for welfare purposes can be moved. Licenses also given for animals stuck at markets etc to return to owner's premises or to slaughter. **<u>By end of week 1:</u>** **421 vets deployed.** **Number of animals slaughtered: 2,911** **Number of animals disposed: 1,223** **Number of animals awaiting slaughter: 9,513** **Number of animals awaiting disposal: 1,688**		
		Week 2		
M	26 Feb	• FMO8 in Wiltshire. • Nick Brown statement to House of Commons. "The Government is well aware of the disruption the temporary 'controlled are' in GB has caused to farming, the food chain and the wider rural community… During the course of this week, the SVS, under the CVO, will continue its huge task of tracing and controlling the disease. They have been assured of all the resources they need for that task." On countryside: "I really would appeal to everybody who enjoys the countryside again to stay away from the livestock and take sensible precautions if they have to visit vulnerable premises." • Ireland sets up army checkpoints at all points of entry from Great Britain and Northern Ireland.	2	9
T	27 Feb	• First confirmed cases in Wales (Anglesey) and Northamptonshire. • 70 farms under individual movement restrictions. 19 farms being slaughtered as dangerous contacts (mainly nearby or linked premises to IPs). • British Horse Racing Board and Jockey Club suspend	7	16

		racing for seven days. • Brian Bender advises there will be a shortage of meat by the end of the week if slaughter is not permitted. MAFF talks to industry about a licensing scheme to move animals direct to slaughter. • Orders made enabling local authorities to close footpaths and rights of way. • Brid Rodgers announced she had secured the PM's commitment to a regional approach to the export ban on the UK. • Letter from Jenny Bacon (MAFF) to Paul Britton (CO) appreciating CO "forbearance in not asking for undue one-off information or collective meetings" but recognising that "other departments have significant interests in some issues". Letter covers controlled area restrictions, food supply, and ban on meat and animal exports. Letter copied to DTI, Treasury, FCO and devolved admins.		
W	28 Feb	• First confirmed cases in Leicestershire and Cumbria. • Nick Brown statement to House of Commons. • First Outbreak in Northern Ireland (Meigh, Armagh), close to the Republic.	8	24
Th	1 Mar	• First confirmed case in Dumfries and Galloway. • Countryside Agency issues Press Release: "Rights of Way Restrictions vital in fight against FMD". CA estimate FMD implications for rural businesses – potential £2 billion loss. • MAFF notifies MOD that they are considering request for military assistance. • CLA write to No.10 and others to highlight knock-on effects for rural economy. Govt argues that consequential losses do not attract compensation and that	7	31

		losses will be alleviated by getting animal (slaughter) trade moving again.		
F	2 Mar	• Belgium informs EU about suspected FMD case. • First confirmed case in Cornwall (FMO42). • Licensed movement to slaughter introduced outside infected areas. • John Krebs and BB discussed setting up epidemiology group to discuss possible origins of outbreak, factors influencing rate of spread and duration, and effectiveness of control policy – meeting set for 6 Mar.	7	38
Sa	3 Mar	• MAFF announcement of major review of safeguards in place to cut risks of future animal disease outbreaks.	10	48
Su	4 Mar	• Tests conducted on a farm in Denmark after a sheep showed symptoms of the disease. Exclusion zone erected. **By end of week 2:** **470 vets deployed.** **Number of animals slaughtered: 34,463** **Number of animals disposed: 11,605** **Number of animals awaiting slaughter: 156,525** **Number of animals awaiting disposal: 24,546**	17	65
		Week 3		
M	5 Mar	• Belgium informed EU that all their FMD results were negative but movement restrictions were being maintained. • Test in Denmark negative. • DCMS issues guidance on 'Visiting the Countryside for Tourism, Sport or Recreation'.	10	75
T	6 Mar	• EU SVC discuss how successful the epidemiological procedures and controls have been. • Agreement with Central Association of Agricultural Valuers on payment to valuers. To be reviewed in six	5	80

		weeks.		
W	7 Mar	• Italy imposes worldwide ban on imports of livestock susceptible to FMD. • Cheltenham Festival postponed and Irish Rugby Football Union cancels its Six Nations matches.	15	95
Th	8 Mar	• MHS approved over 260 abattoirs for the license to slaughter scheme – of those, 168 operating on 7 March.	19	114
F	9 Mar	• Two local welfare movement schemes introduced. Scottish farmers in areas unaffected by the outbreak allowed to move livestock on welfare grounds as the lambing season started. • General license issued to allow casualty/welfare carcasses to be moved from farms to incinerators, rendering plants, knackers' yards or hunt kennels. • Collecting centres defined, but put 'on hold'. • A public statement from CVO emphasises need for continued vigilance in biosecurity. • HH contacts John Spellar at MOD to request small number of RAVC staff and the provisional agreement that Army marksmen could be available at short notice. • Ramblers' Association say people should not walk across any farm land in England, Scotland and Wales and should avoid walking in any area where there might be livestock.	20	126
Sa	10 Mar		14	140
Su	11 Mar	• NB says on BBC TV "I am absolutely certain we have it under control - I know the sights of dead animals being burned is horrific and worries people but it is the correct policy to pursue… This is disease that had spread and is contained, we haven't had outbreaks since the movement restrictions were put in place from new episodes". • BTA claims that UK tourism losing about £100 million a	24	164

		week due to FMD. Cumbria Tourist Board says it is getting 20-30,000 cancellations a week. **By end of week 3:** **689 vets deployed.** **Number of animals slaughtered: 78,785** **Number of animals disposed: 62,291** **Number of animals awaiting slaughter: 239,198** **Number of animals awaiting disposal: 41,040**		
		Week 4		
M	12 Mar	• NB says on media that FMD crisis is now of a "different order" than previously thought, but is still "under control". • John Spellar replies to HH, offering marksmen and a small number of vets. • Chris Smith minutes PM on "real and substantial problems emerging for tourism". ETC estimate losses for tourism at £100m per week.	18	182
T	13 Mar	• French notify outbreak of FMD in Mayenne. Further slaughtering of suspected animals in many French Regions. • United States and Canada ban meat and meat products from the EU.	17	199
W	14 Mar	• 50% of rural county councils affected by FMD are opposed to a general election in May (Times survey). Ben Gill says "I cannot conceive of how you can possibly have a general election while we have restrictions on movements and disease in significant parts of the country causing these restrictions. Everything could change - we continue to hope for the best but I fear we have a lot worse to come." • Geoff Hoon writes to NB saying MoD is "ready to do all we reasonably can to help… I am ready to respond quickly to any formal request you may put to me for	20	219

		further military assistance". • CVO advises that all susceptible animals within 3km of IPs in Cumbria are at risk of having been exposed to the disease. • Rural Task Force – 1st Meeting 2.00pm (Chair: Michael Meacher). Discusses remit, immediate and long-term issues and updated guidance on activities in the countryside. • DCMS issue Press Release: "Tourism Minister Janet Anderson to hear south west leisure chiefs' concerns for business". • George Trevelyan appointed Director of Operations in MAFF Page Street. • MAFF and MOD officials meet to discuss operations, communications and planning. A specific request to the MOD was identified as being needed, for logistical assistance to arrive the following day.		
Th	15 Mar	• Nick Brown Statement to the House of Commons. Announces different policies needed in Cumbria (slaughter of sheep and pigs within 3km of IPs), and Devon (intensive patrols in the 3km around IPs and rapid slaughter if disease is found) and rest of the country (continued intensive programme of tracing and slaughter of dangerous contacts). Plus pre-emptive slaughter of sheep traced through markets in Welshpool, Northampton and Longtown. Also discussed longer distance welfare movement and welfare disposal schemes and collecting centres. Later minutes Chief Sec proposing LWDS. • Confusion following NB statement on whether 3km slaughter policy includes cattle (statement was unclear). MAFF row back and exclude cattle. Media refer to 3km slaughter policy as "firebreak cull". • Janet Anderson (DCMS) chairs mini-summit on FMD and	31	250

		tourism. Chris Smith minutes PM saying "the need for a rural tourism recovery programme has become overwhelming". • Ash Moor burial site, Devon identified as a possible location for carcass disposal. • Letter from G Hoon to NB agreeing to the deployment of a logistical planning team to MAFF HQ. Two majors from Logistical Planning arrived at MAFF HQ. NB writes to DTI (Byers) saying that he has also asked MoD to provide command and control centres in Devon and Cumbria to supplement MAFF regional staff, plus 50 mobile site management teams.		
F	16 Mar	• BBC report growing resistance to 3km cull in Cumbria. • NB says he is "halting the cull" in Cumbria so that it can be explained to farmers there at weekend. • Long distance welfare movement scheme applications invited over weekend (17 and 18 March). • Power to impose new blanket footpath closures repealed. Local authority power to close footpaths in controlled areas narrowed: by notice only and with consent of Minister. • Countryside Agency website linked to local authority rights-of-way information launched.	20	270
Sa	17 Mar	• MM visit to Leicestershire to urge public to go back to the countryside.	20	290
Su	18 Mar	• Centre for Economics and Business Research warns outbreak likely to cost £9 billion in terms of lost earnings for the agriculture and tourism industries. • NB says on media that outbreak now likely to last several months. **By end of week 4:**	34	324

		1033 vets deployed. **Number of animals slaughtered: 145,598** **Number of animals disposed: 116,308** **Number of animals awaiting slaughter: 315,379** **Number of animals awaiting disposal: 70,330**		
		Week 5		
M	19 Mar	• CVO in Cumbria for meeting with farmers. Defends 3km cull. "The meeting hasn't changed my mind as to what's to be done but we'll have to look at how it's done." • Meeting between Jenny Bacon, and Lindsay Bell agreed to provide daily factual updates to the PM. • NCC started to operate. • MAFF appoint Regional Operations Directors for Cumbria (Jane Brown) and Devon (Andy Lebrecht). Veterinary command also strengthened in each area. • Anthony Gibson of SW NFU says that FMD battle is being lost in Devon. • G Hoon letter to NB agreeing to use of armed forces "to supervise and manage the disposal of carcases in Devon and Cumbria". Small team in MAFF HQ plus battalion-type HQs in each district to provide command and control, and up to 50 small teams in each area to supervise the disposal of carcases on the ground. "I would hope to have these in place, and making a clear impact, by Tuesday morning". • Military Commanders for the regions - Brigadier Birtwhistle (Cumbria) and Lieutenant Colonel Vickers (Exeter) – in place. • NB and BB report in PM meeting that "external epidemiologists" are examining future course of outbreak. Krebs planning to take meeting later in week.	28	352
T	20 Mar	• Rural Task Force – 2nd Meeting 10.30am (Chair: Michael	42	394

		Meacher). Countryside access. Parliamentary statement by Michael Meacher announced package of short-term relief for rural businesses hit by FMD. • DCMS issued Press Release – Britain was "open for holidays". • NFU accused government of acting too slowly in the early days of the crisis and slaughter of healthy animals could have been avoided.		
W	21 Mar	• 60 troops in Devon, 80 in Cumbria. MAFF appoint further RODs for Worcester, and seek army support for Gloucester, Worcester and Stafford. • Veterinary inspector rate for private sector increased from £160 to £250 per day. Appeal through BVA for more vets. Tasks requiring vets streamlined, and waiting period between farm visits reduced from 3 days to 1 day. • Six rendering plants set to be on stream by following Monday. 12,500 tonnes per week (250,000 sheep). • Great Orton disposal site opened in Cumbria. • Media report that pre-emptive cull has begun in Dumfries and Galloway. • Opposition Day Debate, Nick Brown sets out actions to speed up cull, including allowing vets to slaughter on suspicion without waiting for a decision from Page Street; standard valuation tariff. • First new daily inter-departmental meeting chaired by NB. • Netherlands informs Commission about three outbreaks of FMD. Decision to cull all animals within a perimeter of 1km around the outbreaks and suspected cases. • Epidemiology meeting hosted by Krebs. Roy Anderson (Imperial College) briefs media and says that urgent action needed (a) to reduce interval between report and slaughter to 1-2 days b) slaughter of all susceptible	43	437

		animals within a 3km zone contiguous to the outbreak.		
Th	22 Mar	• Second (and final?) inter-departmental Meeting chaired by HH. • COBR opens. First Meeting 3.00pm (Chair: RW). Aims to take stock of the escalating crisis and propose additional central co-ordination. Agreement reached that COBR would open daily from 7.45am until 8.00pm. • First Case confirmed in the Ireland. • First 'Visiting the Countryside – how you can help' advert in the National Press. MAFF summary footpath risk assessment published. • Soil Association hosted Press Conference at which 'Elm Farm' report was discussed and Government urged to vaccinate.	42	479
Fr	23 Mar	• DK says outbreak is out of control. • First epidemiological forecasts published by teams from Imperial College, Edinburgh University and MAFF. Says number of cases and infected areas will rise steeply despite current controls. Cases could rise to 70 a day over the next two weeks with more than 4,000 cases being recorded by June. Advocates slaughter within 24 hours for infected premises and 48 hours for contiguous premises. • COBR meeting 9.00am (Chair: Mavis McDonald). • COBR co-ordination meeting 3.00pm. • Press Conference at Nobel House. CSA announces the PM's desire for a 24-hour cull policy (quoted extensively in media). • Formal instructions sent to Field Veterinary Staff as basis of 'contiguous cull policy': contiguous premises to be treated as dangerous contacts. • Great Orton mass burial site, Cumbria identified as a possible location for carcass disposal.	35	514

		• 101 Log Brigade HQ (under Malcolm Wood) deployed in Page Street. • Meeting of SVC authorises suppressive vaccination in the Netherlands. • France informed the Commission about a second (and last) outbreak of FMD (7.30pm, close to Paris).		
Sa	24 Mar	• COBR meeting 11.00am (Chair: Mavis McDonald). • COBR stock-take at 5.30pm. • NB announces that average time from confirmation to slaughter has almost halved, to just over 12 hours. Carcasses now being disposed of in average 36 hours, compared to four days during the first week of the outbreak. But DK warns that half of livestock industry could be slaughtered if crisis continues. • Letter from Ben Gill to PM. "Changed arrangements announced at the start of last week and implemented in the middle of the week are now showing real improvements… the interaction of key local farmers with the new area director [in Devon and Cumbria] and the army has produced a far better understanding and is leading to continuing improvements not only in the destruction of diseased animals but also in the planning of next stages". But BG also says he is "horrified" by DK's intervention in claiming the 24-hour target as his own work and in claiming to implement a "rigid 3km ring cull around each infected farm". • MAFF core script emphases that epidemiological advice shows that Department was right to set 24-hour report to slaughter target. Achieved in large parts of country, though not Cumbria. Implementation of recommendation for 3km pre-emptive culls depends on "practicality and public acceptability". But implementing "firebreak" cull of sheep and pigs in Cumbria/Galloway, and "cordon	45	559

		sanitaire" south from Penrith. "Possibility of limited vaccination as part of the pre-emptive cull approach".		
Su	25 Mar	• COBR meeting 11.00am. • COBR meeting 2.00pm (Chair: PM). **By end of week 5:** **1152 vets and 500+ military deployed.** **Number of animals slaughtered: 297,109** **Number of animals disposed: 239,526** **Number of animals awaiting slaughter: 489,880** **Number of animals awaiting disposal: 127,913**	47	606
		Week 6		
M	26 Mar	• COBR meeting 9.00am (Chair: PM). • COBR meeting 5.00pm (Chair: Baroness Hayman). • Decision that COBR should meet twice daily, on above format. Three priorities agreed for "immediate action". 24-hour slaughter policy for IPs; 48-hour contiguous policy; all animals identified for slaughter in Solway to be killed as priority. • NB in Cumbria. Says that case for "cordon sanitaire" is being considered to prevent disease spreading south. • Joint co-ordinating Centre (JCC) established in MAFF. Military Deputy Director of JCC is Brig. Malcolm Wood. • Netherlands informed the Commission about two new outbreaks of FMD (around Oene). After confirmation, suppressive vaccination started. • First meeting of the FMD science group, which continued to meet daily until the end of March then less regularly. • First carcasses buried at Great Orton mass burial site.	38	644
T	27 Mar	• COBR meeting 9.00am. • COBR meeting 5.00pm. • Continuing media reports of slaughter and disposal delays.	48	692

		• NB statement to HC. Confirmed a) 24hr/48hr slaughter targets b) consultations on banning of pigswill and 20-day movement restrictions c) simplification of valuation arrangements d) "the government is considering whether to use vaccination" - commitment to seek contingent decision from SVC e) action on illegal meat imports f) trailing of future review of operation of livestock sector. • Formal advice to MAFF Ministers from Neil Thornton and CVO in favour of vaccination of cattle in North Cumbria. "Our recommendation is therefore that, with Commission approval which should be provided tomorrow, a programme of emergency vaccination of cattle should be undertaken as a matter of urgency". Main aim is to "save a substantial proportion of the Cumbrian dairy herd", reduce FMD cases, release resources (e.g. vets and disposal capacity) and save rare breeds. Advice submitted to PM by BB. • BBC: "now there's talk of vaccination… Only days ago vaccination would have been unthinkable. Now it's a real possibility. Another desperate measure in desperate times." • Judicial Review into 3km cull initiated by 4 farmers. • Army now deployed in Cumbria, Devon, Exeter, Worcester, Carlisle and Dumfries (plus Stafford). • MM paper to PM saying supporting vaccination as being in the interests of wider rural economy. • DCMS (Brian Leonard) letter to JJH: "there is clearly a devastating effect on tourism in the worst affected areas but elsewhere the picture is only just beginning to emerge".		
W	28 Mar	• SVC agreed UK contingency vaccination request for Cumbria and Devon. • Rural Task Force – 3rd Meeting 10.30am (Chair: Michael	49	741

		Meacher). Countryside access and economic impact. • Meeting of SVC to discuss protective vaccination in the UK. • COBR meeting 9.00am (Chair: Baroness Hayman). • COBR meeting 5.00pm. • DCMS visitor attractions guidance published. • DETR / MAFF guidance on access to the countryide published, incuding a code for walkers. • MOD owned airfield at Throckmorton, Worcestershire identified as a possible location for carcass disposal. • Sennybridge mass burial site Wales identified as a possible location for carcass disposal. • 'Charity Match Funding Scheme' launched. Administered by the Countryside Agency, under which govt match funds public donations to voluntary organisations and charities concerned with relieving distress caused by the outbreak.		
Th	29 Mar	• COBR meeting 9.00am (Chair: Baroness Hayman) • COBR meeting 5.00pm. • MAFF guidance to countryside visitors. • Meeting between Mavis McDonald, Jenny Bacon, David Rossington and Brigadier Wood to discuss the way forward on statistics, including improving collection methods and requirements for COBR.	38	779
F	30 Mar	• Highest number of recorded cases in a single day. • COBR meeting 9.00am. • COBR meeting 5.00pm. • NB minute to PM on meetings with farm leaders and scientists. A "clear, unanimous message from the farming industry that they remain fundamentally opposed to vaccination; they want us to press ahead and give the existing policy of stamping out a chance to work". Farmer	50	829

		concerns are that milk and meat will lose value; risk of vaccinated animals becoming "carriers", and risk that vaccination will delay re-opening of exports. Scientific advice that decision can be delayed into middle of next week. NB urges delay to follow up these points and Roy Anderson claim that spread in Cumbria is starting to lessen. Should meanwhile "issue reinforced advice to farmers on controls on movement of animals and vehicles… disinfection and other practical measures farmers can take to limit the spread of infection". • Commission decision authorising vaccination adopted.		
Sa	31 Mar	• COBR meeting 9.00am (chaired by PM). • COBR meeting 5.00pm. • Pre-emptive cull of sheep, goats, pigs and unhoused cattle started in the Leigh/Bramshall Area (Staffordshire). During the pre-emptive cull a total of 8 cases (7 IP's) are found on 52 farms.	45	874
Su	1 Apr	• COBR meeting 10.00am. • Cheltenham Gold Cup Festival (set for 17 April) cancelled. • CMO Prof. Liam Donaldson meets CVO, MAFF and DH officials to discuss public health risks from disposal of cattle. • Stafford ROD meets farmers' representatives from Leigh/ Bramshall area who (initially) strongly object to cull but later co-operate fully. **<u>By end of week 6:</u>** **1269 vets and 1000+ military deployed.** **Number of animals slaughtered: 490,803** **Number of animals disposed: 388,941** **Number of animals awaiting slaughter: 622,184** **Number of animals awaiting disposal: 229,775**	35	909

		Week 7		
M	2 Apr	• Judicial Review dropped by farmers. • COBR meeting 9.00am. • COBR meeting 5.00pm. • MAFF paper on "Spreading Infection" identifies three ways in which FMD is spreading: animal to animal; environment (e.g. pasture) to animal; and people and equipment (stockmen, farmers, transport) to animals. "There is epidemiological evidence suggesting that people and equipment movements between premises may however be playing a significant part in the current local spread of the disease". Advice on keeping cattle housed indoors and limiting visits to livestock. • Chief Sec agrees to extra £6m for tourism aid.	37	946
T	3 Apr	• COBR officials meeting 8.30am. (Chair: RW) • COBR meeting 9.30am. • COBR meeting 5.00pm (Chair: PM). • First meeting of Cabinet Office vaccination logistics group. DERA asked to undertake modelling of different vaccination options. • First carcasses buried at Widdrington mass burial site. • Office of Science and Technology facts paper sent to PM on vaccination. • NB meets leaders of the dairy and food industries. Lack of assurance that industry will be prepared to use milk and meat from vaccinated animals. • William Hague calls for army to take full control – officials are "hopelessly overstretched". (BBC)	44	990
W	4 Apr	• Rural Task Force – 4th Meeting 10.30am (Chair: Michael Meacher). Countryside access and financial measures. • DK press briefing. Number of daily cases following	34	1024

		downward trend for first time. But warns that it is vital to continue the slaughter policy. If 24/48 hour policy is applied, number of daily outbreaks would be reduced to a trickle by June. • COBR meeting 5.00pm. Revised arrangements made for one ministerial meeting to be held daily at 9.30am and chaired by Defence Secretary Geoffrey Hoon, unless the PM is in attendance. • Draft MAFF advice identifies farm animals and farmers as the main means of spreading FMD and says that walkers pose very low risk. • NCC website 'openbritain.gov.uk' launched. • DCMS guidance for staging events published. • First carcasses buried at Throckmorton mass burial site. • Professor Fred Brown, US FMD expert, "If it is decided to ring vaccinate, this would reduce the virus load enormously. In addition it would be ludicrous to slaughter the vaccinated animals subsequently. All the rules about moving animals following vaccination are based on the information available before differential diagnostic tests had been devised - these rules need serious debate".		
Th	5 Apr	• Chris Smith (DCMS) chairs summit on FMD and tourism. • COBR officials meeting 8.30am. • COBR ministerial meeting 9.30am. • First carcasses buried at Sennybridge mass burial site, Wales.	33	1057
F	6 Apr	• COBR officials meeting 8.30am. • COBR ministerial meeting 9.30am (Chair: Geoffrey Hoon). PM in attendance. • DETR issue press release encouraging tourism ahead of Easter. • DCMS announces £6m funding for tourism advertising.	26	1083

		• Letter from MAFF to JJH saying NB "believes we are not yet at the point at which Ministers should take a final view on the vaccination option, in Cumbria or elsewhere". Refers to "encouraging signs" that policy is beginning to bite, and problems of vaccination both for farmers and food retailers. But thinks vaccination "must remain a serious possibility in Cumbria, at least unless and until we can be confident that the disease is heading in the right direction".		
Sa	7 Apr	• COBR officials meeting 8.30am. • COBR meeting 9.30am (Chair: Geoffrey Hoon). • CVO/CSA guidance on how disease is spread.	22	110 5
Su	8 Apr	• COBR meeting 10.00am (Chair: Sir Richard Wilson). • DK press seminar to outline his findings on latest epidemiological position. • HH writes to No.10 suggesting options for reducing demand and improving performance under the Livestock Welfare (Disposal) Scheme. • NB writes to 85,000 livestock farmers seeking continued co-operation with present slaughter policy. **By end of week 7:** **1437 vets and 1600+ military deployed.** **Number of animals slaughtered: 615,753** **Number of animals disposed: 627,540** **Number of animals awaiting slaughter: 498,426** **Number of animals awaiting disposal: 217,988**	29	113 4
		Week 8		
M	9 Apr	• COBR ministerial meeting 8.30am. • Nick Brown statement to the House of Commons. a) encourages farmers to co-operate with slaughter policy b) confirms payments to farmers of optional agrimonetary	29	116 3

		compensation to be made this week c) vaccination kept under review d) trails possibility of releasing some areas from restrictions. • Draft OST key facts paper agreed between OST/Pirbright and MAFF submitted to No. 10.		
T	10 Apr	• COBR ministerial meeting 8.30am. • Parliament rose. • DETR issues press release from DPM promoting zoo visits. • Meeting of OST Science Group to consider options for Cumbria. Agreed unanimously to recommend limited vaccination of cattle, but to recommend against vaccination for sheep or rare breeds. (Minute from CSA David King to the PM to this effect).	41	120 4
W	11 Apr	• COBR ministerial meeting 8.30am. • Rural Task Force – 5th Meeting 10.30am (Chair: Michael Meacher). Presentation by Cumbria, footpaths, getting visitors back to the countryside, financial effects. • Following the RTF meeting, Michael Meacher announces further help for struggling rural businesses. (Business Recovery Fund, £15m for RDA's in 4 worst affected areas.) • Netherlands informs Commission about a new outbreak of FMD in Friesland. • DK press briefing. Average number of new cases for w/b 8 April is 32 a day, compared to 43 for previous week. "The flattening out of the epidemic has now been confirmed, and the data even shows a possible downward trend since the end of March".	31	123 5
Th	12 Apr	***Maundy Thursday*** • COBR meeting 8.30am (Chair: Geoff Hoon). Joyce Quinn and John Spellar present.	24	125 9

		• DK press seminar. • DETR announce more money for local authorities to open footpaths. • General licenses issued allowing further movement of carcasses of casualty animals and bulk collection of milk from premises under Form D restrictions.		
F	13 Apr	***Good Friday*** • COBR meeting 8.30am (Chair: Sir Richard Wilson). • Second Northern Ireland Case in Ardboe, County Tyrone. After co-ordination with Commission services, the UK banned dispatch of live animals and FMD products from NI. • Science Group says that if 24/48 hour policy was pursued from outset, severe problems in Cumbria could have been avoided. If not pursued, 1/3 of farms could be infected. (BBC) • Maff says 1,039,000 animals have been slaughtered but 408,000 still needed disposal. The backlog of animals awaiting culling has reached 541,000. Brigadier Malcolm Wood says Army will continue to try to identify new routes for disposal: "It's the biggest military and civil combined operation for the last 30 years. There are more than 1,600 vets in the field". Around 2,000 soldiers are working to combat the disease. Describing the huge scale of the operation, the Brigadier, who has served in Bosnia and the Gulf, said he had never encountered a comparable situation. Says main issue in disease control is rate of slaughter - the number of cattle being disposed of was growing dramatically. • Media report new pressure for vaccination. NB says that 24 hour target being met. But "one of the problems that we have is that, although we are often able to make a start on it within the 48 hours, it is often very difficult to see it	30	128 9

		through to a conclusion because of the sheer volume of work". Prepared to consider limited vaccination. • Anthony Gibson, SW NFU, says "I do think that they cannot go on slaughtering animals indefinitely and piling up vast mountains of carcasses indefinitely without getting on top of the disease… I think there has to be a sign that the present policy is winning otherwise we must move to plan B, whatever that may be. Presumably Plan B is vaccination of some description".		
Sa	14 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Third Northern Ireland case in Cushendall. • NB cancels trip to Cumbria on grounds that he should go after PM/NB meeting on Tuesday.	17	1306
Su	15 Apr	***Easter Sunday*** • 14% of footpaths open for Easter. • COBR open 8.00am-8.00pm. No meeting. • Statement by Nick Brown following his meeting with Chinese community leaders on 7 and 8 April. He emphasises that links between the outbreak and chinese restaurants was unfounded. • Key facts on vaccination produced by OST – placed on website. • Responses to NFU's 52 questions sent to NFU headquarters. **<u>By end of week 8:</u>** **1581 vets and 2000+ military deployed.** **Number of animals slaughtered: 597,283** **Number of animals disposed: 601,622** **Number of animals awaiting slaughter: 137,859** **Number of animals awaiting disposal: 213,649**	14	1320
		Week 9		

M	16 Apr	***Easter Monday*** • Easter Monday (Bank Holiday). • COBR meeting 10.00am. (Chair: Baroness Hayman). • CSA visited Cumbria.	21	134 1
T	17 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon).	22	136 3
W	18 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • BBC reports that government accepts in principle the need for a limited vaccination policy. But NFU continues to resist and says may be two weeks before they come to a view on proposals. Nestle also resist. • 2001 Census to go ahead – arrangements were made to conduct census in way that do not exacerbate FMD risk. • Ben Gill writes to all NFU members explaining why he opposes vaccination. • MAFF agrees to stop incineration until national assessment of health risks is completed. • Inland Revenue and Customs and Excise confirm that no interest will be payable on deferred tax or NIC for businesses hit by FMD. • RSPCA inspectors join Intervention Board team to help prioritise cases under LW(D)S. • CVO and DK brief media on limited vaccination proposals. • UK seeks contingency SVC agreement to draw down 500,000 doses from EU vaccine bank.	19	138 2
Th	19 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • DK announces at press briefing that disease has peak. Average new cases fallen from 43 at end-March to 27 last week. "On the basis of the fall in the number of cases being reported, the epidemic now is fully under control.	15	139 7

		Adds that optimistic outlook could now also be applied to the worst-hit area of Cumbria. "In Cumbria, the rate at which the number of cases is dropping is also a little faster than we had predicted… The disease is not spreading quite as rapidly through livestock as our model had originally shown". The decision to slaughter those infected Proposals for protection of rare breeds and hefted sheep in England and Wales published by MAFF. • First lifting of Infected Areas, including Northamptonshire, Milton Keynes, Leicestershire, Lincolnshire, Nottinghamshire and Rutland. HH announces 1000 farms lifted from Infected Area restrictions.		
F	20 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • DK says that outbreak is "fully under control". Epidemiologists predict only 1-2 cases per day by 7 June. Govt also says that disposal backlog has been exaggerated. • HH announces measures to ease welfare problems caused by FMD restrictions. From 28 April farmers able to move animals between their own premises in a wider range of circumstances. • Work on Ash Moor mass burial site started. • COBR discusses possible change in CP policy for housed cattle – proposing that cattle housed in sheds more than 100 metres away from IP boundary can be considered as not having been exposed to the disease if there has been no movement from the premises and the farmer can prove strict biosecurity measures are in place.	15	1412
Sa	21 Apr	• COBR meeting 10.00am (Chair: Baroness Hayman). • Leaflet sent to all livestock farmers (requested by Geoffrey Hoon at COBR 18 April) in England containing transcript of Farmers Weekly advert and answers to NFU	14	1426

		51 questions. • Soil Association, Friends of the Earth, National Trust and RSPB condemn NFU position on vaccination.		
Su	22 Apr	• COBR open 8.00am-8.00pm. No meeting. • Fourth and last case in Northern Ireland confirmed in Ardboe, county Tyrone. • 26th and last outbreak of FMD in the Netherlands. **By end of week 9:** **1635 vets and 1900+ military deployed.** **Number of animals slaughtered: 428,618** **Number of animals disposed: 517,924** **Number of animals awaiting slaughter: 152,316** **Number of animals awaiting disposal: 124,343**	9	1435
		Week 10		
M	23 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Parliament returned from recess. • "Phoenix" the Calf discovered, allegedly among cattle slaughtered on 19 April. • New GB health mark for all meat and meat products produced from FMD susceptible animals. • Media report first possible human FMD case.	13	1448
T	24 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • DK tells Agriculture Select Committee that outbreak will be largely over by June, with only sporadic cases in July and August. "I am absolutely certain that as a result of this massive epidemic there will have to be lessons learned - and that the greatest lesson is whether the culling policy was the right one." DK says vaccination remains an option for cattle in winter sheds in Cumbria and Devon. • Proposals made for protection of rare breeds and hefted sheep in England and Wales. Discussion paper added to	13	1461

		the website. • Media reports three suspect human cases of FMD. All prove negative over following week.		
W	25 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon - PM in attendance) – key issue refinement of contiguous cull policy. • Rural Task Force – 6th Meeting 10.30am (Chair: Michael Meacher). Getting visitors back to the countryside, measures to relieve hardship and regenerate the rural economy. • Bev Hughes (DETR) launches new Countryside Agency grant scheme to help local authorities adopt a consistent risk-based approach to re-opening rights of way. MAFF / DETR issued revised guidance on re-opening rights of way. • Janet Anderson (DCMS) chairs FMD & Tourism Summit. • DK, Dr Neil Ferguson, Dr Alex Donaldson, Prof. Mark Woolhouse and Ben Gill appear before House of Commons Agriculture Select Committee.	18	147 9
Th	26 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Nick Brown statement to the House of Commons on a) refinement of cull policy to allow more discretion on contiguous cull b) revision of LW(D)S rates from 30 April. c) outcome of consultation exercises on the ban of pigswill d) consultation on proposed 20-day standstill after movements on farm for sheep, goats and cattle extended to 11 June e) outline of Government's intentions for supporting the future of farming d) details of number of cases in each constituency to be placed in the House library and up-dated daily; e) MP's to have available details of cases in their own constituency. f) new arrangements for rare breed sheep and moorland or hefted flocks g) update on vaccination.	3	148 2

		• Govt says that disposal backlog eliminated everywhere except Devon.		
F	27 Apr	• COBR meeting 8.30am (Chair: Baroness Hayman). • Parliamentary Secretary agrees vaccination plans can be moved down to 8-day alert. • Original human suspected FMD case is negative.	13	149 5
Sa	28 Apr	• COBR meeting 8.30am (Chair: Mavis McDonald). • 13 human FMD cases negative.	13	150 8
Su	29 Apr	• COBR open, no meeting. **By end of week 10:** **1704 vets and 1900+ military deployed.** **Number of animals slaughtered: 240,357** **Number of animals disposed: 306,841** **Number of animals awaiting slaughter: 60,975** **Number of animals awaiting disposal: 57,859**	3	151 1
		Week 11		
M	30 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Criticism by farmers of decision to revise rates under LWDS.	7	151 8
T	1 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Letter received from the NFU complaining of changes in LWDS rates. • MAFF news release stated that the Newcastle DECC was to open the Tow Law Disposal Site – the new £5m site was ready to take up to 20,000 carcasses.	7	152 5
W	2 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • COBR meeting 9.30am (Chair: Stephen Wall). Decision to cancel COBR meetings on 3, 5 and 6 May. Suggestion to move meetings to every other day from the following week.	9	153 4

Th	3 May	• COBR open, no meeting. • Decision to put plans in place to allow movement under license of healthy animals from premises within 3km of an infected place to abattoirs in the Infected Area for welfare reasons. • First carcasses buried at Tow Law mass burial site. • Ban on swill containing meat, poultry and fish week from 24 May. • Guidance issued on refined contiguous cull policy re treatment of hefted and rare breeds of sheep and goats. • Backlog of animals awaiting slaughter eliminated.	9	1543
F	4 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). Arrangements agreed – there were to be no meetings at weekends but COBR would be open. From the following week, meetings would be Mondays, Wednesdays and Fridays. • English Tourism Council warned that the Foot and Mouth Outbreak could have cost tourism industry 250,000 jobs. • Government adopts new arrangements for rare breeds of sheep and goats, other pedigree sheep and goats of high genetic value and genuinely hefted sheep such as Herdwicks and Swaledales.	10	1553
Sa	5 May	• No COBR meeting. Watchkeeper attended 10.00am - 5.00pm.	3	1556
Su	6 May	• No COBR meeting. Watchkeeper attended 10.00am - 5.00pm. **<u>By end of week 11:</u>** **1720 vets and 1500 military deployed.** **Number of animals slaughtered: 113,092** **Number of animals disposed: 159,043** **Number of animals awaiting slaughter: 30,637**	4	1560

		Number of animals awaiting disposal: 11,908		
		Week 12		
M	07 May	• COBR meeting 9.00am (Chair: Mavis McDonald). • May Bank Holiday. • Last carcasses go into Great Orton mass burial site.	3	156 3
T	08 May	• COBR meeting 8.30am (Chair: Baroness Hayman). • Michael Meacher announces new £24m funding for rural and countryside businesses in areas badly affected by FMD. The new funding helped to create the Business Recovery Fund, run by RDA's. • Nick Brown announces measures to assist recovery of the farming sector, including free business advice.	2	156 5
W	09 May	• COBR meeting 8.30am (Chair: Mavis McDonald). • Rural Task Force – 7th Meeting 10.30am (Chair: Michael Meacher). Presentation by MPs from the South-West, getting visitors back to the countryside, measures to relieve hardship and regenerate the rural economy.	5	157 0
Th	10 May	• No COBR meeting. • Nick Brown meets representatives of the Farming Unions from England, Scotland, Wales and N. Ireland to discuss progress in dealing with FMD, future issues and exit strategy. • Military withdrawn from Scotland. • FMD Order 1983 amended to introduce a sheep shearing license scheme from 1 June. Needed because although sheep shearing presents risks for transmitting FMD, sheep shearing needs to go ahead for welfare reasons.	5	157 5
F	11 May	• COBR meeting 8.30am (Chair: Baroness Hayman). Decision made that from Mon 14 May meetings to be held at 9.15am on Mondays, Wednesdays and Fridays. • Pirbright study showed the disease was unlikely to be dispersed through the use of pyres.	8	158 3

Sa	12 May	• COBR closed.	6	1589
Su	13 May	• COBR open. Watchkeeper attended 11.00am – 5.00pm. **By end of week 12:** **1798 vets and 1036 military deployed.** **Number of animals slaughtered: 64,633** **Number of animals disposed: 73,083** **Number of animals awaiting slaughter: 48,158** **Number of animals awaiting disposal: 345**	4	1593
		Week 13		
M	14 May	• Parliament dissolved. • COBR meeting 9.15am (Chair: Baroness Hayman). • Decision taken to mothball Ash Moor burial site.	6	1599
T	15 May		1	1600
W	16 May	• COBR meeting 9.15am (Chair: Baroness Hayman).	3	1603
Th	17 May	• First day with no confirmed cases. • 26% of footpaths open. • Guidance issued to farmers in England on sheep shearing and the new licensing scheme.	0	1603
F	18 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon).	4	1607
Sa	19 May	• COBR closed. • CVO press statement: govt to continue with 24-hour cull policy and contiguous cull. Warns farmers in Settle and Clitheroe to continue being vigilant to avoid spreading FMD. 11 cases in Settle since 10 May.	4	1611
Su	20 May	• COBR closed. • Military personnel withdrawn from the Worcestershire / Warwickshire / Shropshire Area.	6	1617

		By end of week 13: **1817 vets and 619 military deployed.** **Number of animals slaughtered: 63,471** **Number of animals disposed: 60,379** **Number of animals awaiting slaughter: 46,985** **Number of animals awaiting disposal: 6,550**		
		Week 14		
M	21 May	• COBR meeting 9.00am (Chair: Baroness Hayman). • Second letter received from NFU complaining about changes in LWDS rates. • Policy of culling sheep and pigs within 3km of IP in Cumbria relaxed (as the number of cases have fallen, veterinary and other sources are more available to carry out testing).	4	162 1
T	22 May	• High Court injunction granted against farmer opposing slaughter of his cattle under contiguous culling policy (Devon).	4	162 5
W	23 May	• Rural Task Force – 8th Meeting 10.30am (Chair: Michael Meacher). Presentation by the Cumbria Crisis Alliance, getting visitors back to the countryside, relieving hardship and regenerating the rural economy, reinvesting in the countryside.	8	163 3
Th	24 May	• COBR meeting 9.00am (Chair: Baroness Hayman). • 3km cull announced on 15 March effectively completed in Scotland. • 3km cull not completed in Cumbria. But disease declining and possible to use serological testing on the remaining flocks.	2	163 5
F	25 May	• No COBR meeting.	1	163 6
Sa	26	• COBR closed.	7	164

	May	• Submission to Brian Bender seeking agreement to dismantle all Cumbria/Devon specific elements of contingency plans.		3
Su	27 May	• COBR closed. • Burial sites at Widdrington, Northumberland and Hespin Wood in Cumbria brought into use, due to outbreak in Settle Area. **<u>By end of week 14:</u>** **1851 vets and 581 military deployed.** **Number of animals slaughtered: 97,313** **Number of animals disposed: 100,346** **Number of animals awaiting slaughter: 26,097** **Number of animals awaiting disposal: 3,517**	6	1649
		Week 15		
M	28 May	• Spring Bank Holiday. • 42% Footpaths open. • COBR closed. • Joint statement issued by DK and CVO on how disease has spread in Settle Area. • Last carcasses go into Widdrington mass burial site.	8	1657
T	29 May	• COBR closed (Privilege Day).	3	1660
W	30 May	• COBR meeting 9.00am (Chair: Mavis McDonald).	1	1661
Th	31 May	• No COBR meeting. • Shelf life of vaccine officially expired. • Widdrington mass burial site closed. • 1.9 million doses delivered to Merial Pirbright facility – 1.5m doses to be delivered 31 July, 31 August and 30 September.	11	1672
F	01	• COBR meeting 9.00am (Chair: Mavis McDonald).	2	167

	Jun	• Re-structuring of JCC – Decision that the military were to be withdrawn from it at a later date.		4
Sa	02 Jun	• COBR closed.	13	1687
Su	03 Jun	• COBR closed. • Military Personnel withdrawn from the Leicestershire / Derbyshire / Lincolnshire Area. **By end of week 15:** **1552 vets and 498 military deployed.** **[NB. New basis for calculation: 1552 'active' (i.e. regularly work on FMD but not necessarily every day), 900 working on a daily basis.]** **Number of animals slaughtered: 72,490** **Number of animals disposed: 67,080** **Number of animals awaiting slaughter: 28,303** **Number of animals awaiting disposal: 8,927**	6	1693
		Week 16		
M	04 Jun	• COBR meeting 9.00am (Chair: Mavis McDonald) focus on Exit Strategy.	6	1699
T	05 Jun	• COBR meeting 9.00am (Chair: Mavis McDonald).	2	1701
W	06 Jun	• Rural Task Force – 9th Meeting (Chair: Genie Turton, DETR). Economic impact of FMD, impact of measures to help affected businesses. • No COBR meeting.	2	1703
Th	07 Jun	• COBR meeting 9.00am (Chair: Baroness Hayman). • Military personnel largely withdrawn from Cumbria.	7	1710

FOOT AND MOUTH DISEASE: LESSONS LEARNED INQUIRY

Secretary to the Inquiry: Alun Evans

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DATE 13 May 2002

OUR REFERENCE

YOUR REFERENCE

Jeremy Heywood CB
Principal Private Secretary to
the Prime Minister
10 Downing Street
London SW1A 2AA

I would like to extend a formal invitation to you and to Jonathan Powell, Martin Hurst and David North to meet the Inquiry on 17 May at 4pm to discuss the Foot and Mouth Disease outbreak last year. This would be an on-the-record meeting, lasting approximately two hours, at Downing Street. We would expect to cover:

- The role of No.10 (including the Policy Unit) in policy making and operational decisions during the crisis: who did what?
- The audit trail for policy making in No.10
- The decision making process leading to the closure of footpaths on 27 February 2001 and subsequent discussions to re-open them
- The decision making process leading to the creation of the Rural Task Force
- The decision making process leading to the introduction of the military
- The decision making process leading to the policy announcement on 15 March 2001 introducing the 3km sheep cull in certain areas
- The decision making process leading to the introduction of the contiguous cull (in particular the weight given to scientific and veterinary advice)
- The process leading to the decision not to vaccinate
- The setting of payment levels for the Livestock Welfare Disposal Scheme

I attach a copy of our procedures for formal meetings. As you will see, a summary note of the meeting will be taken by the Inquiry Secretariat and then agreed for factual accuracy. We intend to publish these summary notes as appendices to the final report of the Inquiry.

Iain Anderson and I look forward to the discussions on the day.

ALUN EVANS

INVESTOR IN PEOPLE

INQUIRY INTO THE LESSONS TO BE LEARNED FROM THE FOOT AND MOUTH DISEASE OUTBREAK OF 2001

PROCEDURES FOR GATHERING INFORMATION AT INQUIRY MEETINGS

1. The Framework Document published on 14 December 2001 set out the overall approach and timetable to be adopted by the Inquiry. It made clear that the Inquiry would not be adversarial and the intention would not be to apportion blame on particular individuals. The Inquiry instead intended to identify those areas where there were significant shortcomings and failures in processes and would make appropriate recommendations to remedy them.

2. The Framework Document indicated that meetings with invited individuals and organisations would be held in London and around the country to gather information on all aspects of the disease outbreak. It is available on the Inquiry website at www.fmd-lessonslearned.org.uk.

3. As part of its programme of work, therefore, the Inquiry intends to interview a range of individuals and organisations. These interviews will include:

   - people and organisations involved in the management of the outbreak and its handling in England, Scotland and Wales; and
   - people and organisations who experienced the impact of the disease in England, Scotland and Wales and were most affected.

4. As indicated in the Framework Document, all interested parties who wish to submit information in writing to the Inquiry are encouraged to do so by 15 March 2002. The Inquiry wishes to receive as wide a range of comments and views as possible. However the Inquiry will not be able to accede to all requests to meet it.

5. In preparing its final report and recommendations for Government, the Inquiry will take all written submissions into account. Additionally, in some cases, the Inquiry may wish to meet individuals or organisations to discuss particular aspects of their submissions. If so, it will write to them to make the necessary arrangements.

6. In those cases where individuals or organisations are invited to meet the Inquiry at its London office the following procedures will apply:

PRIOR TO THE MEETING

   - we will arrange a convenient time and date for the meeting, we will give directions to our offices and, where appropriate, will offer to pay reasonable travel expenses;
   - we will endeavour to ensure that meetings are conducted so as to minimise the amount of time individuals or organisations are kept away from their working commitments; and
   - we will set out any key areas or questions that the Inquiry will wish to discuss.

AT THE MEETING

- we will offer individuals or organisations the opportunity to raise any points they wish at the start of the meeting and then the Inquiry will ask its questions;
- information given will remain confidential save to the extent that we need to disclose it to carry out our Inquiry properly and to the extent that we need to rely on the information to support the findings in our final report. All individuals and organisations who meet the Inquiry will be listed in the final report;
- we will record views in writing, though not necessarily verbatim, so that we have an accurate record of what we are told.

AFTER THE MEETING

- a note of the meeting will be sent to the individual(s) or organisation concerned to ensure the factual accuracy of recorded views;
- in the event that we do have potential criticisms of individuals, then we shall give written notice thereof to the individual(s) concerned so that they may comment on our criticisms and bring to our attention any matters they consider relevant;
- we will expect to receive any further comments within 21 days of the notice and they will be taken into account before we finalise our report.

7. The Inquiry will also be visiting those areas of England, Scotland and Wales most affected by the disease to meet local people and organisations and seek their views on the handling of the outbreak. Arrangements for these visits will be published in advance on the Inquiry website.

Dr Iain Anderson, Chairman
Mr Alun Evans, Secretary to the Inquiry
February 2002

	2003/04	2004/05	2005/06	Total	
10YP Baseline (latest)	1252	1270	1110	3632	
Crossrail Prep excluded	17	17	18	52	
10 YP baseline excl Xrail	1235	1253	1092	3684	A

	2003/04	2004/05	2005/06	Total
TfL Business Plan (Original, Constant prices, excl Xrail)	1303	1264	1467	4034
TfL Business Plan (Original, Cash prices, excl Xrail)	1336	1328	1580	4244

	2003/04	2004/05	2005/06	Total	
TfL Business Plan (Latest, Constant prices, excl Xrail)	1259	1273	1474	4006	
TfL Business Plan (Latest, Cash prices, excl Xrail)	1290	1338	1587	4215	B

Gap between latest 10YP and TfL Business Plan (cash)	55	85	495	635	(A-B)

All figures exclude Crossrail Preparation Costs.
TfL Business Plan includes £100m for Crossrail construction in 05/06.
TfL Business Plan excludes £103m additional pressure for DLR City Airport extension in 03/04.

From: Martin Hurst
Date: 17 May 2002

PRIME MINISTER

cc: Jonathan Powell
Jeremy Heywood
Alastair Campbell
Joanna Key

INTERVIEW WITH IAIN ANDERSON – FMD LESSONS LEARNT

You are being interviewed for an hour by Iain on Monday – we have a short briefing session beforehand. A note of your last interview – in January - is attached. Iain has recently interviewed Alastair, and Jeremy/Jonathan/David.

A list of the areas Iain has said he would like to cover, plus suggested lines to take, is offered below. I imagine he will range beyond these – and I therefore include a line on his oft repeated suggestion that we should have known very early on that there was something very wrong. (If he believes this, I think he is misguided. But he may just be trying it on as a line for questioning - his style is to put forward what others have told him, often from the slightly more extreme end, to see what his interviewees' reactions are.)

Iain's dedication to the task has been impressive, and his work forensic: his first interview with Brian Bender, for example, lasted five hours and only covered events up to 23 March! He has also put himself in the firing line with visits to the worst affected regions – as much catharsis as inquiry, but really helping ease fears of a whitewash. You will want at some point formally to offer your thanks.

Iain will, if there is time, offer you a private brief on his tentative conclusions – e.g. on the need for management information and proper central and local operational command. From what I've seen, his conclusions will be mainly evidence based. But in some cases I think he has a slightly simplistic view of reactive policy making – e.g. to Phoenix the calf - rather than the more evolutionary approach that there was in practice. As you discussed with Jonathan and Jeremy, you may want to steer him towards those areas where the government accepts it has learnt lessons. These include:

a) the primacy of science – although this was our basic principle in this outbreak, we now know more about the kind of science needed (e.g. on the lack of transmission via footpaths, on the epidemiology, and on vaccination).

b) The need for accurate management information, on which to base decisions.

c) Early introduction of logistics specialists (e.g. the army).

d) Regional control centres, based on central control structures (COBR/JCC).

e) And, covering most of the above, the establishment of the civil contingencies secretariat.

Iain is intending his report to be hard hitting, but forward looking. He will not seek to find scapegoats. But its launch will be tricky for us presentationally. While needing to be on the front foot – and DEFRA have, as you asked, upped their game on this – we will have to be seen to accept the lessons Iain draws. Even if we pull off the balancing act of showing we are doing this without accepting we messed things up, the media will try and slate us – and they will find some support from Iain's report.

So, with the Royal Society and NAO reports due out a little earlier, and a high profile PAC hearing, we will have a distinctly awkward few weeks. And of course, all this is against a background of the September Countryside Alliance march, and there will be attempts by the proponents of hunting to link the issues into a 'government anti rural' message. I have persuaded Brian Bender to chair an early meeting, and to offer you a possible handling strategy well in advance.

You ought, finally, to be aware of the material we will be giving the inquiry, and of what they will publish.

The central input has been the government evidence to the inquiry, which you commented on in detail. The inquiry has had access to all COBR minutes etc.. And we have agreed to give the inquiry any notes of meetings/ formal correspondence on our files. Finally, we will give them a detailed annotated time line (see attachment).

The publication of the report will include agreed records of all interviews. We will put the records of your interviews past you for clearance. They may be published under parliamentary privilege, to avoid risk of legal action.

<u>Suggested questions from Iain</u>

1) Contingency Planning: how much progress do you think that

departments have really made in the light of FMD and other crises?

Suggested reply: the FMD crisis in the UK was unprecedented anywhere, both in terms of its widespread nature, and because of the fact that it was essentially a sheep born epidemic. As a result contingency plans across the world are being torn up and redrawn. We are obviously at the forefront of this reappraisal of plans, and my officials were closely involved in the construction of the interim DEFRA plan. Where lessons are clear, we have learnt them – and we would be in a much better position to respond to another such outbreak were it to occur (in fact, the continued existence of animal movements alone means that another outbreak would be much less widespread). DEFRA's response to recent FMD scares has been very impressive. But of course, we need the input from your and the Royal Society inquiry in order fully to draw the lessons and develop, with the EU, definitive contingency plans.

2) Handling of the Livestock Welfare Disposal Scheme

This was discussed in the interview with Jonathan and Jeremy. The rates were set at meetings here on 20 (with Jim/Nick) and 22 March (with a wider cast, including Ben and Jim Walker). The rates were subsequently lowered, and there is an NFU legal case about the subsequent reduction in rates (a DEFRA decision, through COBR) alleging – incorrectly – that you gave a pledge to the contrary at the meeting on 22 March.

Iain has been critical of the process here, with a central meeting deciding the rates in the presence of the beneficiaries and without the operational side who were affected by the rush of applications they triggered.

3) Decision making at the critical points of the crisis

You have told Iain before that there was a separation between policy (you/ Nick/ Cabinet) and logistics (COBR, once established). And you have also stressed that decisions throughout were based on scientific/veterinary advice. Iain feels that there were key 'trigger points' for decisions. While there were some in reality policy was much more evolutionary. Even the epidemiological modelling which led to the contiguous cull was mainly a development of a policy (and projections) we already had – and the 24 hour cull was much the more important. Iain will also ask whether we had the information/verification mechanisms to make decisions and spot turning points. I think we'd have to say that for the first month we didn't have the information we really needed.

4) Specifically, how decisions were made about the Contiguous Cull

The simple answer is on the basis of the epidemiological evidence present by John Krebs/David King's group. Jonathan and Jeremy explained the timetable of decisions to Iain on Friday.

5) The working of COBR: how might that be improved?

We should say that COBR worked well – and it proved an invaluable focus point for the logistical operation. The inauguration of the Civil Contingencies Secretariat will help run crises like this, and may add to the smoothness of the COBR operation.

6) The creation of DEFRA and what it would achieve

You don't need me to explain this one! But Iain may well press on the rationale for a major machinery of government change in the middle of the crisis. You can safely say that the operational handling on the ground did not change.

7) Animal Movements licensing

Iain wants to use this to get an idea of how far you were involved towards the end of the outbreak. A key interest is the autumn movements regime. We're still trying to track details down with DEFRA, but don't believe you were substantially involved.

8) Making government more proactive.

This is a generic issue, I think, and one which Government is working on following the 21st century civil service agenda. Specifically, the OPSR review of DEFRA is considering this, among other issues. With regard to crisis management, we would dispute I think that we were not proactive; but would say however that crisis management by its nature has a strong reactive element. Again the establishment of the civil contingencies secretariat will enable us best to draw generic experience from previous crisis to management of new ones.

Line to take if pushed on mistakes in the first few weeks.

Bear in mind that there has been much experience with FMD epidemics in Europe and beyond. They all suggest a regional disease control strategy, even when disease is present in more than one area, based on swift animal movement restrictions around infected sites, culling – more immediately of infected stock – and very rapid tracing of infection to primary sites. This we did, and even by the second week of March MAFF felt they could still trace the infection backwards with some confidence. The backlog was we think in culling of contacts, not of infected stock. Only after the second week of March did it become clear there was widespread secondary infection.

MARTIN HURST

From: Martin Hurst
Date: 28 January 2002

JEREMY HEYWOOD

cc: Jonathan Powell
Sir Richard Wilson
Jo Simons

FOOT AND MOUTH: LESSONS LEARNT

The Prime Minister was interviewed for over an hour by Iain Anderson on January 22, as part of the independent Inquiry into the lessons learnt from foot and mouth. The Prime Minister declared his willingness to meet again in two to three month's time. You, Jonathan Powell, myself and Alun Evans, secretary to the Inquiry, were also present. This internal note has been cleared with Alun.

Iain Anderson explained how the Inquiry was progressing. It was proving demanding, fun and controversial. It was also desperately important. He was about to start six two-day regional visits, each with a public meeting, and a series of smaller stakeholder meetings. The decision to do this had been very well received. Iain explained that in deciding to do this he had been very keen to seek a wide range of opinion, not just look at Whitehall papers.

Iain Anderson explained that the Inquiry was, and had to be seen to be, independent. The fact that the PM had been happy to be interviewed was an important signal. Iain would not refrain from criticising Government, or the Prime Minister, if it were well founded. But the Inquiry had to be forward looking, not recriminatory.

The Prime Minister stressed that he was also determined the Inquiry should be independent, and reiterated Sir Richard Wilson's pledge of full co-operation.

Iain Anderson said he was now well into interviews and receiving submissions. The NFU had offered good co-operation. All ministers who were asked to meet the inquiry will do so or have already done so.

1) Iain Anderson asked first for the PM's expectations of the Inquiry.

The Prime Minister said that to his mind there were three key stages to look at:

a) the first three-four weeks, when it was not clear whether we were dealing with more than a small and containable outbreak.

b) once it was clear that the outbreak was of crisis proportions, a phase of extremely rapid ramping up of the logistical effort aimed at delivering the 24/48 hour culls. The way COBR had produced results had been pretty miraculous.

c) the debate on vaccination. This was kept constantly under review. Throughout the crisis the arguments were finely balanced and the scientific evidence was uncertain.

Continuing, the Prime Minister said that the logistical exercise had been huge, involving veterinary diagnosis, slaughter on suspicion, burying (including concerns about the environment and the height in some regions of the water table) valuation and resources. He had been told it was larger than that for the UK involvement in the Gulf War or Kosovo.

Iain Anderson accepted that it had been a task out of all expected proportion.

2) Iain Anderson asked next whether FMD preparedness had ever been raised with the Prime Minister or Cabinet before February 19.

The Prime Minister said that he was not aware of it having been raised. It was noted that the classical swine fever epidemic the previous autumn had been put to him. That outbreak had been rapidly contained. Since there had been no outbreak in mainland Britain for over 30 years it would have been surprising if MAFF had spent a lot of time or effort rasing the issue with ministers.

Iain Anderson said he recognised that it was very easy to be wise after the event and 'revisionism' was a constant danger. And BSE issues had captured all the animal disease attention. But he asked whether there had been serious thought given to contingency planning.

The Prime Minister said there had been no reason to expect an outbreak of this nature. Other outbreaks had all been had been limited to specific areas rather than systemic. Once it was clear that the spread of the disease had been widespread prior to its discovery then the conventional and planned response became wholly irrelevant. That was when we took the crucial step of establishing regional control directors and brought in the army. Since major crises of this kind were entirely unpredictable, the more important issue arising was whether Whitehall was properly geared up for handling crises once they hit.

Alun Evans noted that there was no way of predicting something unprecedented like this, almost by definition.

3) Iain Anderson agreed. He then asked what the Government's policy objectives were from day 1. And how did they evolve.

The Prime Minister explained that the objective throughout had been to eradicate the disease, in a way that allowed the farming industry to continue to exist. The Government could have just allowed the disease to run its course – no pyres, no cost to the Exchequer. And there were no implications for human health. But the cost to the industry would have been intolerable, and no-one seriously advocated this course.

4) Iain Anderson asked what the costs, particularly the social cost, was thought to be. Would the decision have been taken at any cost, without qualification?

The Prime Minister explained that costs had of course been carefully monitored. But it was important to consider what the consequences would have been of letting the disease run. This could well have led to the annihilation of the farming community. It had been extremely hard to get the food industry to countenance sales of vaccinated product. There was no way they would have sold unvaccinated and 'infected' food. There were real problems for the tourism industry either way. The only real alternative would have been vaccination.

The Prime Minister stressed that even at the height of the cull 90 per cent of the livestock remained unaffected by the disease, and the slaughter was only equal to 3 months at the normal UK slaughter rate. He had been very impressed by Jim Scudamore and David King's veterinary and scientific

models. They predicted amazingly accurately what would happen. This had proved very important.

The Prime Minister reiterated that there had been a trade off, cost versus the end of the industry. He had visited every main area. There was a tension between national and local farmers. All the farmers not directly affected by the disease wanted a cull. And the NFU were consistent in their support for culling (he cited the Scottish NFU as particularly strong). But the actual farmer facing the culling of his stock (particularly if it was not explicitly infected) was understandably opposed. However, the effectiveness of the cull policy depended on acting quickly.

The Prime Minister said that there was no doubt that heavy culling offered the best chance of eradicating foot and mouth. The experience in Staffordshire had been illuminating. There the 50 or so farmers outside the immediate contiguous cull had approved a wider slaughter. This had knocked the disease out very quickly.

5) Iain Anderson asked whether the Prime Minister was aware of anything done in terms of management or information that was influenced by the election.

The Prime Minister said no. All the way through, actions had been based on veterinary and scientific advice. His aim had been to eradicate the disease. Of course, turning the question on its head, the date of the election had been affected.

The Prime Minister stressed that he had not said in May that the disease was over. He had said we were in the home straight and that we could see the end of the disease in sight.

6) Iain Anderson noted the feeling in his local area [Perth] that the Prime Minister's declaration of the countryside as 'open' had not reflected the extent to which footpaths remained closed.

The Prime Minister disclaimed responsibility for the actions of the Scottish Executive (and, you noted, English local authorities). The Government fully recognised that the disease was just as devastating for tourism as for

farmers. People had not been visiting country pubs, visitor centres, castles – even Durham Cathedral. So he had tried to get the message across that people could still, with limits, visit the countryside. There had been no evidence anywhere of walkers spreading the disease (rather farm to farm transmission and poor farm biosecurity had been to blame). Michael Meacher's taskforce had been launched to try and get local authorities to reopen footpaths – although reopening had been variable across counties. Continuing, he stressed again that while restrictions remained on paths, even in normal times 70 per cent of visitors to the Lake District never went more than 100 yards from their cars.

7) Iain Anderson noted that the imagery led to confusion. He recorded his impressions in the US that even informed people thought they should not go to the UK because it was unsafe medically.

The Prime Minister agreed that the slaughter, and the pyres, had done real damage to the image of UK tourism. But if we hadn't tackled the epidemic the damage would have been greater.

8) Iain Anderson asked about the project management of the crisis, and the role of COBR. He had been surprised to discover that Nick Brown had never been to COBR.

The Prime Minister explained that the arrangements had deliberately divided responsibilities, although with frequent internal meetings to keep in touch and with phone contact between Nick and Geoff Hoon. It had been agreed that Nick would lead on the policy, keeping the House of Commons in touch, visiting the regions, keeping in touch with the farmers and managing the European side. It would simply not have been possible to do this and simultaneously handle the logistics side, which was led by Geoff Hoon (once the army were involved, and the logistics became effectively army led) and Helene Hayman (who chaired the afternoon meetings). The Prime Minister himself had chaired early COBR meetings.

Jonathan Powell explained the kind of things that the early COBR meetings would achieve: getting John Spellar to secure haulage capacity, the Environment Agency to assign senior staff to look at disposal sites, bringing in vets from the private sector. You explained that each meeting would also start with a sit rep from the regions, or obstacles to a more rapid ramping up. Brian bender and Jenny Bacon had been present throughout.

Alun Evans asked whether a single COBR chair would have been better.

The Prime Minister explained that while he had chaired most early meetings (after Sir Richard Wilson chaired the first one), this was simply not practicable or sensible after the height of the crisis. But, in response to further questions he stressed that he regarded himself as in overall charge throughout. He reiterated that Nick had been the lead, under him, on policy; Geoff principally on logistics. This was the right way, he would do it that way again. Once COBR had been established there had been no problem with co-ordination – in part through meetings also with Nick, Geoff, and other ministers. There had however been some issues regarding getting information from the ground.

9) Iain Anderson said that he accepted that during the three phases: a) the disease as a veterinary problem, with routine response; b) an industry wide problem; c) a national crisis there were quite properly different mechanisms. Handing over between these phases was an issue however.

The Prime Minister said that there had been no shortage of advice! He added that in the last three months vaccination had been the big issue. He thought the right decisions had been taken on the basis of the state of scientific knowledge – David King had been cautious about this throughout and the NFU had been resolutely opposed. In some respects the arguments didn't stack up given the state of the UK outbreak and concerns that the disease might have become endemic in the sheep flock - for example it would not have been possible to vaccinate all sheep. But he hoped the EU would study the issue. And, as Alun Evans noted, there was no single definition of what was meant by vaccination.

Iain Anderson noted that he had met the Dutch. Despite only killing 270k head, compared to 6 million in the UK, Dutch public opinion would never again accept this kind of slaughter. So they will, in future vaccinate. Of course, the Dutch outbreak was very different in nature to ours.

The Prime Minister thought it essential for the EU to come to a consistent view on vaccination based on scientific consensus, and the ability to deal with the sale of vaccinated produce. He had met with the commercial food sector at Chequers. Several key players had said the market would not bear it. But

he accepted that in terms of image, the large-scale killing and pyres were the most damaging.

Iain Anderson asked finally if the Prime Minister had any personal lessons he had drawn from the experience.

The Prime Minister, concluding said if he had, they were probably to do with finding a better way of crisis management. He expressed a ready willingness to meet further with Iain.

MARTIN HURST

FMD NARRATIVE

	DATE	EVENTS	DAILY CASES	TOTAL CASES	NO.10 ACTION/INVOLVEMENT
		Week 1			
M	19 Feb	• Suspected FMD discovered by Meat Hygiene Service vet in Cheale Meats Abattoir, Essex. 27 sows and 1 boar in lairage. Animals came from two farms: Buckinghamshire and Isle of Wight. Blood samples to Pirbright for testing.	0	0	
T	20 Feb	• Blood test results confirm Type O FMD Virus. 151 pigs slaughtered. • Food Standards Agency say no implications for human food chain. • Helene Hayman's office telephone John Spellar's PS (Minister for Armed Forces) on possible future request for military assistance if outbreak is not confined to one area.	1	1	
W	21 Feb	• FMO2 in linked farm in Essex. • HH statement to Lords (Commons in recess). • European Commission ban on UK animal and meat exports until 1 March. • NI impose complete ban on import of dairy and animal products from GB. • MAFF daily press briefings begin (Nick Brown). • DECC opened at Page Street, London. • Tracing of farms supplying Essex abattoir identifies Heddon-on-the-Wall as possible source of outbreak.	1	2	
Th	22 Feb	• FMO3 in linked farm in Brentwood, Essex. • Ben Gill tells public to avoid trips to countryside unless necessary. • Ramblers Association advise people against rural walks. • MAFF advise public to avoid farmland to prevent spread of FMD.	1	3	• Minute from NB to PM: "it is, of course, too soon to say whether we are in for a relatively brief interruption, or a massive problem on the scale of 1967… If the disease spreads substantially, we may need to think in terms of extreme measures such as support by the military. My department has made initial contact with the MoD to

		• Hunting suspended for seven days.			explore the kind of skills and resource which might be needed".
F	23 Feb	• FMO4 confirmed in Heddon-on-the Wall. (First case outside Essex.) Old lesions suggest disease has been in herd for three weeks. • FMO5 in Essex and FMO6 in Northumberland. • Immediate standstill on all livestock movements throughout GB from 5pm until 2 March (i.e. one week). Britain declared a controlled area, with fairs and markets closed. Deer and fox hunting, and hare coursing, prohibited. "In announcing these measures, my Minister would also call on the whole farming and rural community to exercise responsibility, and avoid any unnecessary gatherings of people, or movements of large numbers of people, on farmland." (PS/NB to DN) • Woburn Safari Park temporarily closed to protect animals. Whipsnade Animal Park bans all cars. RSPB closes nature reserves for a week. National Trust closes all its parks containing livestock. Royal Parks in London containing livestock to be shut by weekend. • Meeting at Cabinet Office to discuss the FMD outbreak. Chaired by Paul Britton and attended by MAFF, DH, FCO, HMT, NAWAD, DARDNI, SERAD, Home Office and No. 10. • First MAFF Stakeholders Meeting.	3	6	• PM in Washington. • PM/NB telephone call at lunchtime. NB warns that disease may have been around for 2-3 weeks, and may have been spread by many animal movements. But hopes that standstill combined with short incubation period will allow govt to assess disease, trace all outbreaks and limit further spread. "His assumption, confirmed by the CVO, was that – provided there were not still finding new outbreaks of the disease – we should be able substantially to relax the restrictions after the seven days".
Sa	24 Feb	• Reports of first case in Devon (confirmed following day). Tracing shows that sheep and cattle originated from Longtown Market.	0	6	
Su	25 Feb	• EU told that a major sheep trader is involved in the outbreak and that contact with exported animals may have taken place. • Limited exemption to livestock movement ban. Any animal that has died on premises or has been slaughtered	1	7	

		for welfare purposes can be moved. Licenses also given for animals stuck at markets etc to return to owner's premises or to slaughter. **<u>By end of week 1:</u>** **421 vets deployed.** **Number of animals slaughtered: 2,911** **Number of animals disposed: 1,223** **Number of animals awaiting slaughter: 9,513** **Number of animals awaiting disposal: 1,688**			
		Week 2			
M	26 Feb	• FMO8 in Wiltshire. • Nick Brown statement to House of Commons. "The Government is well aware of the disruption the temporary 'controlled area' in GB has caused to farming, the food chain and the wider rural community… During the course of this week, the SVS, under the CVO, will continue its huge task of tracing and controlling the disease. They have been assured of all the resources they need for that task." On countryside: "I really would appeal to everybody who enjoys the countryside again to stay away from the livestock and take sensible precautions if they have to visit vulnerable premises." • Ireland sets up army checkpoints at all points of entry from Great Britain and Northern Ireland.	2	9	• <u>PM/Ben Gill/CVO meeting in afternoon</u>. NFU underline support for slaughter policy and animal movement standstill. But warn about shortage of disinfectant and potential problems in communications by MAFF. NFU also seek further steps to ensure that public avoid countryside. PM asks CVO if MAFF have sufficient resources and personnel. CVO says they are sufficient at present. PM asks to be told immediately if more are needed. He will ensure they are provided. • PM asked in BBC interview how long outbreak may last: "Frankly we can't tell at this stage. We have simply got to wait and see how widespread this disease is. Whatever is needed to tackle and eradicate it, those steps we will take."
T	27 Feb	• First confirmed cases in Wales (Anglesey) and Northamptonshire. • 70 farms under individual movement restrictions. 19 farms being slaughtered as dangerous contacts (mainly nearby or linked premises to IPs). • British Horse Racing Board and Jockey Club suspend racing for seven days. • Brian Bender advises there will be a shortage of meat by	7	16	• <u>PM/BB/CVO telephone call in morning</u>. Vets continuing to visit dangerous contacts. CVO says it is too early to judge whether disease is developing along best or worst case prognosis. "But the decision to prohibit movements of livestock last Friday meant that animal-to-animal infection should by now have been severely limited." BB refers to proposal to take powers immediately to allow local authorities to restrict rights of access in countryside. "Our

		the end of the week if slaughter is not permitted. MAFF talks to industry about a licensing scheme to move animals direct to slaughter. • Orders made enabling local authorities to close footpaths and rights of way. • Brid Rodgers announced she had secured the PM's commitment to a regional approach to the export ban on the UK. • Letter from Jenny Bacon (MAFF) to Paul Britton (CO) appreciating CO "forbearance in not asking for undue one-off information or collective meetings" but recognising that "other departments have significant interests in some issues". Letter covers controlled area restrictions, food supply, and ban on meat and animal exports. Letter copied to DTI, Treasury, FCO and devolved admins.			approach remained one in which we believed that it was better to take tough and effective steps now to eradicate the disease as quickly as possible, rather than risk deciding later that we had not been tough enough at the beginning." • PM chairs Ministerial meeting. Attended by NB, Home Sec, D Blunkett, A Smith, SoS Scotland, MM, Keith Vaz, Janet Anderson, Lord Sainsbury, David Hanson, Brid Rogers, Adam Ingram, John Spellar, John Krebs and RW. NB outlines Order to enable local authorities to close rights of way. MM says that pyre burning does not cause air quality problems at present. D Blunkett concern about impact on employment in food and farming. PM asks why sporting fixtures are being postponed. Janet A says that sport needs more guidance from govt. CVO says that risks are remote if direct contact with livestock is not involved. But Govt welcomes responsible action by organisers of events. CVO confirms that his resources are sufficient at present. • PM meeting in afternoon with NB, CX and CVO. £167m agrimonetary compensation agreed. Announced immediately by NB.
W	28 Feb	• First confirmed cases in Leicestershire and Cumbria. • Nick Brown statement to House of Commons. • First Outbreak in Northern Ireland (Meigh, Armagh), close to the Republic.	8	24	• CVO briefs PM by telephone. CVO worried about sheep. Many movements involved. Difficult to detect symptoms in sheep.
Th	1 Mar	• First confirmed case in Dumfries and Galloway. • Countryside Agency issues Press Release: "Rights of Way Restrictions vital in fight against FMD". CA estimate FMD implications for rural businesses – potential £2 billion loss. • MAFF notifies MOD that they are considering request for military assistance. • CLA write to No.10 and others to highlight knock-on effects for rural economy. Govt argues that consequential losses do not attract compensation and that	7	31	

		losses will be alleviated by getting animal (slaughter) trade moving again.			
F	2 Mar	• Belgium informs EU about suspected FMD case. • First confirmed case in Cornwall (FMO42). • Licensed movement to slaughter introduced outside infected areas. • John Krebs and BB discussed setting up epidemiology group to discuss possible origins of outbreak, factors influencing rate of spread and duration, and effectiveness of control policy – meeting set for 6 Mar.	7	38	• PM says in Q&A in Cardiff: "At the moment, each of the cases identified, even in Northern Ireland and Scotland, are all traceable back to the one farm, the origin of it, in Northumberland. Therefore, at the moment there are no secondary or tertiary cases taking place. That is not to say that may not happen."
Sa	3 Mar	• MAFF announcement of major review of safeguards in place to cut risks of future animal disease outbreaks.	10	48	
Su	4 Mar	• Tests conducted on a farm in Denmark after a sheep showed symptoms of the disease. Exclusion zone erected. **By end of week 2:** **470 vets deployed.** **Number of animals slaughtered: 34,463** **Number of animals disposed: 11,605** **Number of animals awaiting slaughter: 156,525** **Number of animals awaiting disposal: 24,546**	17	65	
		Week 3			
M	5 Mar	• Belgium informed EU that all their FMD results were negative but movement restrictions were being maintained. • Test in Denmark negative. • DCMS issues guidance on 'Visiting the Countryside for Tourism, Sport or Recreation'.	10	75	• Advice from MAFF is still that all cases are traceable to initial outbreak.
T	6 Mar	• EU SVC discuss how successful the epidemiological procedures and controls have been. • Agreement with Central Association of Agricultural Valuers on payment to valuers. To be reviewed in six weeks.	5	80	

W	7 Mar	• Italy imposes worldwide ban on imports of livestock susceptible to FMD. • Cheltenham Festival postponed and Irish Rugby Football Union cancels its Six Nations matches.	15	95	• PM meets NB and CVO. CVO points to risk that sheep are carrying and transmitting disease without displaying clinical symptoms. So may need to maintain movement restrictions for weeks.
Th	8 Mar	• MHS approved over 260 abattoirs for the license to slaughter scheme – of those, 168 operating on 7 March.	19	114	
F	9 Mar	• Two local welfare movement schemes introduced. Scottish farmers in areas unaffected by the outbreak allowed to move livestock on welfare grounds as the lambing season started. • General license issued to allow casualty/welfare carcasses to be moved from farms to incinerators, rendering plants, knackers' yards or hunt kennels. • Collecting centres defined, but put 'on hold'. • A public statement from CVO emphasises need for continued vigilance in biosecurity. • HH contacts John Spellar at MOD to request small number of RAVC staff and the provisional agreement that Army marksmen could be available at short notice. • Ramblers' Association say people should not walk across any farm land in England, Scotland and Wales and should avoid walking in any area where there might be livestock.	20	126	
Sa	10 Mar		14	140	
Su	11 Mar	• NB says on BBC TV "I am absolutely certain we have it under control - I know the sights of dead animals being burned is horrific and worries people but it is the correct policy to pursue… This is disease that had spread and is contained, we haven't had outbreaks since the movement restrictions were put in place from new episodes". • BTA claims that UK tourism losing about £100 million a week due to FMD. Cumbria Tourist Board says it is getting 20-30,000 cancellations a week.	24	164	

		By end of week 3: **689 vets deployed.** **Number of animals slaughtered: 78,785** **Number of animals disposed: 62,291** **Number of animals awaiting slaughter: 239,198** **Number of animals awaiting disposal: 41,040**			
		Week 4			
M	12 Mar	• NB says on media that FMD crisis is now of a "different order" than previously thought, but is still "under control". • John Spellar replies to HH, offering marksmen and a small number of vets. • Chris Smith minutes PM on "real and substantial problems emerging for tourism". ETC estimate losses for tourism at £100m per week.	18	182	• PM meets NB and CVO in morning. CVO reports significant number of new cases over weekend, particularly in Cumbria and Devon. Most could be traced to movement of sheep through infected markets before 23 Feb. A few cases due to lateral spread. Possibly 1000-2000 cases in total. Media critical of slaughter time, but all were being slaughtered within 24 hours of identification. PM asks about resources. NB says pressure point is limited number of vets. PM emphasises that resources will be found. PM says that people will increasingly become frustrated by countryside restrictions. CVO says may be possible to relax some by weekend. CVO opposed to vaccination on disease control, export and tourism grounds. PM commissions options paper. • PM meets Ben Gill, R Mac (NFU), Huw Richards (NFUW), Jim Walker (SNFU) and Douglas Rowe (UFU). Farming leaders support current slaughter strategy. But refer to "colossal distress" of their members. Farmers leaders oppose vaccination and ask government not to abandon industry in favour of wider rural economy.
T	13 Mar	• French notify outbreak of FMD in Mayenne. Further slaughtering of suspected animals in many French Regions. • United States and Canada ban meat and meat products from the EU.	17	199	• PM meets tourism and rural business reps, plus NFU. 111 out of 230 youth hostels closed. Every National Trust rural property closed (even though they had only one outbreak on their land). BG says that current policies must remain in place. CLA and others press for aid package. PM sets up

					rural task force under MM.
W	14 Mar	• 50% of rural county councils affected by FMD are opposed to a general election in May (Times survey). Ben Gill says "I cannot conceive of how you can possibly have a general election while we have restrictions on movements and disease in significant parts of the country causing these restrictions. Everything could change - we continue to hope for the best but I fear we have a lot worse to come." • Geoff Hoon writes to NB saying MoD is "ready to do all we reasonably can to help… I am ready to respond quickly to any formal request you may put to me for further military assistance". • CVO advises that all susceptible animals within 3km of IPs in Cumbria are at risk of having been exposed to the disease. • Rural Task Force – 1st Meeting 2.00pm (Chair: Michael Meacher). Discusses remit, immediate and long-term issues and updated guidance on activities in the countryside. • DCMS issue Press Release: "Tourism Minister Janet Anderson to hear south west leisure chiefs'concerns for business". • George Trevelyan appointed Director of Operations in MAFF Page Street. • MAFF and MOD officials meet to discuss operations, communications and planning. A specific request to the MOD was identified as being needed, for logistical assistance to arrive the following day.	20	219	
Th	15 Mar	• Nick Brown Statement to the House of Commons. Announces different policies needed in Cumbria (slaughter of sheep and pigs within 3km of IPs), and Devon (intensive patrols in the 3km around IPs and rapid slaughter if disease is found) and rest of the country	31	250	• PM meets NE NFU in constituency. NFU seek more rapid implementation of policy.

		(continued intensive programme of tracing and slaughter of dangerous contacts). Plus pre-emptive slaughter of sheep traced through markets in Welshpool, Northampton and Longtown. Also discussed longer distance welfare movement and welfare disposal schemes and collecting centres. Later minutes Chief Sec proposing LWDS. • Confusion following NB statement on whether 3km slaughter policy includes cattle (statement was unclear). MAFF row back and exclude cattle. Media refer to 3km slaughter policy as "firebreak cull". • Janet Anderson (DCMS) chairs mini-summit on FMD and tourism. Chris Smith minutes PM saying "the need for a rural tourism recovery programme has become overwhelming". • Ash Moor burial site, Devon identified as a possible location for carcass disposal. • Letter from G Hoon to NB agreeing to the deployment of a logistical planning team to MAFF HQ. Two majors from Logistical Planning arrived at MAFF HQ. NB writes to DTI (Byers) saying that he has also asked MoD to provide command and control centres in Devon and Cumbria to supplement MAFF regional staff, plus 50 mobile site management teams.			
F	16 Mar	• BBC report growing resistance to 3km cull in Cumbria. • NB says he is "halting the cull" in Cumbria so that it can be explained to farmers there at weekend. • Long distance welfare movement scheme applications invited over weekend (17 and 18 March). • Power to impose new blanket footpath closures repealed. Local authority power to close footpaths in controlled areas narrowed: by notice only and with consent of Minister. • Countryside Agency website linked to local authority rights-of-way information launched.	20	270	

Sa	17 Mar	• MM visit to Leicestershire to urge public to go back to the countryside.	20	290	
Su	18 Mar	• Centre for Economics and Business Research warns outbreak likely to cost £9 billion in terms of lost earnings for the agriculture and tourism industries. • NB says on media that outbreak now likely to last several months. **<u>By end of week 4:</u>** **1033 vets deployed.** **Number of animals slaughtered: 145,598** **Number of animals disposed: 116,308** **Number of animals awaiting slaughter: 315,379** **Number of animals awaiting disposal: 70,330**	34	324	• <u>PM, NB, RW and BB telephone call</u>. PM identifies several priorities for immediate action/advice: designating Regional Operations Directors for Cumbria, Dumfries, Devon and Powys; ensuring senior veterinary expertise in each area; dedicated local hotlines, and removing delays between identifying an outbreak, confirming it, slaughtering the animals and disposing of them. NB says that main problem is shortage of vets. PM replies that improving organisation, administration and communications will reduce pressure on vets.
		Week 5			
M	19 Mar	• CVO in Cumbria for meeting with farmers. Defends 3km cull. "The meeting hasn't changed my mind as to what's to be done but we'll have to look at how it's done." • Meeting between Jenny Bacon, and Lindsay Bell agreed to provide daily factual updates to the PM. • NCC started to operate. • MAFF appoint Regional Operations Directors for Cumbria (Jane Brown) and Devon (Andy Lebrecht). Veterinary command also strengthened in each area. • Anthony Gibson of SW NFU says that FMD battle is being lost in Devon. • G Hoon letter to NB agreeing to use of armed forces "to supervise and manage the disposal of carcases in Devon and Cumbria". Small team in MAFF HQ plus battalion-type HQs in each district to provide command and control, and up to 50 small teams in each area to supervise the disposal of carcases on the ground. "I would hope to have these in place, and making a clear impact, by Tuesday morning".	28	352	• <u>PM meeting with NB, MM, RW and BB</u>. PM says it is a "crucial week in terms of handling the disease outbreak". It is "clear that the eradication effort would have to continue for several months. We therefore need to shift the emphasis from that of a national crisis to that of a controlled disease eradication strategy". RODs in the three key areas should be responsible for "strategic direction, administration and co-ordination of the overall effort in each region". • PM says that we also need to address accusations of delay. NB replies that delays between reporting and confirmation of disease are "largely incorrect". Disease in most cases diagnosed clinically. But valuation can introduce delays between slaughter and disposal. • PM asks for "differentiation" between areas: clear process by end of week for relaxing restrictions in FMD-free areas; greater emphasis on fact that countryside is open for business; and recovery plans for livestock farmers and wider rural economy.

		• Military Commanders for the regions - Brigadier Birtwhistle (Cumbria) and Lieutenant Colonel Vickers (Exeter) – in place. • NB and BB report in PM meeting that "external epidemiologists" are examining future course of outbreak. Krebs planning to take meeting later in week.			
T	20 Mar	• Rural Task Force – 2nd Meeting 10.30am (Chair: Michael Meacher). Countryside access. Parliamentary statement by Michael Meacher announced package of short-term relief for rural businesses hit by FMD. • DCMS issued Press Release – Britain was "open for holidays". • NFU accused government of acting too slowly in the early days of the crisis and slaughter of healthy animals could have been avoided.	42	394	• PM meets NB and CVO. Agree urgent action to secure: standard valuation tariff for slaughtered animals; additional veterinary resources (e.g. by increasing rate for private vets); greater flexibility if necessary to bury sheep on farms; fully-functioning MoD logistical presence in Devon and Cumbria today. • PM and NB meet Ben Gill, Jim Walker, NFUW and UFU. BG and JW refer to "huge amount of frustration about delays in the slaughter and removal of livestock". Delays at various stages: between confirmation of disease and slaughter; and between slaughter and removal. NFU indicate they are likely to support a standard tariff for valuation, which BG says is a factor in delays. BG asks for roads to be closed in Devon and Cumbria (as they were in Scotland and Wales). • Letter from JJH to Andrew Slade asking NB or another MAFF Minister to chair inter-dept meeting each weekday morning at 10.30 "to take timely decisions to ensure the most effective implementation of the disease eradication strategy". Chief Sec, MoD, DETR Ministers to attend along with other departments as appropriate and devolved administrations. Officials attending must have power to take decisions on behalf of their Ministers. Cabinet Office secretariat. • Email from Richard Abel (RW's Office) to JJH saying that, after the meeting with the PM, RW has agreed a "step-change in the level of assistance to be provided by the Cabinet Office in response to FMD". Lindsay Bell to chair a

					daily morning meeting; BB to go through checklist of actions after the meeting and ensure follow-up. "The Cabinet Office will take responsibility for sorting out all the actions which involve more than one department, and take meetings in the course of that day and chase action from the relevant departments. Sir Richard has made it clear that MAFF and the Secretariat must devote the resources required to do the job: FMD is top priority".
W	21 Mar	• 60 troops in Devon, 80 in Cumbria. MAFF appoint further RODs for Worcester, and seek army support for Gloucester, Worcester and Stafford. • Veterinary inspector rate for private sector increased from £160 to £250 per day. Appeal through BVA for more vets. Tasks requiring vets streamlined, and waiting period between farm visits reduced from 3 days to 1 day. • Six rendering plants set to be on stream by following Monday. 12,500 tonnes per week (250,000 sheep). • Great Orton disposal site opened in Cumbria. • Media report that pre-emptive cull has begun in Dumfries and Galloway. • Opposition Day Debate, Nick Brown sets out actions to speed up cull, including allowing vets to slaughter on suspicion without waiting for a decision from Page Street; standard valuation tariff. • First new daily inter-departmental meeting chaired by NB. • Netherlands informs Commission about three outbreaks of FMD. Decision to cull all animals within a perimeter of 1km around the outbreaks and suspected cases. • Epidemiology meeting hosted by Krebs. Roy Anderson (Imperial College) briefs media and says that urgent action needed (a) to reduce interval between report and slaughter to 1-2 days b) slaughter of all susceptible animals within a 3km zone contiguous to the outbreak.	43	437	• PM says that delaying local elections would send wrong signals for tourism, but will listen to the arguments (BBC). • MoD report to No.10 on army commanders' key first impressions from Devon and Cumbria. Highlights that "MAFF were suffering from a critical lack of command and control mechanisms; passage of information was poor and the workers at the scene had little idea of the plan; there was no centralised MAFF operations room".
Th	22	• Inter-departmental Meeting chaired by HH.	42	479	• 8.30am Meeting: PM, NC, CVO, BB . This led to a request

	Mar	• COBR opens. First Meeting 3.00pm (Chair: RW). Aims to take stock of the escalating crisis and propose additional central co-ordination. Agreement reached that COBR would open daily from 7.45am until 8.00pm. • First Case confirmed in the Ireland. • First 'Visiting the Countryside – how you can help' advert in the National Press. MAFF summary footpath risk assessment published. • Soil Association hosted Press Conference at which 'Elm Farm' report was discussed and Government urged to vaccinate.			for an immediate options paper and the need for COBR. • <u>PM meeting at 12.30pm with NB, Ben Gill, Jim Walker and other devolved Ministers and farm leaders</u>. BG says there are encouraging signs that the eradication strategy is working. Meeting also agrees LWDS rates (details agreed by NB after PM leaves for Cumbria). • <u>PM meeting in Carlisle with farmers and tourism reps</u> (on way to Stockholm EU Council). NFU say disease is "now running wild in the region". Vital that "cordon sanitaire" is created to contain it. PM supports. Also says that govt will achieve "massive gearing up" of effort and remove bureaucratic obstacles. William Hague says he agrees with govt approach, but that they are behind the game. Says he called for army 10 days ago. • PM adds: "I understand all the criticisms, I simply say there was a fear a week ago that we were over-reacting with the slaughter policy but now I would think people would say 'we want that policy carried out and carried out quickly". • No.10 and others receive advice from epidemiological team convened by Krebs. "All the experts advised the need for further drastic action to bring disease under control. Otherwise FMD will become established in Britain". Call for more rapid slaughter plus slaughter of "all susceptible species around infected farms", effective controls in 3km zones around IPs and faster disposal. These steps could "reduce the epidemic substantially". • MAFF submit advice to No.10 on future policy options, in particular 3km cull in Cumbria and Devon, vaccination to kill and vaccination to survive.
Fr	23 Mar	• DK says outbreak is out of control. • First epidemiological forecasts published by teams from Imperial College, Edinburgh University and MAFF. Says number of cases and infected areas will rise steeply despite current controls. Cases could rise to 70 a day over	35	514	• MoD minute to BB's Office raising "a potential difficulty if it was unclear who was responsible for which elements of the process to manage the outbreak. He suggested a distinction between policy-setting (with MAFF very clearly in the lead, deciding which animals in which locations

		the next two weeks with more than 4,000 cases being recorded by June. Advocates slaughter within 24 hours for infected premises and 48 hours for contiguous premises. • COBR meeting 9.00am (Chair: Mavis McDonald). • COBR co-ordination meeting 3.00pm. • Press Conference at Nobel House. CSA announces the PM's desire for a 24-hour cull policy (quoted extensively in media). • Formal instructions sent to Field Veterinary Staff as basis of 'contiguous cull policy': contiguous premises to be treated as dangerous contacts. • Great Orton mass burial site, Cumbria identified as a possible location for carcass disposal. • 101 Log Brigade HQ (under Malcolm Wood) deployed in Page Street. • Meeting of SVC authorises suppressive vaccination in the Netherlands. • France informed the Commission about a second (and last) outbreak of FMD (7.30pm, close to Paris).			needed to be killed in what timeframe) and implementation, with MOD assuming greater responsibility for delivering the logistics solution to meet that policy". • Geoff Hoon letter to PM on MoD help: "range of possible assistance to most key stages of the process, particularly culling, and the burning and buying of carcases. Potential to improve further the co-ordination of activity through expanded local military liaison and strengthened central crisis management. But important to have clear lines of responsibility".
Sa	24 Mar	• COBR meeting 11.00am (Chair: Mavis McDonald). • COBR stock-take at 5.30pm. • NB announces that average time from confirmation to slaughter has almost halved, to just over 12 hours. Carcasses now being disposed of in average 36 hours, compared to four days during the first week of the outbreak. But DK warns that half of livestock industry could be slaughtered if crisis continues. • Letter from Ben Gill to PM. "Changed arrangements announced at the start of last week and implemented in the middle of the week are now showing real improvements… the interaction of key local farmers with the new area director [in Devon and Cumbria] and the army has produced a far better understanding and is leading to continuing improvements not only in the	45	559	• PM/NB telephone call. NB plans to announce in the following week a ban on pigswill; a 21/28 day "layover" period for sheep after being traded or moved; and tougher rules on imports, including carrier liability. PM agrees, but says that carrier liability needs further consideration. • PM visits Devon.

		destruction of diseased animals but also in the planning of next stages". But BG also says he is "horrified" by DK's intervention in claiming the 24-hour target as his own work and in claiming to implement a "rigid 3km ring cull around each infected farm". • MAFF core script emphases that epidemiological advice shows that Department was right to set 24-hour report to slaughter target. Achieved in large parts of country, though not Cumbria. Implementation of recommendation for 3km pre-emptive culls depends on "practicality and public acceptability". But implementing "firebreak" cull of sheep and pigs in Cumbria/Galloway, and "cordon sanitaire" south from Penrith. "Possibility of limited vaccination as part of the pre-emptive cull approach".			
Su	25 Mar	• COBR meeting 11.00am. • COBR meeting 2.00pm (Chair: PM). **<u>By end of week 5:</u>** **1152 vets and 500+ military deployed.** **Number of animals slaughtered: 297,109** **Number of animals disposed: 239,526** **Number of animals awaiting slaughter: 489,880** **Number of animals awaiting disposal: 127,913**	47	606	• <u>PM/NB telephone call</u>. PM emphasises that NB "remained clearly in charge of determining the strategy, advised by the CVO and others. However, he thought it would be helpful if Baroness Hayman could assist the PM in the central task of overseeing the practical implementation of the eradication strategy. Your Minister [NB] agreed." PM believes that "huge effort" in Devon and Cumbria is beginning to bear fruit. PM says that farmers in Devon less negative on vaccination than expected. Vaccination was "the main outstanding policy issue at present" and PM wanted NB's advice on it.
		Week 6			
M	26 Mar	• COBR meeting 9.00am (Chair: PM). • COBR meeting 5.00pm (Chair: Baroness Hayman). • Decision that COBR should meet twice daily, on above format. Three priorities agreed for "immediate action". 24-hour slaughter policy for IPs; 48-hour contiguous policy; all animals identified for slaughter in Solway to be killed as priority. • NB in Cumbria. Says that case for "cordon sanitaire" is	38	644	• DN email to Neil Thornton (MAFF) requesting detailed paper on slaughter and vaccination options, and what paper should cover. • JJH letter to Fergus Muir (DCMS) seeking options for targeted help for tourism.

		being considered to prevent disease spreading south. • Joint co-ordinating Centre (JCC) established in MAFF. Military Deputy Director of JCC is Brig. Malcolm Wood. • Netherlands informed the Commission about two new outbreaks of FMD (around Oene). After confirmation, suppressive vaccination started. • First meeting of the FMD science group, which continued to meet daily until the end of March then less regularly. • First carcasses buried at Great Orton mass burial site.			
T	27 Mar	• COBR meeting 9.00am. • COBR meeting 5.00pm. • Continuing media reports of slaughter and disposal delays. • NB statement to HC. Confirmed a) 24hr/48hr slaughter targets b) consultations on banning of pigswill and 20-day movement restrictions c) simplification of valuation arrangements d) "the government is considering whether to use vaccination" - commitment to seek contingent decision from SVC e) action on illegal meat imports f) trailing of future review of operation of livestock sector. • Formal advice to MAFF Ministers from Neil Thornton and CVO in favour of vaccination of cattle in North Cumbria. "Our recommendation is therefore that, with Commission approval which should be provided tomorrow, a programme of emergency vaccination of cattle should be undertaken as a matter of urgency". Main aim is to "save a substantial proportion of the Cumbrian dairy herd", reduce FMD cases, release resources (e.g. vets and disposal capacity) and save rare breeds. Advice submitted to PM by BB. • BBC: "now there's talk of vaccination… Only days ago vaccination would have been unthinkable. Now it's a real possibility. Another desperate measure in desperate times."	48	692	• PM on BBC Farming Today: "Now people understand that the essence of the containment by slaughter policy is to get the time from the disease being reported to the animals being slaughtered to 24 hours and under and that is being done… To gear up an organisation to deal with this, inevitably it takes some days to get there, but we are doing it." On vaccination: "Things that may have seemed utterly unpalatable a short time ago have to be on the agenda". • Prime Minister visits Worcester and meets rural stakeholders. Disposal problems; LWDS backlog; tourism in crisis; but good working relations between MAFF and NFU. • Minute from CX to PM on latest estimates of costs: £1.5bn - £2.8bn depending on disease projections. "So we cannot afford to make any new announcements of spending packages, without a very thorough and rigorous assessment of the merits of the proposals, their cost, and their contribution to long-term recovery in the sector. If we are not disciplined the final bill will escalate out of control".

		• Judicial Review into 3km cull initiated by 4 farmers. • Army now deployed in Cumbria, Devon, Exeter, Worcester, Carlisle and Dumfries (plus Stafford). • MM paper to PM saying supporting vaccination as being in the interests of wider rural economy. • DCMS (Brian Leonard) letter to JJH: "there is clearly a devastating effect on tourism in the worst affected areas but elsewhere the picture is only just beginning to emerge".			
W	28 Mar	• SVC agreed UK contingency vaccination request for Cumbria and Devon. • Rural Task Force – 3rd Meeting 10.30am (Chair: Michael Meacher). Countryside access and economic impact. • Meeting of SVC to discuss protective vaccination in the UK. • COBR meeting 9.00am (Chair: Baroness Hayman). • COBR meeting 5.00pm. • DCMS visitor attractions guidance published. • DETR / MAFF guidance on access to the countryide published, incuding a code for walkers. • MOD owned airfield at Throckmorton, Worcestershire identified as a possible location for carcass disposal. • Sennybridge mass burial site Wales identified as a possible location for carcass disposal. • 'Charity Match Funding Scheme' launched. Administered by the Countryside Agency, under which govt match funds public donations to voluntary organisations and charities concerned with relieving distress caused by the outbreak.	49	741	• PM (speaking to British Chambers of Commerce) appeals to local authorities to take common sense view on lifting footpath restrictions. More generally on tourism: "The way this has been presented on television abroad, as if the whole country was out of bounds, is leading to cancellations that are totally unnecessary". • PM meets NB, BB and CVO on vaccination. NB recommends vaccination of cattle in Cumbria, plus slaughter of all fat sheep and pigs. Breeding sheep to be serologically tested. Farmers in Devon want current policy to be given more of a chance. PM says it has no chance as long as contiguous cull policy is not being implemented. NB says he believes it to be deliverable. PM concerned that we will need to vaccinate beyond Cumbria soon. Requests a vaccination programme that could be completed in Cumbria in a week (rather than a fortnight, as proposed). • PM tourism meeting with Chris Smith, MM and Janet Anderson. PM says it is important to emphasise that countryside is open for business. Footpaths should be opened where possible.
Th	29 Mar	• COBR meeting 9.00am (Chair: Baroness Hayman) • COBR meeting 5.00pm. • MAFF guidance to countryside visitors. • Meeting between Mavis McDonald, Jenny Bacon, David	38	779	• PM meets CVO, DK, Paul Kitching, Tony Garland, Keith Sumpton, Lawrence Woodward, BB, Richard Cawthorne to discuss vaccination. PM says that vaccination needs to be considered as an option. CVO suggests vaccinating housed

		Rossington and Brigadier Wood to discuss the way forward on statistics, including improving collection methods and requirements for COBR.			cattle in Cumbria to protect them when they come out of doors. Disagreements between experts over the science. PM concludes that a vaccination scheme should be worked up, covering Cumbria and maybe other areas. Further thought needed on milk and meat, and on whether vaccinated cattle should be slaughtered (PM's view is that they should not). MAFF to work up scheme. • Downing St spokesman says after meeting that decision on vaccination will have to be taken within 48 hours. PM does series of interviews for US television networks: "Britain is open for business".
F	30 Mar	• Highest number of recorded cases in a single day. • COBR meeting 9.00am. • COBR meeting 5.00pm. • NB minute to PM on meetings with farm leaders and scientists. A "clear, unanimous message from the farming industry that they remain fundamentally opposed to vaccination; they want us to press ahead and give the existing policy of stamping out a chance to work". Farmer concerns are that milk and meat will lose value; risk of vaccinated animals becoming "carriers", and risk that vaccination will delay re-opening of exports. Scientific advice that decision can be delayed into middle of next week. NB urges delay to follow up these points and Roy Anderson claim that spread in Cumbria is starting to lessen. Should meanwhile "issue reinforced advice to farmers on controls on movement of animals and vehicles… disinfection and other practical measures farmers can take to limit the spread of infection". • Commission decision authorising vaccination adopted.	50	829	• PM meets council, farming and business leaders in Newcastle. Pressure to speed up slaughter and disposal.
Sa	31 Mar	• COBR meeting 9.00am (chaired by PM). • COBR meeting 5.00pm. • Pre-emptive cull of sheep, goats, pigs and unhoused cattle started in the Leigh/Bramshall Area (Staffordshire).	45	874	• *The Sun* reports that Prime Minister has decided to delay local elections (and therefore General Election) until 7 June, and will announce this on Monday. Downing Street says report is speculation: "The media are focusing on elections.

		During the pre-emptive cull a total of 8 cases (7 IP's) are found on 52 farms.			The Prime Minister is 100% focused on foot-and-mouth."
Su	1 Apr	• COBR meeting 10.00am. • Cheltenham Gold Cup Festival (set for 17 April) cancelled. • CMO Prof. Liam Donaldson meets CVO, MAFF and DH officials to discuss public health risks from disposal of cattle. • Stafford ROD meets farmers' representatives from Leigh/ Bramshall area who (initially) strongly object to cull but later co-operate fully. **<u>By end of week 6:</u>** **1269 vets and 1000+ military deployed.** **Number of animals slaughtered: 490,803** **Number of animals disposed: 388,941** **Number of animals awaiting slaughter: 622,184** **Number of animals awaiting disposal: 229,775**	35	909	
		Week 7			
M	2 Apr	• Judicial Review dropped by farmers. • COBR meeting 9.00am. • COBR meeting 5.00pm. • MAFF paper on "Spreading Infection" identifies three ways in which FMD is spreading: animal to animal; environment (e.g. pasture) to animal; and people and equipment (stockmen, farmers, transport) to animals. "There is epidemiological evidence suggesting that people and equipment movements between premises may however be playing a significant part in the current local spread of the disease". Advice on keeping cattle housed indoors and limiting visits to livestock. • Chief Sec agrees to extra £6m for tourism aid.	37	946	• PM announces delay to local elections until 7 June. • Downing St on vaccination: "It is still a live option but don't expect a decision imminently". • JJH letter to departments with various PM requests: DETR/DCMS high-profile "opening-up day"; paper for publication on how disease is being spread (e.g. not by ramblers); strategy on illegal animal movements; paper on sheep movements before outbreak; Elliot Morley to prepare contingency vaccination options, and analysis with HMT of whether compensation arrangements are an obstacle to further acceptance of vaccination; note from DK on best scientific advice on vaccination; extension of Small Business Loan Guarantee Scheme; scientific teams to each affected area to brief on modelling and why 24/48 hour policy is "key to overcoming the disease"; paper from

					MAFF on differentiation strategy; HH to lead on implementing LWDS and co-ordination with other welfare schemes; progress on statistics. • PM to continue to chair COBR every morning at 9.30am; RW to chair senior officials' preparatory meeting at 8.30am daily "to review latest developments and progress against the previous day's COBR action points". • PM visit to Colchester Barracks. Farmers say that clean-up is proceeding too slowly because contractors are being paid by the hour. Want army to be more involved. Lack of co-ordination in welfare schemes.
T	3 Apr	• COBR officials meeting 8.30am. (Chair: RW) • COBR meeting 9.30am. • COBR meeting 5.00pm (Chair: PM). • First meeting of Cabinet Office vaccination logistics group. DERA asked to undertake modelling of different vaccination options. • First carcasses buried at Widdrington mass burial site. • Office of Science and Technology facts paper sent to PM on vaccination. • NB meets leaders of the dairy and food industries. Lack of assurance that industry will be prepared to use milk and meat from vaccinated animals. • William Hague calls for army to take full control – officials are "hopelessly overstretched". (BBC)	44	990	• PM meets MM, Hilary Armstrong, LGA and county council leaders. MM reports progress: guidance on opening footpaths issued. But actual opening needs to be speeded up. • PM meeting with stakeholders in Usk (Wales). Farmers say encouraging signs that gearing of effort is beginning to show results. Tourism in Wales down by 67-75%. Pressure to improve LWDS performance. • PM meets CX to discuss small firms and tourism aid.
W	4 Apr	• Rural Task Force – 4th Meeting 10.30am (Chair: Michael Meacher). Countryside access and financial measures. • DK press briefing. Number of daily cases following downward trend for first time. But warns that it is vital to continue the slaughter policy. If 24/48 hour policy is applied, number of daily outbreaks would be reduced to a trickle by June. • COBR meeting 5.00pm. Revised arrangements made for	34	102 4	• JJH letter to Andrew Slade. GH to chair COBR when PM cannot attend. HH responsible for welfare; EM – vaccination and serology; J Spellar – lifting restrictions; JQ – international; Bev Hughes – opening rights of way; MM – Rural Task Force. Regular progress-chasing meetings to be chaired by PM. • On DK's latest forecasts, Downing St says: "No-one is getting carried away here. This is a disease which is highly

		one ministerial meeting to be held daily at 9.30am and chaired by Defence Secretary Geoffrey Hoon, unless the PM is in attendance. • Draft MAFF advice identifies farm animals and farmers as the main means of spreading FMD and says that walkers pose very low risk. • NCC website 'openbritain.gov.uk' launched. • DCMS guidance for staging events published. • First carcasses buried at Throckmorton mass burial site. • Professor Fred Brown, US FMD expert, "If it is decided to ring vaccinate, this would reduce the virus load enormously. In addition it would be ludicrous to slaughter the vaccinated animals subsequently. All the rules about moving animals following vaccination are based on the information available before differential diagnostic tests had been devised - these rules need serious debate".			infectious, very contagious and we are not complacent by any means. But this does illustrate that the policy we are embarked on is the right policy… On Professor King's model, we would have expected, were we not having some impact on the disease, for the number of cases to have doubled every nine days. That has not happened… He produced a number of graphs illustrating that the policy ... is starting to bite, but we do need a little time to see how the picture develops before we are able to draw more confident conclusions… His presentation showed we are somewhere between the medium and best-case scenarios".
Th	5 Apr	• Chris Smith (DCMS) chairs summit on FMD and tourism. • COBR officials meeting 8.30am. • COBR ministerial meeting 9.30am. • First carcasses buried at Sennybridge mass burial site, Wales.	33	105 7	• PM meets NB, Geoff Hoon, HH, EM, John Spellar, JQ, Bev H. "The PM was concerned that, on some issues, progress risked being held back by bureaucratic processes and structures which had not been designed for a situation like the present one. Ministers should identify these unnecessary blockages and work to remove them." COBR to continue to meet each day to "focus on the logistics of the eradication strategy" – chaired by GH with PM attending some meetings.
F	6 Apr	• COBR officials meeting 8.30am. • COBR ministerial meeting 9.30am (Chair: Geoffrey Hoon). PM in attendance. • DETR issue press release encouraging tourism ahead of Easter. • DCMS announces £6m funding for tourism advertising. • Letter from MAFF to JJH saying NB "believes we are not	26	108 3	• Prime Minister visited Yorkshire to talk to staff and stakeholders. • PM gives interviews to French, Japanese and U.S. media to promote the Britain is 'Open for Business' message.

		yet at the point at which Ministers should take a final view on the vaccination option, in Cumbria or elsewhere". Refers to "encouraging signs" that policy is beginning to bite, and problems of vaccination both for farmers and food retailers. But thinks vaccination "must remain a serious possibility in Cumbria, at least unless and until we can be confident that the disease is heading in the right direction".			
Sa	7 Apr	• COBR officials meeting 8.30am. • COBR meeting 9.30am (Chair: Geoffrey Hoon). • CVO/CSA guidance on how disease is spread.	22	110 5	
Su	8 Apr	• COBR meeting 10.00am (Chair: Sir Richard Wilson). • DK press seminar to outline his findings on latest epidemiological position. • HH writes to No.10 suggesting options for reducing demand and improving performance under the Livestock Welfare (Disposal) Scheme. • NB writes to 85,000 livestock farmers seeking continued co-operation with present slaughter policy. **By end of week 7:** **1437 vets and 1600+ military deployed.** **Number of animals slaughtered: 615,753** **Number of animals disposed: 627,540** **Number of animals awaiting slaughter: 498,426** **Number of animals awaiting disposal: 217,988**	29	113 4	
		Week 8			
M	9 Apr	• COBR ministerial meeting 8.30am. • Nick Brown statement to the House of Commons. a) encourages farmers to co-operate with slaughter policy b) confirms payments to farmers of optional agrimonetary compensation to be made this week c) vaccination kept under review d) trails possibility of releasing some areas from restrictions.	29	116 3	• PM Ministerial meeting. GH, NB, HH, EM, JS and BH. Continuing backlog in LWDS. Farmers still generally opposed to vaccination. Positive response to government's approach on tourism aid.

		• Draft OST key facts paper agreed between OST/Pirbright and MAFF submitted to No. 10.			
T	10 Apr	• COBR ministerial meeting 8.30am. • Parliament rose. • DETR issues press release from DPM promoting zoo visits. • Meeting of OST Science Group to consider options for Cumbria. Agreed unanimously to recommend limited vaccination of cattle, but to recommend against vaccination for sheep or rare breeds. (Minute from CSA David King to the PM to this effect).	41	120 4	
W	11 Apr	• COBR ministerial meeting 8.30am. • Rural Task Force – 5th Meeting 10.30am (Chair: Michael Meacher). Presentation by Cumbria, footpaths, getting visitors back to the countryside, financial effects. • Following the RTF meeting, Michael Meacher announces further help for struggling rural businesses. (Business Recovery Fund, £15m for RDA's in 4 worst affected areas.) • Netherlands informs Commission about a new outbreak of FMD in Friesland. • DK press briefing. Average number of new cases for w/b 8 April is 32 a day, compared to 43 for previous week. "The flattening out of the epidemic has now been confirmed, and the data even shows a possible downward trend since the end of March".	31	123 5	• PM meets NB, EM, DK, BB and CVO to discuss vaccination and Cumbria. DK Science Group has recommended that cattle housed indoors in Cumbria should be vaccinated. But subject to ensuring that resources are not diverted from 24/48 and that there is sufficiently high take-up. NB doubts that second point can be delivered at present. EM says it might be possible to win over farmers in Cumbria. CVO supports DK recommendation as a means of easing the overall logistical task. PM asks NB for recommendation on way forward. NB says he does not recommend vaccination at present. Would devalue cattle. PM concludes that govt needs quickly to meet food industry to see if they will accept milk and meat from vaccinated cattle; explain position and arguments to farmers in Cumbria and nationally; and ensure that vaccination would not draw resources away from 24/48. • PM chairs meeting with NFU and rural stakeholders in Exeter. NFU unhappy about contiguous cull – they support it in principle but want more flexibility not to slaughter CPs in all cases. Concern persists about LWDS. SW farmers divided about vaccination. Some farmers say that, as time passes, industry will become complacent about biosecurity. Concern about impact on tourism.

Th	12 Apr	***Maundy Thursday*** • COBR meeting 8.30am (Chair: Geoff Hoon). Joyce Quinn and John Spellar present. • DK press seminar. • DETR announce more money for local authorities to open footpaths. • General licenses issued allowing further movement of carcasses of casualty animals and bulk collection of milk from premises under Form D restrictions.	24	125 9	• PM meeting in afternoon at Chequers with representatives of food industry. Supermarkets agree in principle to take milk and meat from vaccinated animals. Position strongly supported by Soil Association (Patrick Holden). Dairy Crest and Nestle resist. PM asks for more definitive positions urgently. • PM plans to see Ben Gill privately on Tuesday and asks NB and EM to go to Cumbria on Saturday to talk to farmers.
F	13 Apr	***Good Friday*** • COBR meeting 8.30am (Chair: Sir Richard Wilson). • Second Northern Ireland Case in Ardboe, County Tyrone. After co-ordination with Commission services, the UK banned dispatch of live animals and FMD products from NI. • Science Group says that if 24/48 hour policy was pursued from outset, severe problems in Cumbria could have been avoided. If not pursued, 1/3 of farms could be infected. (BBC) • Maff says 1,039,000 animals have been slaughtered but 408,000 still needed disposal. The backlog of animals awaiting culling has reached 541,000. Brigadier Malcolm Wood says Army will continue to try to identify new routes for disposal: "It's the biggest military and civil combined operation for the last 30 years. There are more than 1,600 vets in the field". Around 2,000 soldiers are working to combat the disease. Describing the huge scale of the operation, the Brigadier, who has served in Bosnia and the Gulf, said he had never encountered a comparable situation. Says main issue in disease control is rate of slaughter - the number of cattle being disposed of was growing dramatically. • Media report new pressure for vaccination. NB says that 24 hour target being met. But "one of the problems that	30	128 9	

		we have is that, although we are often able to make a start on it within the 48 hours, it is often very difficult to see it through to a conclusion because of the sheer volume of work". Prepared to consider limited vaccination. • Anthony Gibson, SW NFU, says "I do think that they cannot go on slaughtering animals indefinitely and piling up vast mountains of carcasses indefinitely without getting on top of the disease… I think there has to be a sign that the present policy is winning otherwise we must move to plan B, whatever that may be. Presumably Plan B is vaccination of some description".			
Sa	14 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Third Northern Ireland case in Cushendall. • NB cancels trip to Cumbria on grounds that he should go after PM/NB meeting on Tuesday.	17	1306	• PM internal note "Almost certainly, we will agree to vaccination of cattle next week in Cumbria, possibly Devon as well and possibly even other areas too. This will be less to contain FMD – the slaughter policy will have to continue – than to protect the cattle". This will mean that all key decisions have been taken (slaughter; vaccination; welfare, disposal, serology; putting tourism back on its feet) – "COBR needs then to continue managing the situation along these lines".
Su	15 Apr	***Easter Sunday*** • 14% of footpaths open for Easter. • COBR open 8.00am-8.00pm. No meeting. • Statement by Nick Brown following his meeting with Chinese community leaders on 7 and 8 April. He emphasises that links between the outbreak and chinese restaurants was unfounded. • Key facts on vaccination produced by OST – placed on website. • Responses to NFU's 52 questions sent to NFU headquarters. **By end of week 8:**	14	1320	

		1581 vets and 2000+ military deployed. **Number of animals slaughtered: 597,283** **Number of animals disposed: 601,622** **Number of animals awaiting slaughter: 137,859** **Number of animals awaiting disposal: 213,649**			
		Week 9			
M	16 Apr	***Easter Monday*** • Easter Monday (Bank Holiday). • COBR meeting 10.00am. (Chair: Baroness Hayman). • CSA visited Cumbria.	21	134 1	
T	17 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon).	22	136 3	• PM private meeting with Ben Gill at Chequers. BG says that slaughter policy is working. Cases have levelled out and are beginning to fall. Should stick with the policy. Numerous doubts about vaccination. BG agrees to meet DK and other experts to discuss further. • PM meets NB, EM, BB, DK and CVO on vaccination. PM says that Govt should make it clear that in principle it is ready to vaccinate cattle in infected parts of Cumbria and Devon. But cannot proceed without substantial farmer support. DK says that following week is probably latest that a decision to vaccinate cattle in Cumbria can be taken (because cattle are close to be turned out of doors). PM says that industry should be given a further week to decide whether it is willing to support vaccination. Slaughter policy will continue. • Downing St says govt "accepts in principle" advice from CVO and DK that a limited programme to vaccinate cattle in Cumbria, and possibly Devon, was "justified as a means of protecting those animals" .
W	18 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • BBC reports that government accepts in principle the need for a limited vaccination policy. But NFU continues to resist and says may be two weeks before they come to a view on proposals. Nestle also resist.	19	138 2	• PM in Durham says "the scientific advice is there is a strong case for the vaccination of cattle in the areas most affected". But not as substitute for slaughter policy.

		• 2001 Census to go ahead – arrangements were made to conduct census in way that do not exacerbate FMD risk. • Ben Gill writes to all NFU members explaining why he opposes vaccination. • MAFF agrees to stop incineration until national assessment of health risks is completed. • Inland Revenue and Customs and Excise confirm that no interest will be payable on deferred tax or NIC for businesses hit by FMD. • RSPCA inspectors join Intervention Board team to help prioritise cases under LW(D)S. • CVO and DK brief media on limited vaccination proposals. • UK seeks contingency SVC agreement to draw down 500,000 doses from EU vaccine bank.			
Th	19 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • DK announces at press briefing that disease has peaked. Average new cases fallen from 43 at end-March to 27 last week. "On the basis of the fall in the number of cases being reported, the epidemic now is fully under control. Adds that optimistic outlook could now also be applied to the worst-hit area of Cumbria. "In Cumbria, the rate at which the number of cases is dropping is also a little faster than we had predicted… The disease is not spreading quite as rapidly through livestock as our model had originally shown". The decision to slaughter those infected Proposals for protection of rare breeds and hefted sheep in England and Wales published by MAFF. • First lifting of Infected Areas, including Northamptonshire, Milton Keynes, Leicestershire, Lincolnshire, Nottinghamshire and Rutland. HH announces 1000 farms lifted from Infected Area restrictions.	15	1397	
F	20	• COBR meeting 8.30am (Chair: Geoffrey Hoon).	15	141	

	Apr	• DK says that outbreak is "fully under control". Epidemiologists predict only 1-2 cases per day by 7 June. Govt also says that disposal backlog has been exaggerated. • HH announces measures to ease welfare problems caused by FMD restrictions. From 28 April farmers able to move animals between their own premises in a wider range of circumstances. • Work on Ash Moor mass burial site started. • COBR discusses possible change in CP policy for housed cattle – proposing that cattle housed in sheds more than 100 metres away from IP boundary can be considered as not having been exposed to the disease if there has been no movement from the premises and the farmer can prove strict biosecurity measures are in place.		2	
Sa	21 Apr	• COBR meeting 10.00am (Chair: Baroness Hayman). • Leaflet sent to all livestock farmers (requested by Geoffrey Hoon at COBR 18 April) in England containing transcript of Farmers Weekly advert and answers to NFU 51 questions. • Soil Association, Friends of the Earth, National Trust and RSPB condemn NFU position on vaccination.	14	142 6	
Su	22 Apr	• COBR open 8.00am-8.00pm. No meeting. • Fourth and last case in Northern Ireland confirmed in Ardboe, county Tyrone. • 26th and last outbreak of FMD in the Netherlands. **<u>By end of week 9:</u>** **1635 vets and 1900+ military deployed.** **Number of animals slaughtered: 428,618** **Number of animals disposed: 517,924** **Number of animals awaiting slaughter: 152,316** **Number of animals awaiting disposal: 124,343**	9	143 5	
		Week 10			

M	23 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Parliament returned from recess. • "Phoenix" the Calf discovered, allegedly among cattle slaughtered on 19 April. • New GB health mark for all meat and meat products produced from FMD susceptible animals. • Media report first possible human FMD case.	13	144 8	• 10.30am Ministerial update meeting in Downing Street chaired by PM.
T	24 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • DK tells Agriculture Select Committee that outbreak will be largely over by June, with only sporadic cases in July and August. "I am absolutely certain that as a result of this massive epidemic there will have to be lessons learned - and that the greatest lesson is whether the culling policy was the right one." DK says vaccination remains an option for cattle in winter sheds in Cumbria and Devon. • Proposals made for protection of rare breeds and hefted sheep in England and Wales. Discussion paper added to the website. • Media reports three suspect human cases of FMD. All prove negative over following week.	13	146 1	
W	25 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon - PM in attendance) – key issue refinement of contiguous cull policy. • Rural Task Force – 6th Meeting 10.30am (Chair: Michael Meacher). Getting visitors back to the countryside, measures to relieve hardship and regenerate the rural economy. • Bev Hughes (DETR) launches new Countryside Agency grant scheme to help local authorities adopt a consistent risk-based approach to re-opening rights of way. MAFF / DETR issued revised guidance on re-opening rights of way. • Janet Anderson (DCMS) chairs FMD & Tourism Summit.	18	147 9	• PM meets NB, RW and BB. PM calls for end to use of pyres. NB secures adjustment to contiguous cull policy to allow cattle to be spared in some cases, and made subject to rigorous inspection, reflecting declining epidemic. • Media reports in late evening that No.10 has spared "Phoenix" after MAFF sought a court order to kill it. Media report adjustment of contiguous cull policy (allowing some discretion) that NB is to announce the following day as direct consequence of Phoenix.

		• DK, Dr Neil Ferguson, Dr Alex Donaldson, Prof. Mark Woolhouse and Ben Gill appear before House of Commons Agriculture Select Committee.			
Th	26 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Nick Brown statement to the House of Commons on a) refinement of cull policy to allow more discretion on contiguous cull b) revision of LW(D)S rates from 30 April. c) outcome of consultation exercises on the ban of pigswill d) consultation on proposed 20-day standstill after movements on farm for sheep, goats and cattle extended to 11 June e) outline of Government's intentions for supporting the future of farming d) details of number of cases in each constituency to be placed in the House library and up-dated daily; e) MP's to have available details of cases in their own constituency. f) new arrangements for rare breed sheep and moorland or hefted flocks g) update on vaccination. • Govt says that disposal backlog eliminated everywhere except Devon.	3	148 2	• PM visit to Cumbria and Stafford. NFU and others refer to "tremendous progress" on disease and disposal.
F	27 Apr	• COBR meeting 8.30am (Chair: Baroness Hayman). • Parliamentary Secretary agrees vaccination plans can be moved down to 8-day alert. • Original human suspected FMD case is negative.	13	149 5	
Sa	28 Apr	• COBR meeting 8.30am (Chair: Mavis McDonald). • 13 human FMD cases negative.	13	150 8	
Su	29 Apr	• COBR open, no meeting. **By end of week 10:** **1704 vets and 1900+ military deployed.** **Number of animals slaughtered: 240,357** **Number of animals disposed: 306,841** **Number of animals awaiting slaughter: 60,975** **Number of animals awaiting disposal: 57,859**	3	151 1	

FMD NARRATIVE

		Week 11			
M	30 Apr	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Criticism by farmers of decision to revise rates under LWDS.	7	151 8	
T	1 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • Letter received from the NFU complaining of changes in LWDS rates. • MAFF news release stated that the Newcastle DECC was to open the Tow Law Disposal Site – the new £5m site was ready to take up to 20,000 carcasses.	7	152 5	
W	2 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). • COBR meeting 9.30am (Chair: Stephen Wall). Decision to cancel COBR meetings on 3, 5 and 6 May. Suggestion to move meetings to every other day from the following week.	9	153 4	• PM meets NB. PM asks NB to consult industry on recovery plan for livestock. Also favours policy commission on future of UK agriculture and scientific study on how to minimise risk of a future outbreak and handling if one nonetheless occurs.
Th	3 May	• COBR open, no meeting. • Decision to put plans in place to allow movement under license of healthy animals from premises within 3km of an infected place to abattoirs in the Infected Area for welfare reasons. • First carcasses buried at Tow Law mass burial site. • Ban on swill containing meat, poultry and fish week from 24 May. • Guidance issued on refined contiguous cull policy re treatment of hefted and rare breeds of sheep and goats. • Backlog of animals awaiting slaughter eliminated.	9	154 3	• PM meeting with Ben Gill and other farming leaders. BG says overall situation much improved. But criticises reduction in LWDS rates. • Press briefing by PM, Nick Brown, CVO, CSA and Brig. Wood, Prof. King. PM says that govt is on the home straight in fight against FMD. Pyres to end.
F	4 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon). Arrangements agreed – there were to be no meetings at weekends but COBR would be open. From the following week, meetings would be Mondays, Wednesdays and Fridays. • English Tourism Council warned that the Foot and Mouth Outbreak could have cost tourism industry 250,000 jobs.	10	155 3	

		• Government adopts new arrangements for rare breeds of sheep and goats, other pedigree sheep and goats of high genetic value and genuinely hefted sheep such as Herdwicks and Swaledales.			
Sa	5 May	• No COBR meeting. Watchkeeper attended 10.00am - 5.00pm.	3	1556	
Su	6 May	• No COBR meeting. Watchkeeper attended 10.00am - 5.00pm. **<u>By end of week 11:</u>** **1720 vets and 1500 military deployed.** **Number of animals slaughtered: 113,092** **Number of animals disposed: 159,043** **Number of animals awaiting slaughter: 30,637** **Number of animals awaiting disposal: 11,908**	4	1560	
		Week 12			
M	07 May	• COBR meeting 9.00am (Chair: Mavis McDonald). • May Bank Holiday. • Last carcasses go into Great Orton mass burial site.	3	1563	
T	08 May	• COBR meeting 8.30am (Chair: Baroness Hayman). • Michael Meacher announces new £24m funding for rural and countryside businesses in areas badly affected by FMD. The new funding helped to create the Business Recovery Fund, run by RDA's. • Nick Brown announces measures to assist recovery of the farming sector, including free business advice.	2	1565	• General election called for 7 June.
W	09 May	• COBR meeting 8.30am (Chair: Mavis McDonald). • Rural Task Force – 7th Meeting 10.30am (Chair: Michael Meacher). Presentation by MPs from the South-West, getting visitors back to the countryside, measures to relieve hardship and regenerate the rural economy.	5	1570	
Th	10 May	• No COBR meeting. • Nick Brown meets representatives of the Farming Unions	5	1575	

		from England, Scotland, Wales and N. Ireland to discuss progress in dealing with FMD, future issues and exit strategy. • Military withdrawn from Scotland. • FMD Order 1983 amended to introduce a sheep shearing license scheme from 1 June. Needed because although sheep shearing presents risks for transmitting FMD, sheep shearing needs to go ahead for welfare reasons.			
F	11 May	• COBR meeting 8.30am (Chair: Baroness Hayman). Decision made that from Mon 14 May meetings to be held at 9.15am on Mondays, Wednesdays and Fridays. • Pirbright study showed the disease was unlikely to be dispersed through the use of pyres.	8	1583	
Sa	12 May	• COBR closed.	6	1589	
Su	13 May	• COBR open. Watchkeeper attended 11.00am – 5.00pm. **<u>By end of week 12:</u>** **1798 vets and 1036 military deployed.** **Number of animals slaughtered: 64,633** **Number of animals disposed: 73,083** **Number of animals awaiting slaughter: 48,158** **Number of animals awaiting disposal: 345**	4	1593	
		Week 13			
M	14 May	• Parliament dissolved. • COBR meeting 9.15am (Chair: Baroness Hayman). • Decision taken to mothball Ash Moor burial site.	6	1599	
T	15 May		1	1600	
W	16 May	• COBR meeting 9.15am (Chair: Baroness Hayman).	3	1603	
Th	17 May	• First day with no confirmed cases. • 26% of footpaths open.	0	1603	

		• Guidance issued to farmers in England on sheep shearing and the new licensing scheme.			
F	18 May	• COBR meeting 8.30am (Chair: Geoffrey Hoon).	4	1607	
Sa	19 May	• COBR closed. • CVO press statement: govt to continue with 24-hour cull policy and contiguous cull. Warns farmers in Settle and Clitheroe to continue being vigilant to avoid spreading FMD. 11 cases in Settle since 10 May.	4	1611	
Su	20 May	• COBR closed. • Military personnel withdrawn from the Worcestershire / Warwickshire / Shropshire Area. **By end of week 13:** **1817 vets and 619 military deployed.** **Number of animals slaughtered: 63,471** **Number of animals disposed: 60,379** **Number of animals awaiting slaughter: 46,985** **Number of animals awaiting disposal: 6,550**	6	1617	
		Week 14			
M	21 May	• COBR meeting 9.00am (Chair: Baroness Hayman). • Second letter received from NFU complaining about changes in LWDS rates. • Policy of culling sheep and pigs within 3km of IP in Cumbria relaxed (as the number of cases have fallen, veterinary and other sources are more available to carry out testing).	4	1621	
T	22 May	• High Court injunction granted against farmer opposing slaughter of his cattle under contiguous culling policy (Devon).	4	1625	• PM publicly urges caution on FMD: "What we said was that the numbers of cases were coming down very considerably, as they obviously have done. But we also warned at the time that there would carry on being some cases of foot-and-mouth disease and that it was vitally important that people carry on taking the measures of security and safety to make

					sure the disease does not spread".
W	23 May	• Rural Task Force – 8th Meeting 10.30am (Chair: Michael Meacher). Presentation by the Cumbria Crisis Alliance, getting visitors back to the countryside, relieving hardship and regenerating the rural economy, reinvesting in the countryside.	8	163 3	
Th	24 May	• COBR meeting 9.00am (Chair: Baroness Hayman). • 3km cull announced on 15 March effectively completed in Scotland. • 3km cull not completed in Cumbria. But disease declining and possible to use serological testing on the remaining flocks.	2	163 5	
F	25 May	• No COBR meeting.	1	163 6	
Sa	26 May	• COBR closed. • Submission to Brian Bender seeking agreement to dismantle all Cumbria/Devon specific elements of contingency plans.	7	164 3	
Su	27 May	• COBR closed. • Burial sites at Widdrington, Northumberland and Hespin Wood in Cumbria brought into use, due to outbreak in Settle Area. **<u>By end of week 14:</u>** **1851 vets and 581 military deployed.** **Number of animals slaughtered: 97,313** **Number of animals disposed: 100,346** **Number of animals awaiting slaughter: 26,097** **Number of animals awaiting disposal: 3,517**	6	164 9	
		Week 15			
M	28 May	• Spring Bank Holiday. • 42% Footpaths open. • COBR closed.	8	165 7	

		• Joint statement issued by DK and CVO on how disease has spread in Settle Area. • Last carcasses go into Widdrington mass burial site.			
T	29 May	• COBR closed (Privilege Day).	3	1660	
W	30 May	• COBR meeting 9.00am (Chair: Mavis McDonald).	1	1661	
Th	31 May	• No COBR meeting. • Shelf life of vaccine officially expired. • Widdrington mass burial site closed. • 1.9 million doses delivered to Merial Pirbright facility – 1.5m doses to be delivered 31 July, 31 August and 30 September.	11	1672	
F	01 Jun	• COBR meeting 9.00am (Chair: Mavis McDonald). • Re-structuring of JCC – Decision that the military were to be withdrawn from it at a later date.	2	1674	
Sa	02 Jun	• COBR closed.	13	1687	
Su	03 Jun	• COBR closed. • Military Personnel withdrawn from the Leicestershire / Derbyshire / Lincolnshire Area. **<u>By end of week 15:</u>** **1552 vets and 498 military deployed.** **[NB. New basis for calculation: 1552 'active' (i.e. regularly work on FMD but not necessarily every day), 900 working on a daily basis.]** **Number of animals slaughtered: 72,490** **Number of animals disposed: 67,080** **Number of animals awaiting slaughter: 28,303** **Number of animals awaiting disposal: 8,927**	6	1693	
		Week 16			
M	04	• COBR meeting 9.00am (Chair: Mavis McDonald) focus	6	169	

	Jun	on Exit Strategy.		9	
T	05 Jun	• COBR meeting 9.00am (Chair: Mavis McDonald).	2	170 1	
W	06 Jun	• Rural Task Force – 9th Meeting (Chair: Genie Turton, DETR). Economic impact of FMD, impact of measures to help affected businesses. • No COBR meeting.	2	170 3	
Th	07 Jun	• COBR meeting 9.00am (Chair: Baroness Hayman). • Military personnel largely withdrawn from Cumbria.	7	171 0	• General Election.

020 7238 6465

Top: PD(MH)
" PD(JK)
PD(GN)

MATRIX -PR

Department for
**Environment,
Food
& Rural Affairs**

Nobel House
17 Smith Square
London SW1P 3JR

From the Secretary of State

The Rt Hon Robin Cook MP
President of the Council
2 Carlton Gardens
London
SW1Y 5AA

17 May 2002

Dear Robin,

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION: A DEBATE ABOUT THE POSSIBLE COMMERCIALISATION OF GM CROPS

We have discussed taking forward the issue of a public debate on GM crops in the light of the recent advice from the Agriculture and Environment Biotechnology Commission (AEBC). I believe that we should make progress on taking forward AEBC's proposals. Therefore, in view of the unavoidable cancellation of the 7 May meeting of SCI(BIO) I am writing to you to agree a Government position. I propose that we endorse AEBC's advice in broad terms, and discuss their detailed proposals at the next meeting of SCI(BIO), which I understand will be held in the next few weeks. In view of the importance of this issue, I believe that AEBC's proposals should be only one part of the wider debate and should be complemented by two additional elements , one economic, the other scientific.

In January we asked AEBC for further advice by the end of April on how and when to promote an effective public debate on possible commercialisation of the crops in the Farm Scale Evaluation (FSE) programme, and how to make best use of the results of such a debate. I attach a copy of AEBC's advice submitted on 26 April.

The report sets out the case for an informed public debate on GM crops. I believe this will be an important element to inform the Government's decision on the commercialisation of GM crops. I want the debate to be completed by next spring, before the first results from the FSEs are published in the summer of 2003. I see the FSEs as the last piece in the jigsaw before we need to take decisions on commercialisation. I hope therefore that colleagues will agree that we can endorse the broad thrust of the AEBC's advice.

The AEBC's detailed advice on how to structure the debate contains a great deal for the Government to consider. I hope that the next meeting of SCI(BIO) will discuss their proposals, as it would be helpful to have the benefit of colleagues' views and experience. I am not persuaded that we should adopt everything they suggest, so in the interim, my Department will look carefully at the proposals, including the cost effectiveness and suitability of the communications tools that will be needed for the conduct of the debate (there are similarities here with the work which I led for the Government on the Millennium Bug).

In order to help prepare for future decisions on possible commercialisation I believe that there should be some additional work which would complement the public debate. I propose that there should be two other strands - covering the economics and science of GM. This would help inform the public debate, and the final decisions taken by Government on GM crops and food.

The economic element would be an assessment of the costs and benefits of GM crops. This should cover conventional and organic farming interests that might be affected by commercialisation, as well as the biotechnology companies. There is also an important international dimension to GM crops. Although many of the crops that are currently developed are not suitable for the UK, they may have potential in developing countries where there is greater need for increased food production. I understand that the Performance and Innovation Unit (PIU) stands ready to undertake such work. The Unit might consult as part of its study and in so doing contribute to the public debate.

The science dimension would be an assessment of all the evidence underpinning the GM approvals process, including an evaluation of the current state of knowledge, those aspects where we are confident and those where we are uncertain. Other considerations might include information on GM crops from other countries, and public concerns about the risks to human health from GM crops and food. I understand that David King and Howard Dalton, DEFRA's chief scientific adviser, are willing to work together on this aspect. I very much hope that John Krebs will also be able to play a part, given the likely importance of GM food issues in the debate. Possible outputs from the scientists might be an information leaflet and a report on science issues.

If colleagues are content with this broad framework, I would propose to go ahead on this basis, with a further discussion on the detailed aspects of the AEBC's advice at the next committee meeting. At that meeting I will provide more detailed proposals on the elements of the programme as I see it, including its objectives, timing, management, review arrangements and financial implications.

I should be grateful for colleagues' views by 24 May. If you agree I propose to write to Malcolm Grant to indicate the Government's endorsement in broad terms of AEBC's advice and to inform him that we are considering the details.

I would also issue a short news release confirming that there will be a public debate and outlining the main elements.

I am copying this letter to the Prime Minister, members of SCI(BIO), David King, Sir John Krebs, Sir Richard Wilson and Geoff Mulgan (PIU). I am writing separately to Ross Finnie (Scottish Executive), Carwyn Jones (Welsh Assembly Government) and Dermot Nesbitt (Department of the Environment Northern Ireland).

Regards

Margaret

MARGARET BECKETT

·A·E·B·C·

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION

The Rt Hon Margaret Beckett MP
Secretary of State for Environment, Food and Rural Affairs
Nobel House
17 Smith Square
London
SW1P 3JR

26 April 2002

Dear Secretary of State

A DEBATE ABOUT THE POSSIBLE COMMERCIALISATION OF GM CROPS

I have pleasure in attaching advice to Government from the Agriculture and Environment Biotechnology Commission on the conduct of a public debate about the issue of possible commercialisation of GM crops in the United Kingdom.

Government requested further advice from AEBC about a public debate as part of its response, sent under cover of your letter of 17 January, to our report *Crops on Trial*. The advice has been agreed by the whole Commission.

I would like to commend the AEBC public attitudes working group whose members undertook much of the work. I would also like to thank everyone from outside the AEBC who took the time and trouble to assist us as we developed our advice.

I am copying this letter and our advice to the other Ministers to whom we report: Patricia Hewitt, Secretary of State for Trade and Industry; Ross Finnie (Scottish Executive); Carwyn Jones (Welsh Assembly Government) and Dermot Nesbitt (Northern Ireland Department of the Environment).

Yours faithfully,

MALCOLM GRANT
AEBC Chair

AGRICULTURE AND ENVIRONMENT BIOTECHNOLOGY COMMISSION

A DEBATE ABOUT THE ISSUE OF POSSIBLE COMMERCIALISATION OF GM CROPS IN THE UK

1. We continue to believe that it is vital that there is a broader public debate about the issues around the question of the possible commercialisation of GM crops in the United Kingdom, consistent with the analysis in our report *Crops on Trial*.[1] Government will want to pay careful attention in decision-making to intelligent information about public views. We have sought to design a process to elicit this information and to give a wide range of people, in addition to stakeholders, an opportunity to engage with the issues. The process would include the results of the Farm-Scale Evaluations (FSEs) of GM crops and other information to complement the FSEs.

2. We have set out here the essential features of a debate. We have sought to design a programme of events that is imaginative but also practicable and that offers value for money. The advice distinguishes between a core programme whose constituent parts we think are indispensable, and additional elements which could maximise its effectiveness but which would inevitably make the programme more expensive. We have also set out options about how the information gained from the debate might be used.

Background

3. In its response to *Crops on Trial*,[2] Government asked the AEBC to provide advice, by the end of April 2002, on how and when to promote an effective public debate on the possible commercial growing of the FSE crops,[3] who should be involved, and how to make the best use of the results of such a debate. Government said that the advice should also cover how to determine the public acceptability of GM crops, in particular cross-pollination thresholds and GM presence in organic crops. Government[4] said that the public debate on the possible commercial growing of GM crops will cover the FSE results and the wider review of the other information gathered to complement the FSEs.

[1] AEBC, September 2001. Available on the AEBC website at www.aebc.gov.uk
[2] The relevant passages from the Government response are attached at Annex D. The full text is available on the AEBC website.
[3] The FSE crops are genetically modified herbicide-tolerant oilseed rape, sugar and fodder beet and forage maize.
[4] 'Government' should be understood throughout as meaning the UK Government, Scottish Executive, Welsh Assembly Government and Northern Ireland Executive.

Objective of stimulating a debate

4. Government has stated that Ministers will have to decide, within the framework of European legislation, whether the crops grown in the FSEs should be commercialised; and that Government is committed to taking public opinion into account as far as possible through an open decision-making process. We have drafted our advice in the light of this unambiguous statement from Government about its intention to take public attitudes into account.

5. We believe that an effective public debate can help clarify and advance public views in the light of relevant developments in the United Kingdom and internationally (for example, the development of new crop varieties and increasing production of GM crops elsewhere in the world) over the past two years or so, when the subject of GM crops featured so strongly in newspaper headlines in the United Kingdom.

6. The principal objective of stimulating a public debate, therefore, is to assess the nature and spectrum of the public's views on the possible commercialisation of GM crops in the United Kingdom and any conditions under which commercialisation might or might not acceptably proceed so that the public's views can inform decision-making.

7. An inevitable outcome of the debate will be a better-informed public because that is what happens in good debates. The relatively small proportion of people whom we would envisage taking part in regional events or in focus groups as part of the programme of debate will gain quite a lot of knowledge. Our aspiration is that in addition, many people not participating in these events would also become more aware of the science and the wider issues around GM crops, gaining access to the information they want and need to debate the issues.

8. The purpose of the debate will not to be to act as a quasi-referendum. Nor is the purpose to ask people at community events or in focus groups to act as proxies for Ministers. It is Ministers who will make the decisions, in the context of European law, international developments and in the light of other factors. We note that within the present legal framework there is sufficient latitude for Government to take account of public attitudes, along with other factors, in determining a management regime for GM crop cultivation, were commercialisation to go ahead.

9. Our aim is to promote a debate that would be an important example of public participation in discussion of scientific issues. The programme we are recommending draws on some of the techniques for public engagement set out in the recent report from

the Parliamentary Office of Science and Technology,[5] and in the twenty-first report from the Royal Commission on Environmental Pollution[6]. It has also benefited from the growing understanding of the experience of other countries such as Denmark and the Netherlands in developing processes for stimulating constructive public discussion of the social and ethical implications of new developments in science and technology[7]. We would hope that lessons could be learned from implementation of the programme we are recommending that would be of wider applicability to other areas of science-based policy-making.

Information about public views

10. The information about public views to emerge from the programme of debate we are proposing will be qualitative rather than quantitative. It seems very likely to encompass a range of views, not a simple 'yes' or 'no' to commercialisation of GM crops.

11. How should the information from the debate be used? We believe that it should be independently and professionally synthesised to incorporate the most informed academic understanding of the possible significance and meanings of the views that emerge.

12. There seem to us to be three main options for using the synthesised information. First, the synthesised information is simply reported to Government to be taken into account in decision-making. Second, an attempt is made to draw together the various views expressed in the debate into agreed courses of action, by organising one or more national consensus conferences. Third, that Government seeks advice on possible ways forward in the light of the report of the information gained from the debate. We would be willing to play our part if Government decided on the third option.

13. Government should signal clearly at the start of the process what it wants to get out of it. We believe that the process should be conducted at arm's length from Government (see paragraph 44 below for our reasons). But it will only be a credible exercise if the Government makes a public commitment to the value of fostering a broader debate. Government should clearly and straightforwardly set out the legal, European and international context in which it will make decisions about GM crops and in which it will take account of public views in making those decisions. This will help make clear to people what use will be made of their contributions to the

[5] *Open Channels: Public dialogue in science and technology*, POST Report No 153, March 2001.
[6] *Setting Environmental Standards*, Chapter 7, The Stationery Office, October 1998.
[7] Analysed in a forthcoming article from Dr Simon Joss: *Towards the Public Sphere – Reflections on the Development of Participatory Technology Assessment*, Bulletin of Science, Technology and Society, Vol. 22 No2, June 2002, pp 220-231.

debate. It would also be worth in this regard the UK Government and the devolved administrations restating their respective policies on GM crops, so that participants in the debate understand the starting points and so that variations in policy within the United Kingdom are clear.[8]

Core programme to promote a public debate

14. We want to involve as many people as practicable, from a wide range of backgrounds, in ways that capture their attention. We want especially to draw people at grass roots level into the debate. The debate should also seek to gain a deep understanding of the variety and subtlety of public views about the issues around the possible commercialisation of GM crops.

15. We accordingly are recommending a core programme containing two principal activities. First, grass roots debates in local community and ad hoc groups, stimulated by a specially made film and other material. The aim would be to reach lots of people. The local debates would be linked to regional and national[9] events involving representatives from local groups. The information about public views flowing out of these local, regional and national events would be synthesised on a regional and national basis and at UK level, as elements of a coordinated whole. Second, focus groups, to give depth to the analysis and to act as a 'control' to test the information coming out of the more diffuse local debates.

16. We have also set out a number of additional elements which could be included depending variously on what Government wants to get out of the programme; the extent to which various elements are replicated in each part of the UK; and the resources available.

Framing the issues

17. Government has indicated the general area for debate: the possible commercialisation of GM crops in the UK. The specific issues the subject of commercialisation gives rise to should be framed by the public itself. We believe that a practicable way of doing this would be to recruit groups of citizens - including adults and school students - to participate in discussion workshops to frame the issues around the commercialisation of GM crops which need to be debated.

18. The recruitment of the workshop members should be undertaken professionally by a respected independent organisation. The

[8] The most significant variation is that the Welsh Assembly Government has a policy of operating the most restrictive policy possible within the context of existing EU legislation on future GM crop development within Wales. The stated position of the UK Government, on the other hand, is that it is neither for nor against GM crops.

[9] 'National' in this context meaning in Scotland, Wales and Northern Ireland

citizens selected should have no vested interest in the outcome and not be conventional stakeholders. The process should give some confidence that Government or particular stakeholders are not dictating the issues for debate. One of the benefits of having citizens frame the issues is that they will do so in terms which are likely to be widely recognised by other members of the public.

19. The idea would be for the people at the discussion workshops to start with a blank sheet of paper. They would initially set out the issues they believe are relevant. The independent facilitators would as each workshop proceeded make sure that the workshop members had access to sufficient information to allow them to refine, prioritise and expand their initial list of issues. The workshops could be run over more than one day so that the workshop members could determine what further information they needed, having reflected on the material they had received thus far.

20. We believe that there should be a discussion workshop separately in each of Scotland Wales and Northern Ireland to frame the issues in each country, to mirror devolved arrangements. We would also suggest that there should be more than one workshop in England, given the population size and different regional emphases in relation to agriculture. Sampling three regions in England, probably in the west, north and midlands, would seem about the right number. Replicating the programme of debate in, say, all the nine areas in England covered by the Government Offices for the Regions would risk making the programme of events unwieldy and would be very expensive.

21. Running discussion workshops (and subsequently focus groups and regional events) in six places, although more expensive, would give an opportunity to explore and take account of different national and regional contexts, and to identify any differences from the outset in the issues raised in each area. Similar considerations apply to the balance of people from rural and urban backgrounds.

22. At the end of this initial stage, the issues for debate would have been framed in the discussion workshops.

Grass roots discussions; making a film

23. Having framed the issues, the next stage would be to stimulate debate about them as widely as possible. The main vehicle for this would be a broadcast quality film. The film would be punctuated by questions arising from the issues for discussion which the initial citizen groups had selected as most important. It would probably draw on the discussions in the workshops and on information selected by the citizens in the workshops. There should be only a single film, or the cost of the exercise would become too great, but

it should take account of the several national and regional workshops.

24. The aim would be to make a film that was thought provoking, informative, but not judgemental. The reason for using a film is that it is a familiar, accessible and potentially attractive medium. A film inevitably would have limitations of length and depth, and for some of the activities outlined below it would not be the sole input, but potentially it would be a good starting-point.

25. The film would need to contain sufficient information about GM crops here and abroad and the background to the issues around commercialisation to facilitate informed debate. It would need to be around 30 to 40 minutes in length. The way in which the material was put together in the film should be under the editorial control of the filmmaker because if not, the best independent filmmakers would not be interested in being involved.

26. The film would need to give a balanced presentation, and so the basic parameters for the production would need to be set carefully at the outset. The AEBC members of the independent steering board for the debate (see paragraph 45 below) should be responsible for liaison with the filmmaker on editorial questions. The steering board should also be involved in selecting the filmmaker.

Grass roots discussions: using the film

27. The film would be sent to local community groups. It would be distributed in video format, perhaps with supporting literature. The intention would be to stimulate grass roots discussion of the issues at a very local level at meetings of community councils, Women's Institutes, Townswomen's Guilds, Mothers Unions, parish councils, farmers' groups, church groups, ad hoc community groups, schools, university societies, museums, science cafés, science and other festivals, etc. Pro-formas would be included with the videos so that local groups could send written feedback by post or e-mail (see paragraph 32 below) on the issues raised in the film. The responses received would be synthesised as part of the information coming out of the debate.

28. The written feedback from local events would not give an account of people's attitudes to the same depth as a professionally moderated event like a focus group. Debate of this sort is one mark of a healthy civic culture, and valuable in its own right. But to enrich the information arising from the local debates, in addition to written feedback, representatives from some or all of the local discussions could be invited to regional or national events to discuss the issues further. Evaluators at each of these regional or national events would synthesise and report on the overall findings.

29. Events of this sort would give local groups a further stake in the process of public engagement. Properly promoted, they could engender interest in the subject of GM crops in the various regions and countries in which they were held beyond the participants in the events. We would recommend that such events are also included as part of the core programme.

Focus group discussions

30. The film would also be used, along with supporting material as required, as a prompt for focus group discussions. These 'controlled' exercises would be conducted professionally and act as crucial comparators for the views emerging from the various local, regional and national events. Each focus group could be convened a number of times, perhaps over a period before and after publication of the FSE results. This would allow evaluation of the extent to which people's views developed in the course of their discussions, as they learned and thought more about the issues, and as more information, such as the initial results from the FSEs, became available. The focus groups would add an element of depth, throwing light on the question of whether the grass roots debates had been 'captured' by special interests, as some fear might happen.

31. Ideally, there should be several focus groups in each nation or region to act as controls for each region or national process. The regional and devolved analyses of the focus group discussions would also be analysed collectively. This would allow a much fuller benchmarking of the outcomes from the grass roots debates and add considerably to the richness of information about public views and the comparative analysis of methodologies. But if resources do not permit focus groups in each area, then running a total of three or four focus groups sampling the UK would be adequate for the purposes of the core programme.

Publicity

32. The film and the programme and purpose of the debate would need to be adequately promoted. A variety of approaches should be used. Among these, innovative use of the internet should be included, with a website for the programme of debate on which people can get information about events, post general comments and give feedback on the film.

Possible additions to the core programme

33. The above programme of activities represents, we believe, a credible programme of debate. A number of additional elements would be possible.

Consensus conferences

34. As noted earlier, in addition to the focus groups, one or more consensus conferences - panels of sixteen or so citizens recruited to discuss the issues in depth - could be convened. These could be held either in each of the regions or devolved countries, or a single, UK-wide conference could be arranged. The objective for the participants would be to explore the extent of people's agreements about courses of action in the light of the issues raised in the wider debate and by themselves, and to arrive at recommendations.[10] They would start with the issues defined by the initial citizen groups, draw on the various contributions made in the public debate, and seek the information they required through cross-examination of witnesses and through further information. Given that consensus conferences are designed to arrive at an agreed course of action it would be important that Government gave a commitment to take their conclusions seriously in the decision-making process, while recognising that it is for Ministers to make decisions.

35. The outcomes of the consensus conferences would be published. The consensus conferences would add a further valuable element to the debate. They also unlike focus groups have a public dimension (public audiences and the media are usually invited to the later sessions) which could stimulate wider public discussion.[11] In addition, like the focus groups, they would provide a means of benchmarking the local, regional and national debate and so add to the richness of the analysis of public views and the comparison of public engagement techniques employed in the debate.

Analysing contributions from stakeholder organisations

36. It would also be possible to compare and contrast the views of campaigning and other stakeholder bodies (non-governmental organisations, interest groups, professional farming organisations, industry, etc) on the issues raised in the public debate. The main aim of the programme of debate would be to reach people who have not expressed a view. The views of stakeholder organisations are well known to Government. But clearly these organisations will express views about the issues in the course of the debate. One option would be for them to be specifically invited

[10] The consensus conference technique originated in Denmark and has developed over the past couple of decades subsequently to examine a number of complex but difficult policy problems in various European, North American and South East Asian countries. In the United Kingdom this has included plant biotechnology in 1994 and radioactive waste management in 1999. Participants at these conferences are selected on the basis that they do not begin the process with strong pre-defined views.

[11] Focus groups are closed participatory events designed to elicit in depth participants' views on particular issues.

to respond to the film and for their views to be compared and contrasted with the responses from the local discussions, national and regional events, and the focus groups. This would be a useful opportunity to assess the extent to which those organisations are in step with how people at large are thinking about the issues.

A UK-wide event for local representatives

37. A further option as part of the programme would be to arrange a UK-wide event bringing together the local group representatives involved in the different regional and national elements of the programme. This would draw the various threads together, compare and contrast regional and national responses and publicise the whole programme of debate. This would be valuable but not essential.

Interactive television debate

38. It may be that a national broadcaster would be interested in working with the organisers of the debate in producing an interactive television debate. There is certainly interest among broadcasters in engaging with people in novel ways on political topics. If a national broadcaster chose to get involved, they would of course have editorial control over broadcast material. But it may be that they would be interested in drawing on the work that would have been undertaken in the initial discussion workshops, in producing the film, and in the regional and national events. The broadcaster of course would fund production of any television programme. An interactive television debate would have the potential to bring the issues for debate before a large number of people.

Support for local initiatives

39. There might be merit in providing modest material or financial assistance to local community or ad hoc groups so they could pursue their own ideas for local events and debates about the issues raised in the course of the debate.[12] This would provide a further 'bottom-up' element to the debate in addition to the initial citizen groups for framing the issues. Support could be offered during the programme of debate or after the programme is over. Government could explore this possibility, perhaps as part of a programme of fostering local debate on contentious public policy issues.

[12] The Danish Board of Technology has given support of this sort to local groups in Denmark.

Engagement with other parties

40. The programme of debate we are recommending, if implemented, will not be the only show in town. The mass media will continue to write and broadcast on GM crop issues. The Westminster and devolved Parliaments and Assemblies will be examining and debating the issues. We would hope that the information synthesised and published from the debate would be of value to elected representatives and others in their discussion and deliberations.

41. Non-governmental environmental and industry organisations will be seeking to play a role too. It would be naïve to assume that 'command and control' over the national debate will be vested in any deliberately engineered programme of debate. There will inevitably be interactions between whatever programme of debate is launched and other events outside that programme. But given the all too familiar scope for public discussion to become polarised along familiar lines, we would seek in the core programme of events to avoid polarisation as far as possible and to get to the heart of the issues.

42. Indeed, we would hope that the national and regional media might be interested in reporting on the programme of debate. It would be worth trying to engage national and regional journalists where possible, including by inviting them to different events. Other techniques could also be explored. For example, production of a radio tape incorporating an audio version of some of the content of the film, perhaps combined with an interview from the chair of the debate steering board, could be sent to regional radio stations for broadcast use.

Timing

43. A number of factors bear on the timing of a programme of debate. Government has said that the debate should cover the FSE results and the wider review of other information gathered to complement the FSEs as outlined under the AEBC's recommendation in *Crops on Trial*. A programme of debate that did not encompass the FSE results and other relevant information could look as if it had been designed to end somewhat prematurely. Starting the debate before the first results from the FSEs are published will help put the results in context. Equally, the debate should not just be about the FSEs but cover possible future developments, including the wide range of GM crops currently being assessed in the EU regulatory process and the potential impact of GM crops already being grown commercially in developed and developing countries. The experience of others indicates that it is important to allow sufficient time to prepare for and carry out a programme of activities like this properly. We suggest, therefore, that the programme of events

should be designed to start in autumn 2002 and run on to autumn/winter 2003, after the first set of results from the FSEs is published (in summer 2003). An indicative timetable is at Annex B. The provisional timetable for the FSEs is at Annex C.

Management of the programme

44. We believe that the debate should be conducted at arm's length from Government by an independent organisation. Why at arm's length? First, to help make clear that the debate is different from a detailed consultation with stakeholders and the public about specific pre-determined aspects of a proposed Government policy. Government would normally carry out such a consultation exercise. The issues for debate here are likely to be more wide-ranging. Second, outside organisations would probably find it easier to engage the public than Government because, for various reasons, there is some public mistrust about Government's intentions in this area. Third, because using outside bodies would draw in external expertise about engaging the public on science and society issues. Finally, it makes it easier for Ministers and officials to stand back and look at the results of a public debate if Government has not been involved in the detailed organisation of the programme.

45. Government would need to fund the programme. There should be an independent steering board to oversee the programme of debate. The AEBC would be willing to contribute members to the steering board. The steering board would be separate from the independent evaluators who would report on the contributions made in the course of the debate. The evaluators would produce a report that would be published. We envisage that management of the programme of events would be contracted to a company or external organisation, supervised by the steering board. Further details of suggested arrangements are at Annex A.

Costs

46. Production and distribution of a broadcast quality film is likely to cost in the region of £70,000. The whole programme of events, including the film, would cost a few hundred thousand pounds, the amount depending on the extent to which the programme is run on a devolved and regional basis and the nature and number of the elements included in the programme.

Learning from the process

47. Assessment of the programme of debate would also be worthwhile. Was it an effective means of stimulating public debate? What could have been done better? How applicable might it be to other complex areas of policy? Did it give value for money? The process should be monitored from the outset by a small group of

suitably qualified individuals, who at the end of the programme would draw up an assessment of the lessons learned. Including the additional elements (more focus groups, one or more consensus conferences and a comparative analysis of stakeholder views) in the programme of debate would add to the value of this methodological lesson learning exercise.

Informing participants of the outcome

48. Giving feedback to participants in the various parts of the programme so that they can see what use had been made of their contributions would be important. At the very least, their attention should be drawn to the final report from the debate. A UK-wide event (paragraph 37 above) at the end of the programme of debate could also be a vehicle to help achieve this.

Summary of suggested core programme

- Citizens frame the issues for debate
- Make a film about the issues
- Send the film to local groups and get feedback
- Invite local group representatives to national and regional events
- Explore the issues in depth in focus groups
- Report to Government drawing together findings from debate

AEBC
April 2002

ANNEX A

PROPOSED MANAGEMENT ARRANGEMENTS

General principles

1. We believe that it is important that the programme of events and activities should be organised at arm's length from Government.

2. There needs to be proper accountability for spending public money on promoting a debate. The contract or contracts for the one or more organisations carrying out the work on behalf of Government must be properly managed. Government must have sufficient oversight of the programme to ensure this.

3. The various elements of the debate will generate information about public views which should be evaluated independently in line with best academic and professional practice. We also believe that the whole process should be separately assessed, to determine the value of the exercise for other areas of public policy.

Arrangements

4. Taking account of these principles, we suggest the following arrangements. Government would tender for a suitably qualified principal contractor to take responsibility for managing the whole programme of events across the UK. The principal contractor would be a company or organisation qualified to manage public engagement exercises of this sort. It could either sub-contract as necessary to other organisations or different elements of the programme, possibly including production of the film, could be the subject of separate contracts.

5. The process would be overseen at a strategic level by a steering board. The membership would be a matter for Ministers but the AEBC would be willing to contribute to membership of the steering board and the AEBC Chair would be willing to chair the board. We would expect Government to wish to be represented at official level on the board not least for reasons of financial accountability. In addition to a few AEBC members, one or two other individuals with particular expertise in running programmes of this sort could be co-opted as required to serve on the steering board.

6. The steering board should offer advice on drawing up the specification for the tender to find a principal contractor. The steering board would be responsible for supervising progress in delivering the programme, giving strategic guidance on the different elements and providing advice on resolving any significant difficulties that arose in carrying out the programme. The chair of the steering board would regularly report on progress and any serious problems with the programme to Ministers. Day-to-day supervision of the project would be the responsibility of

Government officials who would report progress and any significant difficulties to the steering board. The steering board would have a joint secretariat drawn from Government officials and the AEBC Secretariat. Editorial questions in relation to the film or other issues about content in the course of the debate should be resolved by the chair and those members of the steering board who were independent of Government, in line with the principle of keeping the debate at arm's length from Government.

7. Separately, an evaluation group should be appointed to independently synthesise and analyse the results from the various elements of the public debate. This group would need to be carefully selected. Its members should be independent and professionally qualified to undertake the synthesis of the contributions made in the debate. The evaluation group should be appointed at the outset of the process. We would expect the principal contractor to be responsible for management of the nuts and bolts work of gathering written feedback from the local events, data from the national and regional events, and from the focus groups. The evaluation group would produce a report at the end of the programme about the information gained in the course of the debate.

8. There would also be value in forming a separate small group of people to assess the process for stimulating a debate with the aim of testing its applicability to other areas of public policy and the extent to which it has offered value for money. We suggest that this could include officials from the Centre for Management and Policy Studies in the Cabinet Office, scientists, social scientists and a member of the AEBC. It would be worth forming this group at an early stage.

ANNEX B

Date	Milestone
April 2002	AEBC advice to Government
July 2002	Government responds
July 2002	Appoint steering board Appoint evaluators and assessors Tender for principal contractor* and filmmaker *may take longer than filmmaker due to public procurement rules
August 2002	Appoint filmmaker and principal contractor* Recruit people to serve on initial citizen groups
September - December 2002	Hold group discussions about the issues for debate Make film Plan focus groups
December 2002 - July 2003	Distribute film to local groups
December 2002 - July 2003	Hold focus groups Regional/national events with community representatives
Summer/Autumn 2003	Collate feedback on film from local groups and data from national/regional events
Autumn 2003	Evaluation prepares report on debate
Autumn/Winter 2003	Report on debate published

ANNEX C

FARM SCALE EVALUATIONS: PROVISIONAL TIMETABLE FOR REMAINDER OF PROGRAMME

March 2002	Routine news release announcing locations of spring maize sites
End April 2002	Agriculture and Environment Biotechnology Commission to provide further advice on how and when to promote public debate on possible commercialisation of FSE crops
July 2002	Routine news release announcing locations of winter oilseed rape sites
Autumn 2002	Field work (data collection) ends for FSE spring 2002 crops and researchers begin to collate results
Early 2003	Researchers send draft report to Scientific Steering Committee to validate research results for spring-sown crops
Summer 2003	Final results for spring-sown crops published in peer-reviewed scientific journal at same time as SSC provides advice to Government. Results considered by Advisory Committee on Releases to the Environment and the Advisory Committee on Pesticides. Results available for public comment
Autumn 2003	Field work (data collection) ends for winter rape 2002 crops and researchers begin to collate results
Early 2004	Researchers send draft report to Scientific Steering Committee to validate research results for winter rape crops
Summer 2004	Final results for winter rape crops published in peer-reviewed scientific journal at same time as SSC provides advice to Government. Results considered by Advisory Committee on Releases to the Environment and the Advisory Committee on Pesticides. Results available for public comment

Notes:

(i) Timings are approximate

(ii) The FSE results will be presented on an individual crop basis. There are three spring-sown crops (oilseed rape, beet and maize) and one autumn-sown crop (winter oilseed rape). The results will therefore be published in two tranches.

DEFRA GM Crops Policy Branch
February 2002

ANNEX D

Extracts from Government Response to 'Crops on Trial'

(Presented on behalf of the UK Government, the Scottish Executive and the Department of the Environment in Northern Ireland.[13])

Recommendation 6:

Commit to an open and inclusive process of decision-making around whether the GM crops being grown in the FSEs should be commercialised, within a framework, which extends to broader questions.

Government Response:

Ministers will have to decide, within the framework of European legislation, whether the crops grown in the FSEs should be commercialised. Government is committed to taking public opinion into account as far as possible through an open decision-making process. There will be a public debate on the possible commercial growing of GM crops. The debate will cover the FSE results and the wider review of the other information gathered to complement the FSEs outlined under the AEBC's recommendation 4. Members of the public will continue to be able to make their views known on proposed variety listing, on the National Seeds List or EU Common Catalogue, of the crops involved.

Government asks the AEBC to advise, by the end of April 2002, on how and when to promote an effective public debate on possible commercialisation of the FSE crops and how to make the best use of the results of such a debate. The advice should also cover how to determine the public acceptability of GM crops, in particular cross-pollination thresholds and GM presence in organic crops.

The AEBC are asked to be imaginative in the options they consider but to bear in mind that their recommendations must be practical and cost effective. The debate should involve interest groups but also reach beyond them to the wider public. The methods advocated by the Royal Commission on Environmental Pollution in its 1998 report on environmental standards and in the March 2001 report of the Parliamentary Office of Science and Technology (Open channels: public dialogue in science and technology) should be considered. The AEBC will not necessarily be asked to carry out all aspects of its recommendations – DEFRA, the Devolved Administrations and Government Offices might each participate in different areas of the dialogue with the public. AEBC should advise on which are the most appropriate organisations to carry out the different parts of the process…..

[13] The Welsh Assembly Government also endorsed these recommendations and the terms of the joint Government response to them.

Recommendation 8:

Improve understanding of the basis of public views by drawing on the work of social scientists in this field.

Government Response:

We acknowledge the need for improved understanding of public views. This is an objective for which all involved in the GM crops debate should strive. It would be helpful if the AEBC would consider this issue further and take this work forward as part of the advice requested in paragraph 30 of this document, under recommendation 6, as to the best methods of promoting an effective public debate on possible commercialisation.

Recommendation 10:

Include specific consideration of the future of GM crops in the discussions about the future of agriculture in the UK.

The various strategic reviews of farming and food being undertaken by the UK administrations should explicitly address how to promote the co-existence of different forms of farming in the UK. There should then be a wider public debate involving a series of regional discussion meetings to consider what role GM crops might have in UK agriculture in the future. The AEBC is willing to contribute to this process.

Government Response:

We welcome the recommendation that there be a wider public debate on co-existence between the different farming types. Government acknowledges the suggestions made in paragraph 69 of the report about the form of such a debate and is pleased to note the AEBC's interest in advising on the development of this process. Government is taking up this offer in asking the AEBC to advise further on how a broad public debate might be achieved and how the outcome of such a debate should be used (paragraph 30, under recommendation 6 refers).

The report refers, in paragraphs 57 and 58, to the independent Policy Commission on the Future of Farming and Food that is to report to the Principal Minister and the Secretary of State for Environment, Food and Rural Affairs by 31 January 2002. The Policy Commission's terms of reference are wide-ranging and relate to England only; however similar exercises are being carried out by the Devolved Administrations. We will take into account the AEBC's recommendations in considering our response to the Policy Commission's report.

DEFRA has been discussing with the various interested parties what measures might be necessary to allow for practical co-existence of GM and non-GM crops. One of the key issues underpinning this process is whether there is

public acceptability of the presence of GM material in non-GM produce and if so at what level that might be. Further debate is needed on this issue. Agreement upon this issue could provide a way towards practical measures to preserve consumer choice within the context of commercial GM cultivation, were that to occur. It is against this background that Government has asked (in paragraph 30, under recommendation 6) the AEBC to consider further the issue of public acceptability.

ANNEX E

AEBC Terms of reference

In 1999 the Government reviewed its advisory and regulatory framework on biotechnology. It concluded that a broader approach was needed for strategic issues. The Agriculture and Biotechnology Commission (AEBC) forms part of the new strategic framework.

The Commission will:

- offer strategic advice to Government on biotechnology issues which impact on agriculture and the environment;
- liaise closely with, but not duplicate the work of the other two bodies which together with the AEBC form the new strategic advisory framework i.e.:
  - the ***Human Genetics Commission (HGC)*** which will advise on genetic technologies and their impact on humans; and
  - the ***Food Standards Agency (FSA)*** which will include within its responsibilities all aspects of the safety and use of genetically modified food and animal feed.
- keep under review current and possible future developments in biotechnology with actual or potential implications for agriculture and the environment;
- advise Government on the ethical and social implications arising from these developments and their public acceptability; and
- consider and advise on any specific issues relating to relevant aspects of biotechnology as requested by the Government.

As part of this process the Commission is expected to:

- identify any gaps in the regulatory and advisory framework;
- consider the wider implications of the lessons to be learned from individual cases requiring regulatory decision;
- advise on any changes which should be made to Government guidelines which regulatory bodies are required to follow;
- make recommendations as to changes in the current structure of regulatory and advisory bodies;

- co-ordinate and exchange information with the relevant regulatory and advisory bodies;
- seek to involve and consult stakeholders and the public on a regular basis on the issues which it is considering; and
- operate in accordance with best practice for public bodies with regard to openness, transparency, accessibility, timeliness and exchange of information.

The Commission will:

- in carrying out its work take into account European and global developments;
- nationally, adopt a UK perspective taking appropriate account of legal and other differences between England, Scotland, Wales and Northern Ireland; and
- draw up a work programme.

The Government may also ask the Commission for advice on a particular issue and, if necessary, direct it not to become involved in an area if this could be better handled elsewhere.

* In the context of the work of the Commission 'Government' comprises the UK Government and the devolved administrations.

ANNEX F

AEBC Members

Professor Malcolm Grant (Chair):
Pro Vice Chancellor at the University of Cambridge

Ms Julie Hill MBE (Deputy Chair)
Programme Adviser and former Director of Green Alliance

Reverend Professor Michael Banner
Professor of moral and social theology at Kings College, London

Ms Anna Bradley
Director of the National Consumer Council

Ms Helen Browning OBE
Tenant Farmer, Eastbrook Farm; Founder and Director of Eastbrook Farm Organic Meats Ltd

Dr David Carmichael
Arable farmer concentrating on seed production from combinable crops

Professor Philip Dale
Leader of the Genetic Modification and Biosafety Research Group at the John Innes Centre, Norwich

Dr Ed Dart CBE
Chairman of Plant Bioscience Ltd

Dr Matthew Freeman
Senior Researcher at the Medical Research Council Laboratory of Molecular Biology

Mr John Gilliland
Arable farmer with a particular interest in sustainable production systems and the pioneering of non food crops.

Professor Robin Grove-White
Professor of Environment & Society, and Director of the Centre for the Study of Environmental Change, Lancaster University

Dr Rosemary Hails MBE
Ecologist, and Principal Scientific Officer, Centre for Ecology and Hydrology, Oxford and lecturer at St Anne's College Oxford

Ms Judith Hann
Freelance Broadcaster and Writer who presented Tomorrow's World for 20 years.

Ms Chi Chi Iweajunwa
Member of executive evaluation group for NHS Direct and member of Partners Council for NICE (National Institute for Clinical Excellence)

Dr Derek Langslow CBE
Scientist specialising in nature conservation/biodiversity and former Chief Executive of English Nature

Professor Jeff Maxwell OBE
Former Director, Macaulay Land Use Research Institute

Dr Sue Mayer
Executive Director of GeneWatch UK

Professor Ben Mepham
Director of the Centre for Applied Bioethics at the University of Nottingham and Executive Director of the Food Ethics Council

Ms Justine Thornton
Barrister specialising in environmental law

Dr Roger Turner
Chief Executive Officer, British Society of Plant Breeders

file.

RESTRICTED

Alastair Campbell

cc Jeremy Heywood

PHOENIX THE CALF

You promised to write to Iain Anderson regarding his suggestion that policy had changed because of Phoenix and that the last person to hear about the change was Nick Brown.

I attach the three papers from the file covering the change in interpretation of the contiguous cull. None mention Phoenix – which was running as a story on 25/26 April.

Nick Brown's statement to the House of Commons on 26 April formally announced the change. It explained that there would be some local discretion for those cattle on contiguous premises which were not classified as dangerous contacts.

A letter from David North to Andrew Slade (Nick Brown's PS) on 25 April recording a meeting the Prime Minister held with Nick and others that afternoon where Nick relayed his intention to adjust the policy, as described above.

A note from David to the PM on 24 April – before the Phoenix story – relaying the increasing resistance to the contiguous cull policy and the likelihood that David King and Jim Scudamore would recommend an adjustment to the policy (we do not have the papers to show that such a recommendation was actually relayed).

The existence and date of the statement, but not its content, had also been agreed by April 24. There is a letter on that date from Andrew Slade alerting David North of this. All it says on the culling policy, however, is that the statement would include '...the latest position on neighbouring farms culling policy'.

I think we can, from this, mount a good case that Phoenix changed nothing. We can release the letter to Andrew Slade to the inquiry, and can use the letter from Andrew to show that the statement was not a last minute reaction to the Phoenix story. But we have not hitherto, released internal notes to the PM. You will have

access to the communications side of the story which we need to cover also in any letter. If you tell me what you would like to say on this front (e.g. re the accusation that we preannounced the change because of the Phoenix story) I can draft a letter from you to Iain.

Martin

FROM THE OFFICE OF LORD WHITTY
MINISTER FOR FOOD, FARMING AND WATERWAYS

Martin Hurst

file.

DEFRA
Department for
Environment,
Food & Rural Affairs

Nobel House
17 Smith Square
London SW1P 3JR

Tel: 020 7238/5387/5790/5385/5386
Fax: 020 7238 1100
email: pus.lords@defra.gsi.gov.uk

~~AA~~ RH
self.
CS
Further details re corp't London. My view is keep out of it & let DEFRA go ahead.
MW

Memo to Martin Hurst

LONDON WHOLESALE MARKETS

Can I just run past you a potentially difficult issue with the City of London with regard to New Covent Garden Market. As you know, DEFRA somewhat anomalously owns Covent Garden with the Covent Garden Market Authority (CGMA) as an NDPB. The City of London owns the other main markets – Smithfield, Spitalfields and Billingsgate.

We are preparing with City support to set up an independent review of London wholesale markets which will examine the potential for a concerted strategy as recommended by the House of Commons Agriculture Committee last year. As part of any such strategy we would aim eventually to disengage the Department from its ownership role in relation to New Covent Garden Market. That part of the strategy will fully and amicably involve the City, and I have discussed this with Judith Mayhew.

In the meantime, however, there is a possibility that a separate issue relating to New Covent Garden Market will give rise to a dispute with the Corporation of the City of London.

On behalf of the Secretary of State and in response to the Authority's request I propose to give consent to the Covent Garden Market Authority allowing them to grant leases permitting face to face trading in meat and fish products at New Covent Garden Market. This is in accordance with the Covent Garden Market Act 1961 which permits the Authority, with the Secretary of State's consent, to undertake activities other than the running of a horticultural wholesale market in order to make the best use of its assets.

There is a clear need to allow the Covent Garden Market Authority to make best use of its assets in increasingly difficult trading conditions. This is likely to prove contentious with the Corporation of London, which asserts that the charters establishing Smithfield and Billingsgate markets preclude the establishment of

INVESTOR IN PEOPLE

competing markets within a radius of 6 and 2/3 miles. We have taken Counsels' advice on this and have been careful to limit the effect of the consent, which is designed merely to give the Authority the capacity to grant such leases, and which states explicitly that it does not :

- imply the grant of any market rights;

- dispense with any requirement to obtain the consent or authorisation of any other person that may be required for the purposes of carrying on the activities concerned;

- authorise any activity to be carried on without any such other consent or authorisation being obtained;

- authorise any activity that may otherwise be unlawful.

It is likely that the Corporations tenants at Smithfield in particular will urge the Corporation to initiate a legal challenge against our consent and the Authority's grant of any leases under it. It is almost certain that the Corporation member level will wish to fight this. We have explored every means of averting such action but do not believe that the validity of the rights asserted by the Corporation can be tested by any means other than legal action. The consent will therefore be given subject to the Corporation being given sufficient time before leases are granted to make such a challenge should it wish to.

Our legal advice is that, because the consent is to be granted under the terms listed above, we stand a good chance of successfully resisting any legal challenge to the consent made on the basis that it infringed the Corporation's market rights.

My reason for raising it with you is to get your view on whether our proposed action might give rise to any problems in relation to the Government's wider relations with the City. I would be grateful to know your views as soon as possible.

by e-mail

Larry Whitty
16 May 2002

Martin Hurst

From: Andrew Adonis
Sent: 20 May 2002 12:58
To: Martin Hurst
Cc: Clare Sumner; Robert Hill; Sally Morgan
Subject: RE: Corporation of London

Tks for sending me the papers - I have also discused with Sally.

Our view is that Larry should go ahead as he proposes - ie. announce that he will give the consents for NCGM to trade in meat and fish, but allowing enough time before the granting of leases so that the Corporation can mount a legal challenge if it wishes to do so.

But we should make clear privately to Judith Mayhew that this is not remotely an anti-City move - it is HMG acting in the public interest as it sees it.

-----Original Message-----
From: Andrew Adonis
Sent: 19 May 2002 10:57
To: Martin Hurst; Clare Sumner; Robert Hill
Subject: RE: Corporation of London

... (because (in answer to Robert's point) I have been engaged with them in some big education projects and know Judith Mayhew well.
I know nothing about this and don't have a view, except instinctively to be pro-competition and against restraints of trade ... but there may be all kinds of good or political reasons for laying off. Prob best to explore what is really going on, and if it is going to blow up do us a note.
We are keen to keep the Corporation on side, but not at any price.

-----Original Message-----
From: Martin Hurst
Sent: 17 May 2002 09:29
To: Andrew Adonis; Clare Sumner
Subject: FW: Corporation of London

Any thoughts?

-----Original Message-----
From: Robert Hill
Sent: 17 May 2002 09:28
To: Martin Hurst; Geoffrey Norris
Cc: Jeremy Heywood; Joanna Key; Simon Virley
Subject: RE: Corporation of London

For reasons I have never entirely understood Andrew Adonis has an interest in the City Corp so you may like to tell him. And Clare Sumner had to deal with City Corp Bill recently.

-----Original Message-----
From: Martin Hurst
Sent: 16 May 2002 21:04
To: Geoffrey Norris
Cc: Jeremy Heywood; Joanna Key; Robert Hill; Simon Virley
Subject: Corporation of London

Not sure if you're the right bod for this.

DEFRA are about to pick a fight with the corp by allowing new covent garden mkt to sell fish/meat. The corp say only smithfield and billingsgate are allowed to do this. DEFRA are probably right, legally, but it will go to the courts.

Anything I ought to know about the corp, and our desrie, or otherwise, to keep them sweet?

Jonathan Powell

From: Martin Hurst
Sent: 16 May 2002 17:21
To: Jonathan Powell; Jeremy Heywood
Subject: FW: QUESTIONS FOR THE PRIME MINISTER

The questions etc. which anderson will put to the PM on Monday. I'm doing a note for the box.

-----Original Message-----
From: Evans Alun - Dr Anderson's Foot & Mouth Inquiry -
[mailto:Alun.Evans@cabinet-office.x.gsi.gov.uk]
Sent: 16 May 2002 17:19
To: Hurst Martin - Policy Directorate No.10 -
Cc: Powell Jonathan - No. 10 -; Heywood Jeremy - No. 10 -; Fagan Dominic - Dr Anderson's Foot & Mouth Inquiry -; Hill Matthew - Dr Anderson's Foot & Mouth Inquiry -; 'Iain.A@btinternet.com'
Subject: QUESTIONS FOR THE PRIME MINISTER

Martin: I promised to let you know the type of areas and questions Iain will wish to put to the Prime Minister on Monday. These are as follows:

* Contingency Planning: How much progress does the PM think that departments have really made in the light of FMD and other crises?
* Handling of the Livestock Welfare Disposal Scheme
* Decision making at the critical points of the crisis
* Specifically, how decisions were made about the Contiguous Cull
* The working of COBR: How might that be improved?
* The creation of DEFRA and what it would achieve
* Animal Movements licensing
* Making government more proactive.

Obviously I am not sure of the precise approach that Iain will want to take. If you need any further clarification please have a word with me or Dominic Fagan. Otherwise we might pick it up in the margins of our meeting tomorrow. For that meeting Iain and I will be accompanied by Dominic Fagan of the Inquiry secretariat. We will contact you on arrival and go to the Study. OK?

Best wishes,

Alun

****
The Cabinet Office's computer systems may be monitored and communications carried on them recorded, to secure the effective operation of the system and for other lawful purposes.

Areas for questioning

1. The role of No.10 (including the Policy Unit) in policy making and operational decisions during the crisis: who did what?

The role of the PM is, I think, understood, and is set out in the exec summary to the govt evidence. In short, PM gave leadership from an early stage, and once the national scale of the epidemic was clear oversaw personally the development of policy, and, with Geoff Hoon, chaired COBR.

The respective roles of Number 10 staff, and yourselves in particular, was not to make or suggest policy. It was, rather, to relay the PM's views, and to report back to him the views of others – e.g. as expressed in COBR. He was often out of London, which made the second of these all the more important. And with meetings/discussions with Nick et al being on occasion ad hoc, the first was invaluable in keeping Whitehall posted.

2) The audit trail for policy making in No.10

Policy discussions were with ministers and officials from MAFF, MOD etc. These were ad hoc, and even a little chaotic at times, particularly before COBR was opened. Meeting notes were produced wherever possible, and remain on file – as they will be on files of OGDs. If there are specific meetings the inquiry team haven't tracked down notes for from CO/OGDs please let us know.

3) The decision making process leading to the closure of footpaths on 27 February 2001 and subsequent discussions to re-open them

The decision to advise local authorities to close of footpaths wasn't a marginal decision. It had been vociferously urged by farming and rural leaders, and by the opposition (e.g. in the debate following Nick's statement of 26 February – flag A). The Ramblers were cancelling their events and urging people to stay away from the countryside as early as 22 Feb, and organisations such as the National Trust, RSPB, Royal Parks with livestock and safari parks were closing properties on 23 Feb. So we were responding to overwhelming pressure – and in some cases direct action. As Iain should recall, our response was criticised by some countries (e.g. Eire, who set up army checkpoints at the border on 26 Feb) as insufficiently precautionary. Practically no-one was suggesting that paths should stay open. The Government asked people to be responsible. But the main messages telling people to avoid footpaths came from local authorities, in closing paths, and from farmers/local people. We [never] said the countryside was closed.

The decisions on reopening footpaths were, of course, for local authorities. Government guidance and pressure was towards reopening – we even appointed a minister (Beverley Hughes) to push the case. There was an element of LA's playing politics with the decisions (under considerable pressure from locals to keep paths closed). In saying the countryside

was not closed, we were pointing to the villages, the reopening properties, and the country pubs. Of course decisions on paths were for LAs.

4) The decision making process leading to the creation of the Rural Task Force

Chris Smith had flagged up the problem for tourism very clearly on 12 Mar (Flag B). Michael Meacher held the first rural task force meeting on 14 March and wrote out seeking assistance/input from colleagues on 15 March. The key meeting was with countryside players (Nat Trust, Countryside Agency, YHA, BTA, CLA etc.) on 13 March, at which the Prime Minister concluded that the task force should be set up (Flag C).

5) The decision making process leading to the introduction of the military

The army were brought in, in Cumbria and Devon, from 19 March and in HQ from 23 March. Geoff Hoon and Nick had often discussed this bilaterally – see letter of 14 March (flag D), and John Spellar and Helene Hayman had corresponded about snipers and vets on 9 March (Flag E).

There was of course a tension. Government had to avoid creating a sense of crisis, which bringing in the army could have done. But they were brought in once it was clear that things were out of control.

6) The decision making process leading to the policy announcement on 15 March 2001 introducing the 3km sheep cull in certain areas

The need for a more draconian sheep cull was considered as early as 9 March. Nick's decision, and his statement of 15 March, was based on firm advice from Jim Scudamore. There was confusion about whether cattle in Cumbria were to be slaughtered, subsequently clarified.

7) The decision making process leading to the introduction of the contiguous cull (in particular the weight given to scientific and veterinary advice)

Science/vet advice was the main mover throughout. It obviously took time to get a wide enough epidemiological sample to draw firm conclusions, and the final contiguous cull therefore evolved out of more ad hoc vet/science advice. The PM was, as you know, highly impressed by the work of David King's team.

Iain may ask about the significance of the Ross Anderson Newsnight quote about 'out of control'. This did no more than reflect the science we had, by that stage, already got and had been abosrbing – it did not change policy.

We did, of course, never meet the 48 hour target, and it could be argued that the contiguous cull policy therefore changed little. We would argue against this. It had a concentrating and galvanising effect, and the 24 hour target was the more important. If we

ever get the Animal Health Bill through the Lords then we will be better placed to get faster culls – a big problem was vexatious appeals.

8) The process leading to the decision not to vaccinate

Vaccination was under consideration from a pretty early stage, and we came very close after the CVO and CSA advised proceeding, subject to conditions about local buy in which were never fully met (partly due to farmer and NFU hostility). At that point the PM tried to persuade the food industry to sell vaccinated produce. Most agreed but some would not (Flag F). It was also considered in August for pigs near Thirsk, but in the event wasn't needed.

9) The setting of payment levels for the Livestock Welfare Disposal Scheme

The rates were set at meetings here on 20 (with Jim/Nick) and 22 March (with a wider cast, including Ben and Jim Walker) – Flags G and H. The rates were subsequently lowered, and there is an NFU legal case about the subsequent reduction in rates (a DEFRA decision, through COBR) alleging a PM pledge to the contrary at a meeting here on 20 March.

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Dominic Fagan
FMD Lessons learned Inquiry
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hle.

16 May 2002

Dear Dominic

MATERIAL ON THE CONTIGUOUS CULL AND FOOTPATHS

I am writing in the absence of Louise Parry from the office today.

At their meeting with Dr Anderson on 26 April, Brian Bender and Neil Thornton undertook to clarify the sequence of events leading up to the footpath controls in the opening days of the epidemic; and from the announcement of the 3 km Cumbria cull to the contiguous premises cull only about a week later. I enclose annotated timelines seeking to do this. In parallel, Louse Parry had also received a request from your office for further information on the footpaths decision.

You will note that there was not, we believe, any substantive written advice to Ministers ahead of the initial footpaths order. Rather the policy was developed in a series of meetings and telephone discussions, and debate in the House, as described.

Copies of any of the papers referred to in the timelines can, of course, be provided if you do not have them already.

I am copying this letter and the attachments to Brian Bender, Neil Thornton, Francis Marlow and Louise Parry.

By e mail

Yours sincerely

Stewart B Marshall

INVESTOR IN PEOPLE

Chronology of Events relating to the Contiguous Cull and 3km Cull

From the outset

Paragraph 17.1 of VIPER Chapter 3 states:

"Contact" is the name used for those susceptible animals which should be slaughtered because they have very recent direct of indirect contact with affected animals. Examples of contacts are:

a. parts of herds or whole herds on contiguous premises which because of their close proximity (over the hedge/wall or other contact) are considered likely to become diseased.

b. apparently healthy animals moved off the Infected Premises during the 72 hours prior to confirmation of the disease.

c. animals on other premises which may have been handled, e.g. by a veterinary surgeon, AI inseminator, dealer etc., after an affected animal had been handled on the infected premises prior to conformation, etc…

Monday 5 March

EI 2001/20/VEXDT states "after FMD has been confirmed on any premises **with pigs**, the DVM must consider all **contiguous premises** that have susceptible livestock **as 'Dangerous Contacts'**. DVMs may forward to the DECC a detailed and persuasive argument to extend the pre-emptive slaughter zone beyond these contiguous premises. The DVM must ensure that the argument put forward contains a detailed epidemiological case to show that these other premises have become infected."

Minute from CVO to Fred Landeg on the need to review the FMD outbreak on the basis of an analysis of the 69 cases to date. This notes that such an analysis can lead to a number of conclusions as follows:

i. all sheep which have moved onto any farm since (date to be specified) February 2001 are potentially infected with FMD;

ii. contiguous farms are also potentially infected;

iii. a high proportion of farmers could be missing disease as it develops as a transient problem, sheep recover and nothing is noticed. This is a particular problem with the bad weather last week when farmers could not inspect their sheep. In other cases farmers may be assuming that they have a footrot problem and putting sheep through a footbath;

iv. there may be a number of farmers which have not been traced for various reasons especially where there are [no?] records of movements; and

v. there are additional problems with potentially FMD contaminated vehicles. This could lead to infection when further susceptible sheep are moved in those vehicles.

Wednesday 14 March

CVO advised that all susceptible animals within 3km of IP's in Cumbria had been exposed to the disease.

Thursday 15 March

Nick Brown made a Statement to the House of Commons, updated on the current FMD situation. Identified 5-point control priorities. Announced different policies were needed in Cumbria (slaughter of sheep and pigs within 3km of IP's - a subsequent clarification of the term "animals"), and Devon (intensive patrols in the 3km around IP's) and the rest of the country (continued intensive programme of tracing and slaughter of dangerous contacts). The 3 km cull in Dumfries and Galloway was announced in Scotland on the same day.

Friday 16 March

CVO's note dated 15 May records that he had received predictions from the Edinburgh, Imperial College and MAFF Interspread models by that date. These provided an indication as to the number of outbreaks until the end of March but little else. He was concerned about the conclusions of the programme and understood that there was more work to be done before the results could be validated. There were also a number of difficulties including movement of animals, mixing of sheep and the overall epidemiology of the outbreak.

The Ministry was informed of an intended challenge of the pre-emptive cull policy. (By Burges Salmon). See also 27 March, 29 March and 2 April.

Sunday 18 March

At a meeting with the CVO in Cumbria, the NFU outlined how they felt the 3km-cull policy should be implemented.

Wednesday 21 March

Note from Helene Hayman to the Minister setting out aspects of a proposed "Phase II" strategy which could be adopted to follow epidemiological reports about to be received. This would continue to stress eradication (but might allow for vaccination); put in place a recovery plan, region by region; include a recovery plan for agriculture; put an interim package of measures (imports, swill feeding, movement restrictions etc.); and provide a single source of advice form those in distress.

VM-FMD meeting at 9.00 a.m. (attendance: CVO, Martin Atkinson, Richard Cawthorne' Neil Thornton, Fred Landeg, Roy Hathaway and others). This noted that there would be a meeting that afternoon of all parties modelling the future path of the outbreak; this was likely to recommend that further action was needed on improved surveillance through serology; reduction of the interval between report and slaughter; increased speed of tracing; and a pre-emptive cull of sheep and pigs in a 3 km zone round IPs. The CVO reported that work was in hand to draw up a strategy for the pre-emptive cull in North Cumbria, which would prioritise and taker out animals at higher risk first then the remainder of the [at] risk animals.

Afternoon meeting hosted by Sir John Krebs. Following this, CVO minuted Jenny Bacon and other officials, concerned about the importance of eliminating FMD in middle England counties. He noted that the two main options were the reduction of the report to death interval to the shortest time and a local 3 km cull of all susceptible

species to eliminate lateral spread. For areas outside Cumbria, he was inclined to take at least the neighbouring farms and possibly those in the 1 km zone as a minimum. He requested advice from MAFF epidemiologists to assist in deciding on an area for pre-emptive culling around an IP.

At a HC opposition day (full day) debate, Nick Brown was able to set out actions taken by MAFF to speed up response to the increased number of confirmed cases, including allowing vets on the ground to slaughter on suspicion without waiting for a decision from MAFF in Page Street and introducing a standard valuation tariff, to reduce delays to slaughter whilst valuation took place.

Following the meeting hosted by Sir John Krebs, Roy Anderson, (Imperial College, London) gave media interviews on the epidemiology of FMD. He argued that urgent action against FMD was needed – specifically a) reducing the interval between report and slaughter to 1-2 days b) slaughter of all susceptible animals within a 3km zone contiguous to the outbreak.

Thursday 22 March

PM had a meeting with Cumbrian Farmers, tourism officials, MAFF officials and members of the NFU in Carlisle. PM made a statement referring to the idea of 'Cordon Sanitaire' or firebreak cull.

Andrew Slade (PPS/Nick Brown) wrote to David North (No 10) with an "options" paper. He also attached a paper summarising the epidemiological forecasts considered at the meeting on 21 March which was to be published on the next day. This stated:

> "The effect of controls on animal movement from 23 February was noted but all the experts advised the need for further drastic action to bring disease under control. Otherwise FMD will become established in Britain.
>
> Speedier slaughter of infected animals will help to reduce transmission. But this needs to be accompanied by immediate slaughter of all susceptible species around infected farms otherwise the final number of cases will be very high. Depending on the nature of these interventions, the combined strategy could reduce the epidemic substantially."

The options paper proposed the following actions for all areas other than those in which disease was spreading rapidly (Cumbria, Devon, Dumfries, Galloway, Welsh borders and possibly Anglesey) as follows;

- Vet to visit farm within 2 hours of report;
- Slaughter of all animals on the farm if there is suspicion of the disease before confirmation by laboratory results;
- Slaughter all animals within a specified radius of the centre of the farm on which infection has been diagnosed (radius to be specified and agreed); and
- Slaughter all animals on contiguous farms.

For areas with a heavy level of infection, the following options were suggested:

Option A: Slaughter all remaining sheep, cattle and pigs within 3 km of an IP starting at the periphery of the Solway/ Cumbria area.

Option B: Vaccinate all cattle and slaughter them later. Slaughter all fattening sheep and pigs.

Option C: Vaccinate all animals without slaughter.

These options were further considered in an appended paper over Richard Cawthorne's name.

Friday 23 March

Minute from Mavis McDonald (Cabinet Office) to Jeremy Heywood (PPS to PM) noting the MAFF options paper. She attaches an Annex which sets out the logistics of intensifying FMD measures (same day slaughter policy and 3 km cull). The paper notes that slaughter within 24 hours is already the policy goal but that there are various potential policy options around ring-culling (will less than 3 km work; do you do it everywhere; do you exempt some animals; will stakeholders accept compulsory culling) and that the Minister of Agriculture is minuting separately on these (presumably the 22 March options paper). The covering minute notes that the faster the same day cull is achieved (report to slaughter) and the speed with which a cull around infected holdings can be carried out, then the greater the scope for reducing the spread of infection, the length of time of the epidemic and the scale of the total loss to the national herds.

It also notes that there is a wide range of views on the speed with which a ring cull should be introduced (and whether vaccination should be used). It notes a critical constraint is that emergency powers are not taken then any ring cull, whatever the radius, can only be voluntary. It also notes that the modelling done to date is based on the introduction of a 3 km ring cull everywhere. Finally it notes that the view of the CSA is already in the public domain: same day slaughter as first priority, a 3 km ring cull as the second.

Note by No 10 in forwarded to the PM. This noted the epidemiological study received and its identification of the "need for further drastic action to bring the disease under control". It notes that the steps that can be taken are also set out. The key was to reduce the time between detection of infected animals and their slaughter to under 24 hours and to undertake effective controls in 3 km zones around each outbreak. No reference is made to the contiguous cull policy.

First epidemiological forecasts published by teams from Imperial College, Edinburgh University and MAFF, confirming important intervention would be slaughter within 24 hours for infected premise and 48 hours for contiguous premises.

Press Conference at Nobel House, where CSA Prof. King announced the PM's desire for a 24-hour cull policy and implied that there was a 3 km contiguous cull policy– this was then quoted extensively in media.

In light of epidemiological advice, formal instruction (EI 2001/62/VEXDT) was sent to Field Veterinary Staff and was the base of the so-called 'Contiguous Cull Policy'. The CVO confirmed that contiguous premises were to be treated as Dangerous Contacts. (EI 2001/61/VEXDT) was also issued that day, which gave further instructions for the Slaughter of Sheep on Premises within 3km of an IP in the Carlisle/Solway and Lockerbie Areas.

Saturday 24 March

Minute from Kathryn Morton to the Minister advising that MAFF officials were preparing emergency legislation (Animal Health Bill) on slaughter policy for 25 March. This noted that compulsory cull options then under consideration were:

a) automatic slaughter on premises within infected areas or a specified radius of an outbreak;
b) alternatively slaughter at those premises without a thorough and detailed veterinary analysis of the individual circumstances on the farm;
c) firebreak culls within specified radius of an outbreak; and
d) cull of vaccinated animals.

She noted that in the light of veterinary advice, while there may be cases akin to those in the Solway Firth area where culling of the sort proposed in (a) and (b) would be lawful, generally the culling options noted above would not be within the scope of the powers, at least in relation to some of the animals concerned.

Contiguous cull policy announced at press conference.

Note by Joanna Ellis of an up-date meeting at 3.00 p.m. in Page Street, chaired by Brian Bender and attended by Jenny Bacon, the CVO, Neil Thornton, Debby Reynolds, Robert Lowson, George Trevelyan, Martin Atkinson, Malcolm Wood and Mark Stickings. At this Neil Thornton and George Trevelyan were tasked to draft policy and operational briefing on the contiguous farms policy that day to pass to Baroness Hayman for the next day's press briefing. It was also noted that by the end of the week-end the Minister wanted reassurances that the 24 hour report to slaughter and contiguous cull policies could be implemented. For Dangerous Contacts, 24 hours would refer to the time of identification of a DC herd to the killing of the last animal. It was also noted that it was vital that before policy announcements were made, information was gathered on the probable timescale from delivery of that policy, in order to make clear from the start that implementation would not be instantaneous. Accurate figures on numbers of animals involved were a crucial part of this work.

Conference call with RODs to set up reporting of success in achieving 24 and, separately, 48 hour culling and to gain the first reactions to the logistical implications.

Tuesday 27 March

Nick Brown makes a statement to the House of Commons outlining government's policy. Contents confirmed a) 24hr/48hr slaughter targets for IPs and contiguous premises; b) consultations on banning of pigswill and 20-day movement restrictions (in normal times); c) simplification of valuation arrangements; d) commitment to seek vaccination contingent approval from SVC; e) consideration to be given to illegal meat imports; and f) trailing of future review of operation of livestock sector. The Strategy in Cumbria, as referred to in Nick Brown's statement in the House, was to concentrate all efforts in northern Cumbria for clearing all sheep and pigs identified for slaughter in Solway, and to remove all sheep and pigs from a 3km zone around the bottom of the south Cumbria disease area, to prevent southward movement of the disease.

Judicial Review into 3km cull initiated by 4 farmers. (Mr and Mrs Kindersley and others).

FOOT AND MOUTH DISEASE: DEVELOPMENT OF POLICY ON THE ORDER ALLOWING LOCAL AUTHORITIES TO CLOSE FOOTPATHS (27 FEBRUARY)

Thursday 22 February: MAFF News Release 63/01 (FMD: Advice to public and farmers) was issued. This included the following:

> The Ministry of Agriculture has advised the public throughout the country to postpone unnecessary visits, which might bring them in to contact with livestock farms until the Foot and Mouth Disease outbreak is over.
>
> Agriculture Minister Nick Brown said:..... . "I would like to appeal to the public - particularly in the infected areas - to minimise the risks of spread; for the public this involves reducing contact with livestock and farms; for farmers it means operating the highest standards of hygiene. "I very much hope that this will apply for the shortest possible period of time and that the outbreak can be contained." People resident in towns in infected areas and having no contact with farm animals need take no special precautions but:
> - should keep away from farm animals, travel on main roads where possible, respect any warning signs regarding disease;
> - visits to farms should be restricted to the essential and be subject top disinfection routines;
> - persons from rural parts of infected areas should not go on land where there is livestock;
> - meetings of farmers and farm workers who have contact with susceptible animals should not be held in infected areas.
>
> Dog owners in affected areas should keep their dogs under control and where they cannot escape.
>
> Although horses are not susceptible to infection from foot and mouth, they can been involved in spreading it by infected material sticking to their hooves and by driving infected wild animals from their home areas.
>
> Certain pursuits are prohibited in infected areas. This includes hunting, point to point, racing and training of dogs or hounds and any other sport or recreational activity which may cause spread of disease.

Friday 23 February: The Controlled Area Declaratory Order, which closed down the country for animal movements, did not provide fresh powers to local authorities to close footpaths outside infected areas.

News Release 66/01 (Livestock movements in Great Britain suspended until Friday 2 March) issued. In this Nick Brown's says (at the end):

> "Over and above these controls, I call on the whole farming and rural community to exercise responsibility, and avoid any unnecessary

gatherings of people, or movements of large numbers of people, on farm land."

Monday 26 February: Meeting between Minister and Ben Gill (note by Alexia Flowerday, dated 27 February) which records the following:

> "The NFU also requested that the Minister reiterate his plea to the public that they do not go to the countryside as the feeling among farmers was that the problem was not being taken seriously by the general public. Ben Gill further requested that the Minister consider suspending public access to the countryside, particularly if the situation worsened. The Minister expressed concern that any ban might not be enforceable. The possibility of looking at the problem locally and asking local authorities to review the use of rights of way in their area was discussed. The Minister undertook to consider whether to comment on this in his statement to the House that afternoon."

An internal (then) DETR email at lunchtime, quoting a conversation with Roy Hathaway, notes Welsh Ministerial concerns at the numbers visiting Snowdonia that weekend, and a request to their officials to look at powers to ban people from the area, even though there was no infection there; some technical difficulties about closures on Dartmoor (part of which was in an infected area); and a warning from Roy that "there could be pressure from his Ministers to take stronger action". (The e-mail goes on the explain the sort of powers that might be envisaged, and notes the possibility of DETR Ministerial concern about their use.)

Note from PS/Minister to CVO regarding a meeting with the Minister earlier in the day prior to Press Briefing where it was anticipated that suspension of rights of way might be raised.

Minister's statement to the Commons about the FMD risks posed by walkers. Extracts relating to access are as follows:

Mr Nick Brown:...Baroness Hayman, the Minister of State, will be meeting industry and veterinary representatives tomorrow with the chief veterinary officer. Among other matters, they will discuss whether it is possible, consistent with a rigorous approach to the control of disease, to allow for some tightly controlled movement of livestock for slaughter. Consideration is also being given to the temporary closure of footpaths and rights of way.

Mr Tim Yeo: ...I endorse the Minister's advice to the public to avoid visiting livestock farming areas. Reports over the weekend suggest that not everyone has heeded that advice. I hope that the right hon. Gentleman will be able to conclude his consideration of whether action can be taken temporarily to suspend the use of footpaths and close rights of way. The Opposition will strongly support such moves. If parliamentary action is needed, we shall give it as fast a track as we reasonably can.

Mr Nick Brown: ...On access to the countryside, as I said in my statement, we are considering taking legal action to close rights of way temporarily.

Mr David Curry: ... Does the right hon. Gentleman acknowledge that footpaths and bridlepaths were heavily used in, for example, North Yorkshire at the weekend? The Government should take urgent action to close them, albeit temporarily, and perhaps issue red notices to bring home to people psychologically the importance of what is at stake. Will the right hon. Gentleman also bear in mind that farmers have to take their stocks to abattoirs, and that we do not want thousands of trailers running round the countryside trying to deliver livestock? What attention will he give to using some form of collection centres, such as auction marts, where proper disinfectant can be applied and where vehicles that we can be sure cannot transmit the disease can be provided?

Mr Nick Brown:... On the right hon. Gentleman's third point, consideration is being given to exactly that matter, and I hope to have something to say on it relatively soon. It is being considered in the context of the way in which the current movement restrictions work. The right hon. Gentleman asked a perfectly fair question about footpaths, and consideration is being given to whether more needs to be done. I am grateful to those members of the public who have heeded my request that they stay away from livestock farms for the time being. As the right hon. Gentleman knows, laws work best when they have consent behind them, but there are obvious questions of enforcement.

Mr Tim Collins: No one in the House envies the Minister in his job, but we all wish him and his officials every possible success in what they are trying to do. That remains the case despite one or two of the slightly unfortunate partisan remarks that he has made today.

I wish to press the Minister on one issue. He talked about the possibility at least of providing new advice on the closure of footpaths and other points of access. He was quoted--possibly inaccurately--over the weekend as advising walkers to go into national parks instead of on to farm land. Parts of two national parks are in my constituency, so may I point out that 80 to 90 per cent. of the area of national parks is made up of farm land? I have received reports today that, unfortunately, very large numbers of people ignored the warnings and walked over livestock land this weekend. Will the Minister therefore work with the national park authorities to deal with that issue as part of the many other measures that he needs to put in place?

Mr Nick Brown: As the hon. Gentleman knows, I have time after time appealed for people not to go near farmed livestock. When I suggested that they visit a national park instead, it was of course implicit in my remarks that I meant national parks that do not have farmed livestock. I understand his point, but there are areas where it is perfectly possible to go for a walk in the country without going near farmed animals. There should be no disagreement on that point. I thank the hon. Gentleman for his support for the measures that the Government are taking.

Mr. Anthony Steen (Totnes): ....Will the Minister say something not only about national parks but about the south Devon coastline, which has a heritage trail that people have continued to walk during the weekend and today? Those people, who include farmers from Norfolk, have walked on livestock farms.

Mr. Brown: ..... It is hard to make regulations that enable people to enjoy the countryside while ensuring that they stay away from livestock and other farmed animals. However, I appeal to people to do so. The most important point is to make sure that we do not spread the disease, and then we can contain and extinguish it. As the disease is primarily spread by the movement of animals, we have halted that practice so that we can isolate and extinguish it. I appeal to people to stay away from farm animals. Although it is a more remote possibility, there is a chance that such a virulent strain of the disease will be spread by people and vehicles.

Minister reported as being "impressed" by the strength of back bench interventions.

Meeting between PM, the CVO and Ben Gill at 5.00 p.m.. (NB This is recorded in a letter from David North to Andrew Slade dated 27 February which states that such a meeting took place "late this [i.e. on the 27th] afternoon". However, Andrew Slade is clear that this meeting took place on 26 February because part of the letter states (emphasis added):

"Many people seemed not to have heeded MAFF and NFU pleas to avoid going to the countryside, and particularly livestock farms, over the weekend. One option would be to ask local authorities in affected areas to close footpaths and rights-of-way. **The Opposition had offered in the House of Commons that afternoon** to co-operate in securing any emergency legislation required to address the problem. The Prime Minister said that your Minister was looking further at this issue."

E-mail from Jenny Bacon to Roy Hathaway that afternoon reads: "I spoke to the National Trust. They would very much welcome an Order giving powers to close off paths - and hope that LAs etc would use it. They too had trouble over the weekend with non-co-operative walkers."

Letter from the CLA to Elliot Morley (transferred to HH) stressed the CLA's role in representing not only agricultural interests but a range of rural businesses, asks "Will the Government do all in its power to encourage people not to visit the countryside until the current crisis has been brought under control? Although existing closure provisions are adequate for infected areas, the ease and speed with which FMD spreads makes it essential that the number of potential carriers should be kept to a minimum. Local authorities are already taking action but a co-ordinated approach by central Government would be more effective". Becky Taylor recalls this general tone coming across many of the calls being fielded at the time from e.g. MPs, peers and individual businesses/ farmers), though there are no records to substantiate this.

Tuesday 27 February: Pre-brief in Helene Hayman's room prior to the second full meeting of stakeholders on Tuesday 27th (Nick Brown was at Agriculture Council). Attendance comprised Brian Bender, Jenny Bacon, Jim Scudamore, Neil Thornton, Roy Hathaway, Andrew Slade, Robin Bell and Eleanor Treharne-Jones. There was also someone there with the initials 'DN' who is likely to have been David North. Andrew Slade's (SPS/Minister) rough notes show the following general discussion and HH's conclusion:

- discussion of pressure from all parties to shut footpaths at least temporarily - LAs were calling for authority to close rights of way, although those in infected areas already had the necessary powers. The National Assembly of Wales wanted to shut down Snowdonia;

- closing the whole countryside would be disproportionate, but equally the 'be responsible' message was not getting through effectively;

- a general power could be provided for invocation in local circumstances - LAs with advice from AHDOs.

HH concluded that we should "take the power and make sure clear guidance is issued to LAs and AHDOs on how to use it". Discussion moved on to moorland and common grazing issues, and then the symbolic difficulties posed by closure of race meetings.

Becky Taylor's (PS/Helene Hayman) notes of the meeting agree with Andrew's record, although they suggest that particular pressure for a power to close footpaths was coming from the National Assembly in Wales ("Carwyn Jones needs a decision by 2pm"). She thinks that there was a statement or debate in the National Assembly that afternoon, and Wales were anxious to announce powers to ban movements on footpaths in Snowdonia. She also recalls that her office fielded a large volume of calls around that time about the risks posed by walkers. Baroness Hayman took the view at the meeting that there was a need for a general power that could be invoked by the NAW or LAs according to the circumstances, i.e. the degree of risk involved (under veterinary advice). It was agreed that local authorities in affected counties should be encouraged to invoke powers straight away.

The team then want upstairs to the Stakeholders meeting at 9.45 a.m.. The formal note of the meeting records under the heading 'Communications and Publicity':

> "Baroness Hayman said that the Government was looking to introduce some form of legislation to empower Local Authorities to close footpaths in certain circumstances. This news was greeted favourably by the industry as a whole."

Becky Taylor notes that Baroness Hayman told stakeholders that veterinary advice was paramount. On footpaths, she said that the current veterinary advice recommended putting in place powers that would allow local authorities to close footpaths if considered necessary to control potential spread of the disease. She suggested that it was also necessary to consider measures to reduce risk, but noted the pressures on veterinary resources.

Baroness Hayman left the stakeholders meeting to speak to someone from No. 10 at 11 a.m., to brief them on the likelihood of powers to close footpaths. Unfortunately Becky Taylor was unable to listen in (though she knew it was a member of No 10 staff rather than the PM to whom Baroness Hayman spoke).

At 10.18 a.m. a draft FMD Amendment Order was forwarded by Tony Durkin (Legal) to Roy Hathaway for comments. At 11.31 a.m. a third draft of the Order was forwarded by Tony to Roy for comments. The Order was subsequently keyed and came into effect at 2.00 p.m. that day. The Order provided, inter alia, that local authorities might declare prohibited areas, restricting the movement of people in and out of these areas to public

highways. Consultation with the Minister was required where there was no confirmed case of FMD in the authority's district.

Later that morning, Andrew Slade has notes of a conference call with No 10 in Brian Bender's room, involving Brian and the CVO, the PM asked what we were going to do about the "rights of access problem". Brian explained that we intended to give discretionary powers to LAs; the consensus was that it was better to take a firm line now than find ourselves in difficulties later on. The PM accepted this ("sure").

Afternoon: Round-up meeting on FMD (at which Michael Meacher had been present). The record of this meeting (David North's letter to Andrew Slade of 28 February) says:

"On countryside access, your Minister said that not all the public had heeded appeals to keep away from livestock farms. He was therefore issuing an order that evening to enable local authorities temporarily to close public rights of way where appropriate."

Roy Hathaway made a submission, which gives a brief explanation of the Orders made earlier that afternoon. The effect was to give local authorities powers to close footpaths and bridleways not only in Infected Areas as under the existing powers (Article 27 of the FMD Order 1983), but also outside them, subject in the latter case to clearance with MAFF.

A Ramblers Association Press Release (cancelling a national walking event) states:

> "The Ramblers last week advised all members of the public to avoid affected areas completely and to steer clear of all farm land and other areas where there may be livestock. Hundreds of Ramblers groups across the country have subsequently cancelled their walks programmes."

Thursday 1 March: Issue of EI 2001/13/VEXDT: Guidance for local authorities on the FMD (Amendment) (England) Order 2001 (NB this was subsequently found to be open to misinterpretation.)

Minute from Nicholas Robson (Legal) to Neil Thornton advising of "considerable misunderstanding outside MAFF about the operation" of the footpaths provisions. An amending Order was suggested and urgent instructions requested.

At 9.43 a.m., an e mail was sent to Legal from David Crellin (responsible for the FMD helpline at BCMS, Workington) noting that local authorities were

contacting the FMD helpline and seeking Legal's approval for helpline staff to give approval (for closures).

Friday 1 March: At 8.03 a.m., Lara Jankel (Legal) replied to David Crellin to the effect that his interpretation was not in keeping with the veterinary advice as seen.

Saturday 2 March: At 1.57 a.m., Roy Hathaway instructs Nicholas Robson to proceed with Amendment No 2 Order as suggested in the minute of 1 March.

At 17.48 p.m., the FMD Amendment Order No 2 was keyed. This Order provided that local authorities could restrict the movement of people onto land where there are or may be animals and into agricultural buildings. Consultation with the Minister was required where there was no confirmed case of FMD in the authority's area.

Monday 4 March: Issue of EI 2001/19/VEXDT: Combined guidance for local authorities on the two recent amendments to the FMD Order 1983.

Reopening of rights-of-way in England 2001/2

Countryside Agency weekly progress reports

Date	% open all England	Date	% open all England
10 April '01	<10	20 September	91
24 April	14	27 September	91
3 May	19	4 October	91
10 May	21	11 October	92
17 May	26	18 October	93
24 May	31	25 October	93
31 May	42	1 November	93
7 June	50	8 November	93
14 June	55	15 November	93
21 June	58	22 November	93
29 June	68	29 November	96
5 July	69	4 December	96
12 July	76	13 December	97
19 July	78	20 December	97
26 July	84	3 January '02	97
2 August	90	10 January	98
9 August	90	17 January	98
15 August	91	24 January	99
23 August	90	31 January	99
30 August	91	11 February	99.3
6 September	90	25 February	99.5
13 September	90		

FROM THE OFFICE OF LORD WHITTY
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16 May 2002

TEMPORARY COMMITTEE ON FOOT-AND-MOUTH DISEASE

When I and my Ministerial colleague Elliot Morley met the Committee on 8 April in Strasbourg to explain the policy we adopted in combating the foot-and-mouth disease outbreak, we undertook to respond in writing to the list of 18 questions that had been posed by the Committee.

I am enclosing with this letter our formal response to the 18 questions. We intend making this document available on the Department's website.

The Committee also asked to see a copy of the UK's contingency plan which was in operation at the time of the outbreak. The UK's contingency plan comprises three parts; the plans submitted to the EU, the national instructions contained in Chapter 3 of the State Veterinary Service Instructions, and local divisional plans drawn up by each Animal Health Divisional Office. The first two components were submitted to the EU. A copy of the contingency plan is enclosed as well as a CD which includes the full Chapter 3 instructions at the time of the outbreak. I hope these are useful.

I believe that Avril Doyle MEP asked for a copy of Northern Ireland's separate Contingency Plan. This too is enclosed.

At the meeting of the Committee, I commented that the numbers of veterinary staff in the field had been stable over the last ten years. The staff to whom I was referring are professional staff at the basic grade (Veterinary Officer) in the regions who are the front line staff which are deployed to deal with disease

INVESTOR IN PEOPLE

outbreaks. In February 2001 there were 220 such officers. Numbers have clearly varied over the years due to the recruitment situation, organisational changes, and other factors but we have identified the equivalent numbers of Veterinary Officers back to 1981 as follows:

1981: 231
1983: 225
1987: 206
1990: 206
1992: 245
1993: 210
1994: 240
1995: 234
1996: 209
1997: 212
1999: 226
2001: 220

These figures are just the field officers. In the 1970s and 1980s, there were reductions and changes to middle management structures but the field officers are the key element.

I should like to take this opportunity to once again express my thanks to you for giving me and other UK Ministers the opportunity to meet the Committee and to discuss the lessons that we all need to learn from the unprecedented outbreak last year.

I am copying this letter and the attachments (but not the CD) to Josephus Coolegem in the Committee's Secretariat.

LORD WHITTY

EUROPEAN PARLIAMENT: TEMPORARY COMMITTEE ON FOOT-AND-MOUTH DISEASE

Questions to representatives and former representatives of the UK Government for the meeting of the temporary committee on foot-and-mouth disease on 26 March and 8 April 2002

1. How did the foot and mouth epidemic start? Did the MAFF/DEFRA carry out forensic epidemiology on infected flocks/herds to determine disease onsets of early and continuing notifications?

Each of the 2030 FMD outbreaks were subjected to a detailed clinical and epidemiological investigation. This data and information was used to estimate the age of the lesions at the time of reporting, to evaluate the origin of infection for each premises and thereby estimate the date on which infection was introduced to each infected premises.

Although the first outbreak was confirmed in pigs in an abattoir in Essex on 20 February (outbreak FMD/01), the origin of that outbreak, and the index case for the whole epidemic, is considered to have been a pig fattening unit in Northumberland (outbreak FMD/04). Disease was confirmed on this premises on 23 February. Disease is thought to have entered this premises through meat or meat products containing or contaminated with FMD virus. All other possible sources of infection have been investigated and eliminated. There is no evidence that the disease was introduced to the farm by animals, people, vehicles, equipment, vermin, wildlife etc.

The epidemiological investigations indicate that there were two routes of spread from the index case. The first was the movement of diseased pigs from outbreak FMD/04 to the abattoir in Essex where disease was confirmed on 20 February (outbreak FMD/01), the subsequent spread of disease to holdings in Essex and Kent was a consequence of mechanical and personal transmission from the abattoir. Compared with the second route of spread, this first route made only a small contribution to the totality of outbreaks in the country as a whole.

The second route of spread involved air borne spread of disease from outbreak FMD/04 to sheep on a nearby premises (outbreak FMD/06) and the subsequent sale of infected sheep from this premises to Hexham market on 13 February. The sheep entered the marketing chain and were sold through Hexham and Longtown Markets where they infected other sheep, people or vehicles, thereby spreading FMD virus widely in England and Wales and the bordering counties of southern Scotland.

2. Can the UK Government definitely indicate when the epidemic started?

There are genuine difficulties in establishing precise times for events such as the introduction of infection onto key premises such as outbreaks FMD/04, FMD/06 and FMD/01. These stem from (a) difficulties in ageing FMD lesions in animals, (b) determining when clinical disease was first evident on premises, either because the animals that were first infected were not present at the time disease was first identified and investigated or because throughout the course of the epidemic, cattle often acted as the first indicator of the presence of disease that had gone unnoticed in sheep, and (c) farmer recollection of when they first thought animals were affected by FMD as compared with other conditions. As a consequence, estimates of when infection entered a premises are just that, estimates, and represent theoretical ranges calculated on the ranges of maximum and minimum incubation times. Ultimately, judgements on the likely sequence of events have had to be made on the totality of the epidemiological information available.

Epidemiological investigations indicate that the first case for the whole epidemic was the pig fattening unit in Northumberland (FMD/04) and FMD virus could have infected pigs between 26 January and 7 February 2001.

There was no evidence of disease on any premises in the country which predated the infection found at outbreak FMD/04.

3. What is the nature of the UK animal disease surveillance system, was it effective and adequately resourced?

Any person who suspects the presence of FMD or any other OIE List A disease in an animal or its carcase, is legally obliged to notify MAFF/DEFRA without delay. Upon receipt of such notification a Veterinary Officer from one of MAFF/DEFRA's 23 Divisional Animal Health Offices (see Question 4) will place the premises under official control and investigate the possible presence of disease on the premises. Veterinary surgeons can also ask MAFF/DEFRA veterinary officers to attend premises where they are unsure as to whether an animal is displaying signs suggestive of FMD etc and do not wish to overlook that possibility.

The Veterinary Laboratories Agency has a network of 14 Regional Laboratories in England and Wales. Similar laboratory networks exist in Scotland and Northern Ireland run by the Scottish Agricultural Colleges and the Department of Agriculture for N. Ireland (DARDNI) respectively. These laboratories provide a comprehensive range of diagnostic and disease investigation services for veterinary practitioners. It was through this network that the possible presence of Classical Swine Fever was first recognised in 2000 and Newcastle Disease in 1995.

Finally, the Meat Hygiene Service conducts disease surveillance through ante and post mortem inspection of animals slaughtered for human consumption in Great Britain: equivalent arrangements are operated by DARDNI in Northern Ireland.

4. What is the UK administrative structure for the management of an outbreak of a foot and mouth epidemic? Was this structure appropriate to deal with the crisis? Were there adequate personnel and logistic resources to deal with an epidemic of this scale, and were there adequate provisions for mobilising the additional personnel and logistics required? What improvements should be envisaged?

The State Veterinary Service has 5 regional and 23 divisional Animal Health Offices throughout GB (Northern Ireland is separate). Detailed contingency plans are held at these offices for the management of an outbreak of FMD should one occur. These plans are, however, predicated on an outbreak occurring on a similar scale to those previously experienced in Europe. The scale of the 2001 outbreak (and its unprecented nature – in particular that it affected areas with large sheep populations, a species in which the disease was difficult to diagnose) placed impossibly heavy demands on the resources, management and organisational capability of the State Veterinary Service. Provisions were in place for mobilising the extra resources required and were activated rapidly. The overall contingency plan is being substantially revised in the light of the experience gained in the epidemic and rather than being confined to the State Veterinary Service plans are being broadened to become multi-agency to ensure that all eventualities can be managed effectively and efficiently in any future outbreaks. So far as administration is concerned, the Scottish Executive was responsible for responding to the outbreak in Scotland.

The UK Government's interim contingency plan for any further outbreak was published on 12 March 2002 and can be found at www.defra.gov.uk/footandmouth/contingency/contingency.htm.

Where necessary, the Civil Contingencies Secretariat (CCS) will also be engaged. This was set up in July 2001 and reports to the Prime Minister through the Canbinet Secretary. The CCS is a co-ordinating body and centre of expertise set up to make the country more effective in planning for, dealing with and learning lessons from emergencies and disasters. The secretariat can provide integrated planning and thinking and co-ordinate action across departments. Its tasks are to identify potential crises; to help departments pre-empt or handle them; and to manage any necessary co-ordination machinery.

5. Did the legal framework (EU/EC directives) and the UK Government's contingency plan take account of the possibility of the detection of an uncontained epidemic, and make/facilitate appropriate responses?

The EU/EC Directives for foot and mouth disease control implemented in domestic legislation through the Foot and Mouth Disease Order 1983 (as

amended) provide a legal framework to deal with an outbreak of foot and mouth disease irrespective of the size of that outbreak. The existing legal provisions also provide legal powers to carry out vaccination should that be necessary.

In March 1991 the European Commission published recommendations for guidelines for contingency plans against foot and mouth disease DG VI/1324/9. One of the recommendations was that each Member State should ensure that it had immediately available sufficient trained staff to deal with at any one time up to 10 outbreaks and to properly maintain surveillance of premises in a 3km protection zone required to be established around each infected premises. The Contingency Plan submitted to the EU by the UK (see answer to Q8) was accepted by the EU Commission and approved by the Standing Veterinary Committee.

The contingency plans, together with the preparation and training of the State Veterinary Service meant that it was well prepared to be able to deal with an incursion of an exotic disease and stamp it out. It had effectively dealt with an incursion of Classical Swine Fever in August/December 2000.

With the immediate imposition of infected area restrictions around confirmed cases, and Controlled Area Order covering the whole of Great Britain preventing animal movements, combined with the ban on export of live animals from Great Britain, in no sense could the 2001 epidemic of foot and mouth disease be described as "uncontained". However, the 2001 outbreak in the UK was unprecedented and perhaps the most serious epidemic to affect a hitherto FMD free country anywhere in the world. Certainly, there had never been an outbreak of this scale in sheep (FMD in sheep is harder to detect, even for experienced vets, and cross country sheep movements were widespread in the period when the disease first took hold). By the time the index case in Northumberland was identified the virus was already present, mainly as a result of these movements, in at least 43 premises, and probably many more. Each of these acted as the focus for a major outbreak. It was therefore necessary to rapidly expand the resources necessary to deal with the disease and this was effectively done in the early stages of the outbreak.

6. Did the EC/EU legal framework, viz directive 85/511, and the groundwater directive, in any way handicap or limit options for the slaughter of animals and the disposal of their carcasses?

Directive 85/511 is the FMD Control Directive. It requires the destruction of the carcases of every animal slaughtered as part of any FMD control campaign. Its requirements do not hinder the disposal of carcasses.

The requirement in the Groundwater Directive to prevent List I substances from entering groundwater, and List II substances from polluting groundwater (implemented in domestic legislation primarily through the Groundwater

Regulations 1998) necessarily limited locations available for disposal of carcasses or ash, and therefore the means of disposal available in a particular location.

Similarly the "prior investigation" and "authorisation" of carcass and ash burial sites in line with the Directive added an extra step in the disposal process.

In practice, the need to deal quickly with large numbers of carcasses meant firstly that the Environment Agency had to liase closely with the disposal teams, and secondly that it had to carry out many of the groundwater risk assessments by desk study in the first instance. Further risk assessment, subsequent to the disposal, has been necessary at all sites and appropriate risk-based monitoring is being put in place.

The Agency did not authorise burial of carcasses in any groundwater source protection Zone I, or close to private water supplies or watercourses. They also ensured that Agency guidance, groundwater vulnerability maps, and the Code of ood Agricultural Practice for the Protection of Water were taken into account. In some areas high ground water levels following a period of very wet weather were also a complicating factor

To give an idea of the scale of the exercise, although burial and burning were last in order of preference in a hierarchy of disposal options (developed jointly by the Environment Agency, the Department of Health, MAFF and DETR), the Agency issued around 1,270 authorisations for carcass and ash burials in England and Wales during the epidemic. The number of risk assessments carried out during the epidemic was considerably higher.

7. Was there a delay between the imposition of an EU ban on the export of live animals, meat and meat products from the UK and the prohibition of movement of live animals in the UK , and if so,- what impact did that have on the spread of the disease?

The UK took measures to protect its trading partners immediately FMD was confirmed. Prior to the EU ban on the export of live animals, meat and meat products from the UK, the UK authorities had taken action to prevent the export of susceptible animals and their products to all Member States and third countries. It ceased to issue export health certificates on 20 February and withdrew all existing health certificates on 21 February. The UK notified Germany that it had received pigs and pig meat from the infected area prior to suspicion of disease.

Commission Decision 2001/145 became effective at 1700 hours on 21 February and was implemented in UK legislation later that evening. Officials at UK ports were informed of the new legislation making it illegal to export live FMD susceptible animals or their products.

Turning to movements within the UK, an 8km movement standstill was imposed around the Essex abattoir involved with the first suspected case on 19 February. This was converted to an Infected Area (minimum 10km radius) once disease was confirmed. The first case to be confirmed outside Essex was in Northumberland on 23 February. On the same day, 23 February, the FMD Controlled Area Order came into force prohibiting movement of all FMD susceptible animals in Great Britain. This was done immediately it became apparent that disease was not confined to Essex and had been present at the Northumberland farm for 2-3 weeks and so may have spread widely in the meantime.

On 25 February when disease was confirmed at the premises of an exporter the authorities of Germany, Belgium, Netherlands and France were advised of the destination of consignments of sheep which had been exported during the risk period. These consignments had been exported prior to the time of the first reported suspicion of disease to the UK authorities.

8. Was the UK contingency plan for foot and mouth, submitted to the European Commission by the Ministry of Agriculture, Fisheries and Food in 1993, published before the start of the epidemic?

The UK FMD Contingency Plan consists of 3 parts:

- the plans submitted to the EU in accordance with Article 5 of Directive 90/423
- the National instructions contained in Chapter 3 of the State Veterinary Service Instructions
- the local divisional plans drawn up by each Animal Health Divisional Office.

The first two components listed above have been submitted to the EU. The first component has not been made publicly available until recently. The second component has been in the public domain but only on request by members of the public.

The second component, the National Instructions to the State Veterinary Service, has always been widely available to all veterinary and technical staff within the State Veterinary Service.

All three components provide a detailed fundamental plan and set of instructions to deal with an outbreak of FMD. In addition at both local, regional and national level, exercises were held on a frequent basis (84 exercises were held between 1995 and 1999), in order to ensure that the State Veterinary Service was in a state of readiness to deal with an outbreak of notifiable disease. Some of the exercises involved local authorities and the police so that those authorities were fully aware of the role they had to play.

9. Why did MAFF not use Epiman, a data management and prediction system drawn up by New Zealand scientists for controlling a major foot and mouth epidemic?

Veterinary epidemiologists at the Epidemiology Department Veterinary Laboratories Agency, Weybridge have been involved in the development of the EpiMan system because of their close working relationships with colleagues in the EpiCentre at Massey University. The *Interspread* simulation model was used from the start of the epidemic as soon as the first case of FMD was confirmed. Its use is discussed below. Members of the Massey University team arrived in Great Britain on 25 February 2001 to assist in the epidemiological aspects of the epidemic.

One task was to examine the feasibility of using the disease control management component of the EpiMan system. After discussion it was decided that it was not the expedient solution in terms of recording events occurring during the course of the epidemic. The primary reason for not using this component of EpiMan was that it was designed to organise and "run" all disease control activities centrally for the whole country. This in contrast to the normal organisational disease control management structure in the UK which is regionally based. In addition, as a result of the previous Classical Swine Fever outbreak, the immediate forerunner to the FMD epidemic, a new Disease Control System (DCS) was being designed as a uniform database allowing access at regional and HQ level. Finally, implementation of the EpiMan system would have required specific staff training at a time, at the end of February/beginning of March 2001, when staff resources were being utilised to facilitate the necessary tracings of the numerous sheep movements.

The *Interspread* simulation model was used very extensively and on a daily basis. This proved to be of great value to the senior epidemiologists in assisting in understanding the epidemic and providing advice on control. In the event, this simulation proved remarkably accurate in determining the ultimate size of the epidemic (see Morris, Wilesmith, Stern, Sanson, Stevenson, *Veterinary Record* Vol. 149, pp 137-144.)

10. Why, in March 2001 did the UK Government hand over control of the epidemic to Professor Roy Anderson of Imperial College, an epidemiologist who apparently had no expertise in the management or control of foot and mouth?

This is not correct, the UK Government did not hand over control of the epidemic to Professor Anderson; nor did Professor Anderson at any stage provide advice to Ministers (or the Prime Minister) dealing with the outbreak. All major policy decisions on the control of the epidemic were taken by the Government on the basis of advice received from the Government's Chief Veterinary Officer and Chief Scientific Adviser, Prof. King. Prof. King's advice was informed by a group of experts, brought together at the request of the Prime Minister, which

included Prof. Anderson. The group comprised epidemiologists, scientists, veterinarians and others with experience of FMD control. All the epidemiologists providing advice to the Government had previous research experience in a range of veterinary infections.

11. Why did the UK Government introduce its 24/48 hrs 'contiguous cull' policy, under which millions of uninfected animals were destroyed?

The Chief Scientific Adviser (CSA), Professor David King, is responsible to the Prime Minister and members of the UK Cabinet for ensuring that the Government has access to the best possible scientific advice on which to base its policy decisions. The CSA established a group of scientific experts to advise on the FMD epidemic. It was constituted so as to include a range of views on the scientific aspects of tackling the outbreak. The core of the group was formed of four teams of epidemiologists. Three from universities (Imperial College, Cambridge and Edinburgh) and the MAFF/Veterinary Laboratories Agency team. Veterinary practitioners, animal health experts, logisticians and other disciplines also participated in the work of the group. It was on the advice of this group that the Government's Chief Scientific Adviser advised the Government to implement a policy of culling out FMD infected holdings within 24 hours of disease being reported and culling FMD susceptible livestock on holdings contiguous to infected holdings within 48 hours. The basis for this advice was to get ahead of the disease and bring the epidemic under control more quickly, with minimum loss of animals. The epidemiological evidence was that contiguous premises would have been exposed to FMD infection in the circumstances of this outbreak and so livestock should be slaughtered on these premises to remove potentially infected animals before they had an opportunity to develop disease and act as a source of infection for others. It follows that the UK Government believes that the contiguous cull was necessary in the circumstances of the time and given the nature of this particular outbreak. While it regrets that so many animals had to be destroyed under this policy, it believes it is misleading to describe the animals involved as uninfected. They had been exposed to infection, and many will have been incubating infection even if laboratory results were negative. Epidemiological modelling consistently showed that the strategy of culling contiguous premises, along with infected premises and other dangerous contacts, reduced the number of cases, reduced the duration of the epidemic and reduced the total loss of livestock on farms. Analyses of the outbreak published in the journals « Science » and « Nature » provides clear support for this conclusion.

12. What was the scientific basis of the 'Anderson' epidemic model and was it appropriate that it should have been used for the control of this epidemic?

The basic model used by Professor Anderson's group falls into the broad category of mathematical models. That is mathematical equations are formulated to represent the biological processes and these are processed repeatedly through time to predict the behaviour of the epidemic under different control scenarios. Such

models are typically deterministic and therefore the outcome of any single analysis will always be the same, as the model does not have built-in consideration of biological variability. In terms of the class of mathematical model, an SIR model formed the basis in which animals move between the various states: Susceptible, Infected and Recovered, or more correctly in the case of FMD in European circumstances, slaughtered or vaccinated. The model incorporated a networking structure to provide an intrinsic spatial structure. That is the actual geographical location of farms was not considered in the model and therefore no outputs based on geographical location are possible.

It is important to realise that the epidemiological teams involved examined species differences apparent in the case data (such as in incubation period). It is true that in the first instance, the epidemic models constructed by both the Imperial and Cambridge groups averaged over these differences, but this was a result of the need to complete preliminary analyses on a very rapid timescale. Building and validating more sophisticated models takes months - time that was not available in March last year. However, the later modelling of both the Imperial and Cambridge teams did concentrate much more on examining species differences and other factors (farm size, land fragmentation), and if anything the conclusions of this later work has further reinforced the validity of the policy advice regarding the necessity of the contiguous cull.

The Imperial College model was therefore one type of model that was used during the course of the epidemic. Two other simulation based models were also used. One was the existing *Interspread* model and the other a model developed during the course of the FMD epidemic in 2001 by research groups at Edinburgh and Cambridge University. These last two models are quite different from the IC model : they include the spatial location of farms and are stochastic models based on statistical variability. These independent models provided broad support to the conclusions from the IC model. However, not all control measures were based on the results of modelling. For example, the imposition of the Restricted Infected Areas, the so-called Blue Box areas, in the South Penrith area of Cumbria, in Allendale, Northumberland and Thirsk, North Yorkshire, were the result of empirical analyses of the data and information from the field epidemiological investigations.

13. Was the 'contiguous cull' legal either under EU or UK law and, if not, were the compensation payments lawful?

The policy of culling animals on holdings contiguous to a site on which FMD had been confirmed was lawful both under UK and EU law. It therefore follows that any consequent compensation payment made for animals slaughtered under this policy was lawful.

The principal domestic legal instrument governing the eradication and prevention of the spread of animal diseases is the Animal Health Act 1981 ('the Act'). It is

under this Act that the Foot-and-Mouth Disease Order (S.I. 1983 No.1950), has been made. This Order provides specific rules which enable the control of Foot-and-Mouth Disease. It is through the powers contained in these provisions that the UK is able to give effect to EU requirements for the control of Foot-and-Mouth as contained in Council Directive 85/511/EEC, as amended.

Powers of slaughter for the purposes of disease control are set out in the Act itself and, in the case of Foot-and-Mouth Disease, are conferred by section 31 of, and paragraph 3(1) of Schedule 3 to, the Act. These provide as follows:-

"Slaughter in certain diseases

Schedule 3 to this Act has effect as to the slaughter of animals in relation to –

(a) cattle plague,
(b) pleuro-pneumonia,
(c) foot-and-mouth disease,
(d) swine-fever, and
(e) diseases of poultry".

"Schedule 3… Foot-and-mouth disease

(1) The Minister may, if he thinks fit, in any case cause to be slaughtered –

(a) any animals affected with foot-and-mouth disease, or suspected of being so affected, and

(b) any animals which are or have been in the same field, shed or other place or in the same herd or flock or otherwise in contact with animals affected with foot-and-mouth disease, or which *appear to the Minister to have been in any way exposed to the infection of foot-and-mouth disease.".* [emphasis added]

Paragraph 3(2) of Schedule 3 provides for the payment of compensation for animals slaughtered under paragraph 3(1) of that Schedule.

These powers were exercised during the FMD outbreak of 2001 as follows.

First, the Department slaughtered animals which were "affected" with Foot and Mouth Disease. These were animals which were considered, on clinical examination, to be exhibiting clinical symptoms of FMD, or in relation to which laboratory tests had yielded positive results.

Animals "suspected of being so affected" with FMD were also culled. These included animals which were slaughtered before the results of the laboratory tests were received but which will have been displaying ante-mortem clinical signs suggestive of FMD. Thus, whether or not "suspect" animals ultimately yielded

positive laboratory results, they may be slaughtered pursuant to paragraph 3(1)(a) of Schedule 3 to the Act.

Animals which were or had been "in the same field, shed or other place or in the same herd or flock, or otherwise in contact with animals affected with foot-and-mouth disease" (dangerous contacts) were also slaughtered, under the provisions of the first limb of paragraph 3(1)(b) above.

The last limb of paragraph 3(1)(b) (the words in italics above) provided the basis for the slaughter of animals under the contiguous cull. This was because veterinary and epidemiological advice was that animals in premises contiguous to infected premises had been exposed to infection and thus needed to be culled in the interests of disease control. Again, the lawfulness of the slaughter of an animal under this power is not affected by a later negative result from a blood test.

The epidemiological evidence was that the virus was spreading rapidly, including in the immediate vicinity of infected premises by air, but also by factors such as people and animal movements, and that the single most important consideration for the control and eradication was quick identification and slaughter. Thus all premises holding susceptible animals that neighboured (i.e. were directly contiguous to) infected premises had been exposed to the virus. On 23 March, epidemiological studies by the Imperial College, Cambridge and Edinburgh teams confirmed that the most important tool in the prevention of the spread of disease was culling within 24 hours from report and the second most important intervention was the culling of animals on contiguous premises within 48 hours. These findings were supported by the Chief Scientific Adviser.

The legality of the cull was tested in the British courts. The judgment in MAFF v Winslade confirms not only that the exercise of slaughter powers by the Minister under the contiguous cull is lawful under domestic law but that the relevant provisions of EC law (Directive 85/511 as amended) were not intended to stop national Governments from taking further steps necessary to eradicate the disease. It follows that as the contiguous cull was considered necessary for the eradication of the disease, it is compatible with the Directive. This judgment confirmed a previous decision of the Court of Session in Scotland: Westerhall Farms v Scottish Ministers.

The Commission of the European Communities was at all times aware of the detail of the UK's culling policy and approved of the approach. Indeed, the recitals to the Commission Decision permitting a programme of vaccination in parts of the UK specifically acknowledge the existence in the UK of the contiguous cull policy.

It follows therefore that the exercise of the Ministers slaughter powers under the contiguous cull policy was lawful under both UK and EU law. Where animals are slaughtered pursuant to the powers under the Act, the Minister shall pay

compensation for those animals under paragraph 3(2) of Schedule 3 to the Act. It follows therefore that the compensation payments were also lawful.

14. Why, when the epidemic met all the criteria for an emergency vaccination programme laid out in EC directive 90/423, did the UK Government not adopt such a programme?

Our contingency plans included provision for ring vaccination in the event of an FMD outbreak. This strategy was not used because by the time FMD was identified in the UK the virus had potentially spread across a wide area making ring vaccination an impractical option. Our scientific and veterinary opinion was that the best way to eradicate the disease was through rapid culling and strict bio-security measures.

The use of vaccination was however kept under review throughout the outbreak and the necessary logistics were worked on. We exercised our drawing rights to antigen from the IVB and put a reserve on supplies from the EU bank. We also bought commercial stocks and built up supplies sufficient to provide for the most likely vaccination scenarios and to provide a buffer against the lead-time for obtaining further supplies.

Advice was given to MAFF Ministers on 27 March to vaccinate cattle in North Cumbria. This was communicated by them to the Prime Minister on 27 March. On 28 March, Commission authorisation was secured on a contingency basis at the Standing Veterinary Committee (SVC) to vaccinate cattle in the heavily infected areas of North Cumbria and if necessary Devon and to reserve vaccine for GB use. Cattle were already individually identified and the need to identify individual animals post vaccination could be met. The CVO and CSA both recommended that vaccination should be used in particular specified circumstances and if certain criteria were met. In April, in the light of this advice, the Government accepted the case for vaccinating cattle in North Cumbria and Devon because of the intensity of infection in those areas and the forthcoming turnout of cattle from indoor housing to outdoor grazing; but only if the vaccination programme were supported by a substantial majority of the farming community, by veterinarians, by the wider food industry and by consumers.

During April there was not only consideration of vaccination within Government, but also wide ranging and vigorous public debate. The uncertainties about its effectiveness, impact and long term results fuelled the debate which was dominated by two approaches - the main stream farming organisations, particularly the NFU, which remained firmly and publicly opposed throughout the epidemic while spokesmen from a range of animal rights and specialist farming organisations (organic, rare breeds) campaigned for vaccination either because they objected in principle to the slaughter policy or because they saw vaccination as a way of guaranteeing protection from disease for particular groups of farm

animals. Wider rural interest groups, particularly tourism interests, campaigned hard for vaccination in the belief that it would allow footpaths to be reopened sooner.

The complications over the marketing of produce post vaccination meant that neither the farming organisations nor the major retailers could be reassured about the sale of produce from vaccinated animals and neither group was therefore prepared to support the proposals. While discussions continued, some cattle in Cumbria were found to have FMD as a result of lapses in biosecurity, while other cattle were let out and unaffected. With farmers and retailers strongly opposed and the hoped for benefits of protecting housed cattle by implementing the programme diminishing over time, it was apparent by 23 April that the criteria of support for a vaccination programme could not be met. Mounting a vaccination campaign without the full support and co-operation of farmers, whose assistance would be needed in managing the logistics of the vaccination operation itself and looking after the animals thereafter; and the food retailers who would have provided the outlet for meat and milk from the vaccinated animals, would not have been possible.

Vaccination was also considered where new clusters of cases developed and a as a protective measure, e.g. pigs down the East Coast. Our conclusion, however, remained that vaccination would not help eradicate the disease more quickly, and that the best use of resources was to continue the culling and biosecurity programme.

15. Why did the UK Government not carry out a limited vaccination programme to protect cattle in Cumbria and Devon, when permission from Brussels had been received ? Did the National Farmers' Union oppose to this?

In the Spring, the CSA and CVO recommended that vaccination should be used in particular specified circumstances and if certain criteria were met The consideration of thise advice by the Government is described in the reply to Question 14 above.

16. Were farmers accurately informed over both the science and the law on vaccination and the compensation provisions applicable to the use of vaccines?

The importance of providing clear and full information to the public was emphasised during the time of public debate. Detailed information, including the answers provided to the NFU's 51 questions, was put on the MAFF website in April 2001 to encourage informed debate. Further advice on the science of vaccination was published on the DEFRA website in September in response to continuing detailed scientific questions and confusion on some issues.

17. Were there any changes in policy on the criteria for classifying outbreaks during the course of the epidemic and, if so, what were the effects of those changes on the reporting of outbreak numbers?

There were no changes in policy on the criteria for classifying outbreaks during the course of the epidemic. The number of confirmed cases for GB stands at 2,026 with 4 cases in Northern Ireland bringing the total for the UK to 2,030. Animals slaughtered during the epidemic fell into three categories:-

Confirmed cases – These were cases where foot and mouth disease was confirmed on premises either on clinical diagnosis by a Veterinary Inspector or following the receipt of positive laboratory samples.

Slaughter on Suspicion – These were animals which were slaughtered because following clinical examination by a Veterinary Inspector, there was insufficient clinical evidence to confirm disease but the animals may have shown signs of disease which meant that the Veterinary Inspector could not with certainty rule out the possibility of foot and mouth disease. In such cases, on a precautionary principle, all susceptible livestock on the premises were slaughtered and samples submitted for laboratory diagnosis. If the laboratory reported positive results then the case was reclassified as a confirmed case.

Dangerous Contacts – These are animals which are slaughtered because it is believed that they have been exposed to infection and the objective of the dangerous contact policy is to slaughter exposed animals before they develop signs of disease and excrete virus, thereby propagating the epidemic. Dangerous contacts fall into two categories:-

dangerous contacts with a known epidemiological link, e.g. the movement of affected animals, contaminated people or contaminated vehicles.

contiguous premises dangerous contacts where animals were slaughtered because it was believed that they had been exposed by virtue of their proximity to affected animals.

In the case of dangerous contacts, where possible, laboratory samples were taken and if the laboratory results were positive, then the case was reclassified as a confirmed case.

18. Were welfare and biosecurity codes respected by UK government officials and contractors/employees working for or on behalf of the government? What official actions were taken to monitor compliance and, if there were any breaches, what actions were taken?

Welfare

There is specific legislation (The Welfare of Animals (Slaughter or Killing) Regulations 1995), governing the killing of animals for disease control purposes. This legislation implements Council Directive 93/119/EC, on the protection of animals at the time of slaughter.

The legislation makes it an offence to cause or permit any avoidable excitement, pain or suffering during the killing process. It is also a legal requirement that anyone involved in the killing process must have the knowledge and skill necessary to perform these tasks humanely and efficiently in accordance with the legislation.

In addition to existing instructions, further detailed guidance, on handling and killing procedures for animals, were issued to staff involved in field killing (at the end of March 2001). The killing teams were supervised by official veterinarians and any breaches of regulations could therefore be dealt with immediately, by either suspension and re-training, or dismissal. All allegations of poor welfare were followed up and appropriate action taken where necessary.

Complaints of poor welfare on farm are investigated by the State Veterinary Service and continued to be investigated during the outbreak. In the whole of 2001 over 3,000 welfare checks were made on farms. Although initially all livestock movements were banned except for slaughter as soon as the disease situation allowed arrangements were made to licence movement animals within farms and between farms for welfare purposes for moving to grazing or for care etc. Some 310,996 licences were issued and over quarter of million veterinary inspections were made to ensure animals were not affected by foot and mouth disease and were fit to travel.

An animal welfare advisory group was set up involving the Royal Society for the Protection of Animals (RSPCA), Compassion in World Farming (CIWF) and the Humane Slaughter Association (HSA) by Ministers. Our main killing sites such as Great Orton were open to unannounced inspections by the RSPCA. The HSA were involved in overseeing slaughter and producing guidelines for slaughter teams.

A livestock welfare disposal scheme was operated to assist farmers to maintain welfare standards and 15,366 consignments were killed either by movement to specially adapted abattoirs or where the disease situation did not allow they were humanely killed on farm.

Biosecurity

Instructions to veterinary and technical staff employed by MAFF/DEFRA set out biosecurity measures that had to be taken to prevent the spread of disease. Further management and guidance was provided at local Animal Health offices through training programmes and supervision for staff, tailored to their roles and previous experience. In addition, advice and biosecurity messages aimed at farmers were reinforced by letters to local Veterinary Managers and Regional Operations Directors providing general guidance to all staff.

A number of allegations that MAFF/DEFRA staff or contractors had spread disease through poor biosecurity were investigated. The vast majority were found to be groundless. However in two cases appointments as Temporary Veterinary Inspector were terminated as a result of biosecurity breaches.

020 7238 6465

1. PR
2. file

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SW
cc MH
SK
RL

From the Secretary of State
The Rt Hon Jack Straw MP
Secretary of State for Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
London SW1

16 May 2002

Dear Jack,

EUROPEAN UNION THEMATIC STRATEGY ON SOIL

I am writing to seek EP agreement to proposals for handling a European Commission Communication on soil protection, to be discussed at an EU Environment Ministers informal meeting on 24-26 May. I believe we should welcome the initiative, seek to influence its direction through constructive support, but reserve our position on any subsequent legislative proposal.

As part of the 6th Environmental Action Programme, the European Commission has drafted a Communication on a thematic strategy on soil protection. A copy of the final version is attached.

I am keen to see a successful outcome to this initiative. It mirrors action we are taking in England in developing a soil strategy (and the devolved administrations are considering taking similar steps), with the objective of securing sustainable use of our soil resources and providing similar protection to that already afforded to air and water. My officials have already held discussions with the Commission and the Spanish Presidency and have indicated informally the UK's general support for the initiative.

This initiative is to be the major topic for discussion at the Informal Environment Council at the end of this month. Subject to your agreement, I propose the following objectives for this dossier:

- that we agree that the proposed "framework" for action is the best course, rather than detailed prescription. The strategy needs to recognise that while there are common goals across Europe, threats to soils across Member States are divergent, as will be the responses. Soil cannot simply be "protected": it has many functions, not only in agriculture. A realistic strategy will focus on the sustainable use of soils, and there is support for this view from several other member states.

- that we accept that there is a need for more and better data, and monitoring. We note the Commission envisages a legislative proposal on this in 2004. We should reserve our position on this, but suggest that any legislative proposal needs to be justified on proportionality grounds, limited to defining minimum requirements for common monitoring methods, and allow for divergent priorities in data needs between Member States, and

- that we look for, and act on, opportunities to use the soil strategy as a vehicle for advancing our CAP reform objectives, eg in the drafting of Council Conclusions. And - as part of a wider strategy for developing a more coherent view within the EU of the interaction between agricultural and environmental policies - we might want to consider encouraging a future Presidency to schedule a joint event between Member State agriculture ministers and environment ministers, on soil policy.

I should be grateful for EP clearance to this approach. Given that Michael Meacher will be attending the Informal Council on 24-26 May, at which the Communication will be the central topic for discussion, I would appreciate a response by 22 May, and earlier if possible.

I will be considering a strategy for how best we can influence the handling of the dossier in the Parliament.

I am copying this letter and the enclosure to the Prime Minister, to other members of EP Committee, to Elliot Morley as Forestry Minister, and to Sir Richard Wilson. I am writing in similar terms to the devolved administrations to seek their approval of these proposals as a UK negotiating line.

Regards

Margaret

MARGARET BECKETT

COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 16.4.2002
COM(2002) 179 final

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

Towards a Thematic Strategy for Soil Protection

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SUMMARY

1. Soil is a vital and largely non-renewable resource increasingly under pressure. The importance of soil protection is recognised both internationally and within the EU. At the Rio summit, the participating states adopted a series of declarations of relevance to soil protection. The aim of the 1994 United Nations Convention to Combat Desertification is to prevent and reduce land degradation, rehabilitate partly degraded land and reclaim partly desertified land. The 6th Environmental Action Programme published by the Commission in 2001 established the objective to protect soils against erosion and pollution while the Sustainable Development Strategy, also published in 2001, noted that soil loss and declining fertility are eroding the viability of agricultural land.

2. The purpose of this Communication is to build on the political commitment to soil protection in order that it be achieved more fully and systematically in coming years. As it is the first communication addressing soil protection, it is both descriptive and action orientated in order that a full picture of the complexity of the issue can be fully understood and it can serve as a basis for future work. A distinction is made between soil, which is the subject of this communication and land use, which will be the subject of a separate communication addressing the territorial dimension to be published in 2003.

3. Soil is generally defined as the upper layer of the earth's crust. It performs a number of key environmental, social and economic functions vital for life. Agriculture and forestry are dependent on soil for the supply of water and nutrients and for root fixation. Soil performs storage, filtering, buffering and transformation functions thus playing a central role in water protection and the exchange of gases with the atmosphere. It is also a habitat and gene pool, an element of the landscape and cultural heritage and a provider of raw materials.

4. In order to perform its many functions, it is necessary to maintain soil condition. However, there is evidence that soil may be increasingly threatened by a range of human activities, which may degrade it. The final phase of the degradation process is land desertification when soil loses its capacity to carry out its functions. Among the threats to soil are erosion, a decline in organic matter, local and diffuse contamination, sealing, compaction, a decline in bio-diversity and salinisation. These threats do not apply evenly across Europe but there is evidence that degradation processes are getting worse. They apply in both current Member States and Candidate Countries. It is likely that climate change will exacerbate them.

5. Many EU policy areas are of relevance to soil and some provide protection for the soil although that is generally not their main focus. Among the policies of most relevance are those relating to Environment, Agriculture, Regional Development, Transport, Development and Research.

6. Knowledge of problems associated with soils is increasing in Europe based on soil surveys, monitoring systems and data networks. This information is very useful but often not comparable, which limits its value for policy development. Nevertheless, available knowledge should be used now, but for the future, it will be necessary to develop an EU wide monitoring system.

7. The development of an EU soil protection policy will take time. It will require a precautionary approach based on preventing soil degradation in the future as well as action through the integration of soil protection aims into several policies both to arrest current soil degradation processes and to deliver protection in the future. This approach will have both a local and EU dimension. For the longer term, it will be necessary to establish a legislative basis for soil monitoring so that a knowledge based approach can be established aimed at delivering soil protection.

8. In order to ensure soil protection, the Commission intends to develop a thematic strategy.

From 2002 onwards, the Commission will propose a series of environmental measures designed to prevent soil contamination, including legislation related to mining waste, sewage sludge and compost, and, in addition, will pursue integration of soil protection concerns in major EU policies. A progress report will be prepared in mid 2004.

In addition, and working with Member States, Candidate Countries and relevant stakeholders, the Commission will prepare the ground for a proposal for soil monitoring legislation to be made also in 2004. Furthermore, and also working with relevant partners, it will prepare a communication dealing with erosion, the decline in soil organic matter and soil contamination including recommendations for actions to overcome them.

9. The measures to be presented in the communication and the monitoring proposal outlined above together with the work emanating from them will comprise the thematic strategy for soil protection, thus responding to the draft Council and Parliament decision on the 6 EAP in relation to thematic strategies. The Commission seeks the endorsement of both the European Parliament and Council for the approach it has set out to ensure soil protection.

1. INTRODUCTION

Soil is a vital resource increasingly under pressure. For sustainable development, it needs to be protected.

The importance of soil protection is increasingly recognised internationally. In 1992, at the Rio summit, the participating states adopted a series of declarations of relevance to soil protection. In particular, the concept of sustainable development was agreed and legally binding conventions on climate change, biological diversity and later desertification adopted. The aim of the 1994 Convention to Combat Desertification is to prevent and reduce land degradation, rehabilitate partly degraded land and reclaim desertified land. This Convention recognises the interlinkage between desertification, poverty, food security, loss of biodiversity and climate change. In May 2001, the Commission indicated soil loss and declining fertility as a main threat to sustainable development as it erodes the viability of agricultural land[1].

Against this background, the Community's 6th Environment Action Programme includes a thematic strategy on soil protection with particular attention to preventing erosion, deterioration, contamination and desertification. The purpose of this Communication is to build on this political commitment in order that soil protection be achieved more fully and systematically in coming years by setting out the way towards developing this strategy. However, this Communication is also the first occasion on which the Commission has addressed soil protection for its own sake and therefore it is both broad and descriptive in approach. It addresses inter alia erosion, the decline in soil organic matter and prevention of pollution. It aims in particular to:

- describe the multiple functions of soils
- identify its characteristics relevant to policy development
- identify the main threats to soil
- present an overview of relevant Community policy
- present the current situation regarding soil information and monitoring and identify gaps which need to be filled as a basis for soil protection policy.
- establish the policy basis and outline the steps towards the presentation of a thematic strategy on soil protection in 2004.

The Commission considers that soil protection at this stage can best be achieved through a strategy based on

(1) initiatives, now, in environmental policies,

(2) integration in other policies,

(3) soil monitoring, and

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1 COM (2001) 264

(4) the future development of new actions based on monitoring results.

Together, these actions form the basis for a thematic strategy on soil which relies in the first instance on current knowledge as the basis for action and, in the future, on developing more fully a knowledge basis for future actions.

2. DEFINITION, FUNCTIONS AND DISTINCTIVE FEATURES FOR POLICY DEVELOPMENT

2.1. Definition

Soil is generally defined as the top layer of the earth's crust. It is formed by mineral particles, organic matter, water, air and living organisms[2]. Soil is the interface between the earth (geosphere), the air (atmosphere) and the water (hydrosphere).

While soil is the physical upper layer of what is usually referred to as "land", the concept of "land" is much wider and includes territorial and spatial dimensions. It is difficult to separate soil from its land context. However, this communication focuses on the need to protect the soil layer as such, due to its unique variety of functions vital to life. A separate Communication "Planning and Environment - the Territorial Dimension", is in preparation and will deal with rational land-use planning, as addressed by the 6th Environment Action Programme.

2.2. Functions

Soil performs a multitude of key environmental, economic, social and cultural functions, vital for life.

- *Food and other biomass production*
  Food and other agriculture production, essential for human survival, and forestry are totally dependent on soil. Almost all vegetation including grassland, arable crops and trees, need soil for the supply of water and nutrients and to fix their roots.

- *Storing, filtering and transformation*
  Soil stores and partly transforms minerals, organic matter, water and energy, and diverse chemical substances. It functions as a natural filter for groundwater, the main source for drinking water, and releases CO_2, methane and other gases in the atmosphere.

- *Habitat and gene pool*
  Soil is the habitat for a huge amount and variety of organisms living in and on the soil, all with unique gene patterns. It therefore performs essential ecological functions.

- *Physical and cultural environment for mankind*
  Soil is the platform for human activity and is also an element of landscape and cultural heritage.

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2 As defined by International Standards Organisations (ISO) in ISO 11074-1 of 1.08.1996

- *Source of raw materials*
  Soils provide raw materials such as clay, sands, minerals and peat.

The first four of these functions are generally interdependent and the extent to which soils perform them is highly relevant to sustainability. When soil is used as a source of raw materials or the land it occupies as support for human activities, its ability to perform its functions may be reduced or changed leading to competition between the functions.

2.3. Distinctive features of soil relevant for policy making

Soil has a number of unique characteristics of particular relevance to policy development:

- Soil is the product of complex interactions between climate, geology, vegetation, biological activity, time and land use. The proportions of its different components, mainly sand, silt and clay particles, organic matter, water and air, as well as the way in which these components form together a stable structure, define a soil's character. Moreover each soil contains a variable number of successive layers, each with a wide range of different physical, chemical and biological properties. As a result soil is an extremely variable medium. Over 320 major soil types have been identified in Europe, with remarkable differences in their chemical and physical properties even at a local level. This diversity suggests a strong local element needs to be built into soil protection policies.

- Soil is essentially a non-renewable resource with potentially rapid degradation rates and extremely slow formation and regeneration processes. The amount of land and thus soil available for food production per person is limited. Where degradation of soil occurs, the overall potential to perform its functions is reduced. Therefore prevention, precaution and sustainable soil management should be at the core of soil protection policies.

- Soil has considerable storage and buffering capacity, closely related to its organic matter content. This applies not only to water, minerals, and gases, but also to a multitude of chemical substances. These include both natural and manmade contaminants, which can build up in soil but whose subsequent release can follow very divergent patterns. Certain contaminants can exceed irreversibility thresholds for storage and buffering capacity unnoticed. Anticipatory policies based on monitoring and early warning systems are essential to prevent damage to the environment and risks to public health.

- Agricultural soil is a precious and limited resource, whose value has frequently been built by man during decades or even centuries. Irreversible degradation of this resource implies not only ruining the main asset of current farmers but also reducing the farming opportunities of future generations. Therefore, soil protection policies need to have a special focus on sustainable use and management of agricultural soils, with a view to safeguarding the fertility and agronomic value of agricultural land.

- Soil is a living medium with an abundant biodiversity. This biological activity contributes to the structure and fertility of soils and is, therefore, central to most of its functions including food production. As little is known about how soil life

reacts to human activities, increased understanding is required while at the same time policy needs to ensure the protection of soil biodiversity for precautionary reasons.

- Unlike air and water, soil as a component of land is generally submitted to property rights.

3. MAIN THREATS TO SOIL IN THE EU AND CANDIDATE COUNTRIES

Due to its wide range of vital functions, maintaining soil condition is essential for sustainability. However soil is under increasing threat from a wide range of human activities, which are undermining its long-term availability and viability.

The threats are complex and although unevenly spread across regions in the EU and accession countries, their dimension is continental. For simplicity they are presented separately below. In real terms, however, they are frequently inter-linked.

When multiple threats occur simultaneously, their effects tend to increase. Ultimately, if not countered, they can result in soil degradation, when soil loses its capacity to carry out its functions. In the EU, an estimated 52 million hectares, representing more than 16% of the total land area, are affected by some kind of degradation process. In the accession countries this figure is 35% (World map of the status of human induced Soil Degradation (GLASOD), 1990[3]).

Soil degradation, when occurring in dry areas, is known as desertification. It is caused by climatic conditions (droughts, aridity, irregular and intense precipitation regimes) and human activity (deforestation, overgrazing, soil structure deterioration). The affected land can no longer support vegetation. According to the World Atlas of Desertification (UNEP, 1992[4] and EC, 1994[5]) areas under desertification risk include central and southeast Spain, central and southern Italy, southern France and Portugal and extensive areas of Greece. World-wide desertification has extremely serious socio-economic consequences and can ultimately cause the destabilisation of societies and the migration of human populations.

Climate change presents an overarching but as yet uncertain factor linked to degradation processes.

3.1. Erosion

Erosion is a natural geological phenomenon resulting from the removal of soil particles by water or wind, transporting them elsewhere. However, some human activities can dramatically increase erosion rates. Serious erosion is generally irreversible.

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3 EEA data from: United Nations Environment Programme and International Soil Reference and Information Centre, 1992. GLASOD project. World map of the status of human-induced soil degradation. Winand Staring Centre, Wageningen, the Netherlands.

4 United Nations Environment Programme, 1992. World Atlas of Desertification. Edward Arnold, London.

5 European Commission, 1994. Report on Desertification and Land degradation in the European Mediterranean.

Erosion is triggered by a combination of factors such as steep slopes, climate (e.g. long dry periods followed by heavy rainfall), inappropriate land use, land cover patterns (e.g. sparse vegetation) and ecological disasters (e.g. forest fires). Moreover, some intrinsic features of a soil can make it more prone to erosion (e.g. a thin layer of topsoil, silty texture or low organic matter content).

The results of soil erosion are the loss of soil functions and ultimately the loss of soil itself. In more than one third of the total land of the Mediterranean basin, average yearly soil losses exceed 15 tons/ha[6]. Consequent damage to watercourses follows, through the contamination of river and sea aquatic ecosystems by nutrients and contaminants attached to the eroded soil, with additional other effects such as damage to water reservoirs and ports.

Although the Mediterranean region is historically the most severely affected by erosion - the first reports of soil erosion in the Mediterranean date from 3.000 years ago - there is growing evidence of significant erosion occurring in other parts of Europe (e.g. Austria, Czech Republic and the loess belt of Northern France and Belgium). Soil erosion can therefore be considered, with different levels of severity, an EU-wide problem.

According to expert estimates based on non-standardised data (World Map of the Status of Human Induced Soil Degradation (GLASOD), 1990), 26 million hectares in the EU suffer from water erosion and 1 million hectares from wind erosion. Furthermore predictive modelling on erosion risk is under development and has contributed to maps assessing erosion risks for Europe (CORINE[7] programme) and more recently for Italy (JRC[8]) and Europe (JRC[9]). The output of this modelling is still highly uncertain because it has not been validated sufficiently in field situations.

Although there are no comprehensive studies of the economic impact of erosion, available data suggest this is a major challenge. In a 1991 study[10] the direct cost impact of erosion in Spain was estimated at ECU 280 m per year, including the loss of agricultural production, impairment of water reservoirs and damage due to flooding. In addition the cost of attempts to fight erosion and restore the soil were estimated at about ECU 3,000 m over a period of 15 to 20 years.

3.2. Decline in organic matter

Soil organic matter is composed of organic material (plant root remains, leaves, excrements), living organisms (bacteria, fungi, earthworms and other soil fauna) and humus, the stable end-product of the decomposition of organic material in the soil by the slow action of soil organisms. As such it is constantly built up and decomposed, so that carbon is released to the atmosphere as CO_2 and recaptured through the process of photosynthesis.

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6 Guidelines for erosion and desertification control management. United Nations Environment Programme, 2000.

7 Commission of the European Communities, 1991. CORINE-Soil erosion risk and land resources in the southern regions of the European Community

8 Estimation of the erosion risk in Italy. European Soil Bureau, Joint Research Centre, 2000.

9 Soil Erosion Risk in Europe. European Soil Bureau, Joint Research Centre, 2001.

10 ICONA, 1991. Plan national de lutte contre l'érosion. Ministère de l'Agriculture, de la Pêche et de l'Alimentation. Institut National pour la Conservation de la Nature, Madrid.

Organic matter plays a central role in maintaining key soil functions and is an essential determinant of erosion resistance and soil fertility. It assures the binding and buffering capacity of soil, thus contributing to limit diffusion of pollution from soil to water.

Farming and forestry practices have an important impact on soil organic matter. Despite the importance of maintaining the organic matter content of soil, there is evidence that decomposing organic matter in the soil is frequently not sufficiently replaced under arable cropping systems which are tending towards greater specialisation and monoculture. Specialisation in farming has led to the separation of livestock from arable production so that rotational practices restoring soil organic matter content are often no longer a feature of farming.

The build-up of organic matter in soils is a slow process (much slower than the decline in organic matter). This process is enhanced by positive farm management techniques such as conservation tillage including no tillage cropping techniques, organic farming, permanent grassland, cover crops, mulching, manuring with green legumes, farmyard manure and compost, strip cropping and contour farming. Most of these techniques have also proven effective in preventing erosion, increasing fertility and enhancing soil biodiversity.

Carbon is a major component of soil organic matter, which in turn plays a major role in the global carbon cycle. Research[11] indicates that approximately 2 gigatonnes (Gt)[12] of carbon is captured (sequestered) in soil organic matter annually. This amount can be compared to the 8 Gt of anthropogenic carbon emitted to the atmosphere annually underlining the importance of soil organic matter in relation to climate change. There is however a limit to the amount of organic matter and hence carbon that can be stored in soils. In addition a dedicated management approach is needed to maintain or increase the soil organic matter content.

Soil organic matter decline is of particular concern in Mediterranean areas. According to the European Soil Bureau, based on the limited data available, nearly 75% of the total area analysed in Southern Europe has a low (3.4%) or very low (1.7%) soil organic matter content. Agronomists consider soils with less than 1.7% organic matter to be in pre-desertification stage. The problem is however not restricted to the Mediterranean. Figures for England and Wales show that the percentage of soils with less than 3.6% organic matter rose from 35% to 42% in the period 1980-1995 probably due to changing management practices. In the same period, in the Beauce region south of Paris, soil organic matter has decreased by half for the same reason.

Because soil organic matter decline is a crosscutting issue which is affecting other areas such as soil fertility and soil erosion, it is extremely difficult to estimate its cost.

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11 Lal, R., 2000. Soil conservation and restoration to sequester carbon and mitigate the greenhouse effect. III International Congress European Society for Soil Conservation, Valencia.

12 1 gigatonne or Gt is 10 billion ton

Soil contamination

The introduction of contaminants in the soil may result in damage to or loss of some or several functions of soils and possible cross contamination of water. The occurrence of contaminants in soils above certain levels entails multiple negative consequences for the food chain and thus for human health, and for all types of ecosystems and other natural resources. To assess the potential impact of soil contaminants, account needs to be taken not only of their concentration but also their environmental behaviour and the exposure mechanism for human health.

A distinction is often made between soil contamination originating from clearly confined sources (local or point source contamination) and that caused by diffuse sources.

3.3.1. Local soil contamination

Local (or point source) contamination is generally associated with mining, industrial facilities, waste landfills and other facilities both in operation and after closure. These activities can pose risks to both soil and water.

In mining the risk is associated with the storage or disposal of tailings, acid mine drainage and the use of certain chemical reagents.

Industrial facilities both in operation and after closure can be a major source of local contamination. Although the largest and most affected areas are concentrated around the heavily industrialised regions in Northwest Europe, contaminated sites exist everywhere throughout the continent.

Within the EU there are no important areas contaminated with artificial radionuclides. Land contaminated with naturally occurring radioactivity is considered for uranium and other mining tails, phosphogypsum dumps, metal industry, etc.

Waste landfilling is another potentially contaminating activity of major relevance: on average, 65% of municipal waste generated in the EU (190 million tonnes in 1995) is still landfilled. In waste landfills leaching can be emitted to the surrounding soil and soil parent material and subsequently enter groundwater and/or surface water. Of particular concern are those that operate or have operated in the past, without complying with the minimum set of technical requirements set by the Landfill Directive[13].

Estimates of the number of contaminated sites in the EU range from 300 000 to 1.5 million[14]. This wide range in estimations is due to the lack of a common definition for contaminated sites and relates to different approaches to acceptable risk levels, protection targets and exposure parameters.

Soil clean-up is a difficult operation with very high costs. Expenditure for decontamination of contaminated sites greatly varies between Member States. In 2000 the Netherlands invested EUR 550 m in decontamination, Austria 67 and Spain

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13 Council Directive 1999/31/EC

14 European Environment Agency, 1999. Management of contaminated-sites in Western Europe.

14. Such disparities reflect different perceptions of the severity of the contamination, different remediation policies and targets, and different ways of estimating expenditure. The European Environment Agency has estimated the total costs for the clean-up of contaminated sites in Europe to be between EUR 59 and 109 billion[15].

Knowledge sharing and targets for clean up are important paths to resolving contamination issues today, but prevention of further contamination needs to be the future objective.

3.3.2. Diffuse soil contamination

Diffuse pollution is generally associated with atmospheric deposition, certain farming practices and inadequate waste and wastewater recycling and treatment.

Atmospheric deposition is due to emissions from industry, traffic and agriculture. Deposition of airborne pollutants releases into soils acidifying contaminants (e.g. SO_2, NO_x), heavy metals (e.g. cadmium, lead arsenic, mercury), and several organic compounds (e.g. dioxins, PCBs, PAHs).

Acidifying contaminants gradually decrease the buffering capacity of soils leading them in some instances to surpass their critical load resulting in a sudden massive release of aluminium and other toxic metals into aquatic systems. In addition, acidification favours the leaching out of nutrients with subsequent loss of soil fertility and possible eutrophication problems in water and excess of nitrates in drinking water. Moreover it may damage beneficial soil micro-organisms, slowing down biological activity.

Ammonia and other nitrogen deposition (resulting from emissions from agriculture, traffic and industry) causes the unwanted enrichment of soils and subsequent decline of biodiversity of forests and of high nature value pastures. In some European forests the nitrogen input reaches extreme values of up to 60 kg N per hectare per year. Pre-industrial deposition was below 5 kg[16].

With regard to radioactive substances forest soils deserve particular attention. The characteristic cycling of nutrients in a forest ecosystem implies that for many radionuclides (e.g. caesium-134 and -137 as released by the Chernobyl accident) there is no elimination of radioactive substances (except by radioactive decay). Thus we are today still confronted with levels of radioactivity in forest produce above the maximum permitted levels, especially in wild mushrooms.

A number of farming practices can also be considered as a source of diffuse soil contamination, although their effects on water are better known than on soil.

Production systems where a balance between farm inputs and outputs is not achieved in relation to soil and land availability, leads to nutrient imbalances in soil, which frequently result in the contamination of ground- and surface water. The extent of nitrate problems in Europe underlines the seriousness of this imbalance.

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15 idem 13

16 United Nations Economic Commission and European Commission, 2000. Forest Condition in Europe. 2000 Executive Report.

An additional problem relates to heavy metals (e.g. cadmium, copper) in fertilisers and animal feed. Their effects on soil and soil organisms are not clear, although studies have shown the possible uptake of cadmium in the food chain. The effects on soil of antibiotics contained in animal feed are unknown.

Pesticides are toxic compounds deliberately released into the environment to fight plant pests and diseases. They can accumulate in the soil, leach to the groundwater and evaporate into the air from which further deposition onto soil can take place. They also may affect soil biodiversity and enter the food chain.

The current authorisation process of pesticides[17] assesses inter alia the environmental risks of individual pesticides in the soil, however information on the combined effects remains limited. By this authorisation process pesticides with unacceptable risks are being eliminated. The volume of pesticide active ingredients sold across the 15 EU Member States reached 321,386 tonnes in 1998[18].

While the use of pesticides is regulated, and they should be only applied following Good Farming Practice, pesticides have been found to leach through the soil into groundwater and to be eroded with soil into surface water. Accumulation in soil occurs, in particular of those compounds now prohibited in the EU.

With regard to waste, sewage sludge, the final product of the treatment of wastewater, is also raising concern. It is potentially contaminated by a whole range of pollutants, such as heavy metals and poorly biodegradable trace organic compounds, what can result in an increase of the soil concentrations of these compounds. Some of them can be broken down to harmless molecules by soil micro-organisms whereas others are persistent including heavy metals. This may result in increasing levels in the soil with subsequent risk for soil micro-organisms, plants, fauna and human beings. Potentially pathogenic organisms like viruses and bacteria are also present. However sewage sludge contains organic matter and nutrients such as nitrogen, phosphorus and potassium, of value to the soil and the options for its use include application on agricultural land. Provided that contamination is prevented and monitored at source, the careful and monitored use of sewage sludge on soil should not cause a problem, and, indeed, on the contrary could be beneficial and contribute to an increase of soil organic matter content. 6.5 million tonnes of sludge (dry matter) are produced every year in the EU. It is estimated that by 2005 there will be a 40% increase in the total quantity of sewage sludge available due to the progressive implementation of the Urban Wastewater Directive[19]. A recent implementation report by the Commission[20] on the latter indicates progress but also major delays in the implementation of that Directive in most Member States.

The cost of diffuse soil contamination is not seen so much in soil itself, but in the consequences of the breakdown of the buffering capacity of soil. Although the precise cost has not been counted so far, the clean up of organic compounds, pesticides, plant nutrients and heavy metals from water is known to be very costly.

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17 Council Directive 91/414/EEC

18 Eurostat, 2001. NewCronos database, Theme 8: Environment and Energy, Domain Milieu: Environment statistics, Collection: Agriculture, Table SAL_PEST: Sales of pesticides (tonnes of active ingredient)

19 Council Directive 91/271/EEC

20 COM (2001) 685

3.4. Soil sealing

The covering of soil for housing, roads or other land developments is known as soil sealing. When land is sealed, the area for soil to carry out its functions including the absorption of rainwater for infiltration and filtering is reduced. In addition sealed areas may have a great impact on surrounding soils by changing water flow patterns and by increasing the fragmentation of biodiversity. Soil sealing is almost irreversible.

Developments in soil sealing are largely determined by spatial planning strategies where unfortunately the effects of irreplaceable soil losses are often not sufficiently taken into account. A paramount example is the coastal areas in the Mediterranean where the share of zones completely free from construction is in permanent decline. In 1996, nearly 43% of the area in coastal zones in Italy, generally containing fertile soils, was completely occupied by built-up areas and only 29% was completely free from constructions.

As for other threats to soil, there is a lack of European-wide information: data on the extent of built-up areas are only available for a limited number of countries, and many of these data are not comparable since countries use different methodologies.

Equally, there is no information about the type of soil being sealed. A decrease in some soil availability is inevitable, but if the sealed soil plays a valuable role in food production, nature conservation, flood control or any other key function, then the consequences of sealing are damaging to sustainable development.

3.5. Soil compaction

Soil compaction occurs when soil is subject to mechanical pressure through the use of heavy machinery or overgrazing, especially in wet soil conditions. In sensitive areas, walking tourism and skiing also contribute to the problem. Compaction reduces the pore space between soil particles and the soil partially or fully loses its absorptive capacity. Compaction of deeper soil layers is very difficult to reverse.

The overall deterioration in soil structure caused by compaction restricts root growth, water storage capacity, fertility, biological activity and stability. Moreover, when heavy rainfall occurs, the water can no longer easily infiltrate the soil. Resultant large volumes of run-off water increase erosion risks and are considered by some experts to have contributed to some recent flooding events in Europe[21].

It has been estimated that nearly 4% of soil throughout Europe suffers from compaction[22], but no precise data are available.

3.6. Decline in soil biodiversity

Soil is the habitat for a huge variety of living organisms. In addition the character of all terrestrial ecosystems is heavily dependent on the soil type. Soil type determines to a great extent the ecosystems found in an area, many of them of great ecological value (wetlands, flood plains, peatlands). The largest quantity and variety of life is

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21 European Environment Agency, 2001. Sustainable water use in Europe.

22 Idem 3

found in the soil itself. In a pasture, for each 1 to 1.5 tons of biomass living on the soil (livestock and grass), about 25 tons of biomass (bacteria, earthworms and so on) are in the first 30 cm of soil underneath.

Soil bacteria, fungi, protozoa and other small organisms play an essential role in maintaining the physical and biochemical properties needed for soil fertility. Larger organisms, worms, snails and small arthropods break up organic matter which is further degraded by micro organisms, and both carry it to deeper layers of soil, where it is more stable. Furthermore soil organisms themselves serve as reservoirs of nutrients, suppress external pathogens and break down pollutants into simpler, often less harmful components.

Reductions in soil biodiversity make soils more vulnerable to other degradation processes. Therefore soil biodiversity is often used as an overall indicator of the state of soil health. One gram of soil in good condition can contain up to 600 million bacteria belonging to 15,000 to 20,000 different species. In desert soils these numbers decline to 1 million and 5,000 to 8,000 species respectively.

Although the complexity of soil biodiversity dynamics is not yet fully understood, there is evidence that biological activity in soils is largely dependent on the occurrence of appropriate levels of organic matter. The inappropriate use of pesticides and in particular nematicides can have very negative effects because of their poor selectivity. Some studies suggest that some herbicides considerably suppress soil bacteria and fungi activity. Moreover, excessive use of nutrients can also seriously alter biological balances and thus reduce soil biodiversity.

Organic farming has been shown to be very effective preserving and enhancing biodiversity. In a two-year study in Austrian soils, beetles were 94% more abundant in organic fields than in the conventional ones. The number of beetle species was 16% higher. However, it is stressed that quantification of soil biodiversity is extremely limited and confined to projects of local relevance.

As the main effects of loss of biodiversity are indirect, the estimation of its economic costs is not possible at this stage.

3.7. Salinisation

Salinisation is the accumulation in soils of soluble salts of sodium, magnesium, and calcium to the extent that soil fertility is severely reduced.

This process is often associated with irrigation as irrigation water always contains variable amounts of salts in particular in regions where low rainfall, high evapotranspiration rates or soil textural characteristics impede the washing out of the salts which subsequently build-up in the soil surface layers. Irrigation with high salt content waters dramatically worsens the problem. In coastal areas salinisation can also be associated with groundwater overexploitation (caused by the demands of growing urbanisation, industry and agriculture) leading to a lower water table and triggering the intrusion of marine water. In nordic countries the winter maintenance of roads with salts can lead to salinisation.

Soil salinisation affects an estimated 1 million hectares in the EU, mainly in the Mediterranean countries and is a major cause of desertification. In Spain 3% of the 3.5 million hectares irrigated land is severely affected, significantly reducing its

agricultural potential, and another 15 % is under serious risk[23]. There is no estimation on the total economic cost of this phenomenon.

3.8. Floods and landslides

Floods and landslides are mainly natural hazards intimately related to soil and land management. Floods and mass movements of soil cause erosion, pollution with sediments and loss of soil resources with major impacts for human activities and human lives, damage to buildings and infrastructures, and loss of agricultural land.

Floods and landslides are not a threat to soils in the same manner as the threats already listed. However, floods can, in some cases, result in part from soil not performing its role of controlling the water cycle due to compaction or sealing. They may also be favoured by erosion often caused by deforestation or by abandonment of land.

Such events are occurring more frequently in areas with highly erodible soils, steep slopes and intense precipitation, such as the Alpine and the Mediterranean regions[24]. In Italy more than 50% of the territory has been classified as having a high or very high hydro-geological risk, affecting 60% of the population or 34 million inhabitants. More than 15% of the territory and 26% of the population are subjected to a very high risk[25].

The impacts on population and the economic damage are relevant. In Italy in the last 20 years floods and landslides had an impact on more than 70 000 people and caused economic damage of at least EUR 11 billion.

3.9. The situation in Candidate Countries

Threats to soils in Candidate Countries are essentially similar to those described in the EU.

The most recent expert assessment on the situation of soils in Central and Eastern European Countries is the SOVEUR report[26] by FAO. According to this report, the situation in soil threats in some candidate countries can be summarised as follows.

Erosion is a major environmental issue, although there are significant differences between countries regarding its extent and intensity. Areas affected range from 5% to 39% of the total surface.

Local contamination associated with the 3000 former military facilities constitutes a major problem not yet fully evaluated.

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23 Programa de Acción Nacional Contra la Desertificación (Borrador de Trabajo). Ministerio de Medio Ambiente. Madrid, Marzo, 2001.

24 Down to earth: soil degradation and sustainable development in Europe. European Environment Agency 2000.

25 Ministry of the Environment. Classificazione dei Comuni italiani in base al livello di attenzione per il rischio idrogeologico. Monography. Collana della Relazione sullo Stato dell'Ambiente, Italy, 2000

26 Van Lynden , G.W., 2000. Soil degradation in Central and Eastern Europe: The assessment of the status of human-induced soil degradation. FAO-ISRIC, Rome

Several forms of **diffuse contamination** have been reported. Acidification is affecting about 35% of Poland and Hungary, Latvia and Lithuania are also affected. 40% of Lithuania has high heavy metal concentrations, but this may be strongly influenced by extremely high natural background concentrations.

Soil compaction is widespread particularly in Bulgaria.

In Hungary 8% of the territory is affected by **salinisation,** mostly of natural origin. In the other candidates countries it does not appear to be a major problem.

There are no figures on **soil sealing, organic matter, biodiversity** and **floods and landslides**.

No figures on the economic and environmental implications of soil degradation in candidate countries are available.

3.10. Conclusions on soil threats

A series of common threads link together many of the threats and some conclusions can be drawn.

- Soil degradation processes are driven or exacerbated by human activity and are damaging the capacity of soil to continue performing its broad variety of functions.
- Although they are not equally relevant in all countries, there is evidence that soil degradation processes are currently taking place in the European Union.
- There is no evidence of significant reversal in negative trends in degradation processes. On the contrary, the information available suggests that, over recent decades, there has been an increase of some degradation processes.
- While there is no conclusive evidence on the effects of climate change on soil, it appears likely that it will increase the potential of the threats. This in turn suggests that soil protection will be of increasing importance in the future.

When linked together, the degradation processes described often undermine soil sustainability. Although no overall estimate of degradation costs exist, it is clear that the economic consequences of degradation and the cost of decontamination are substantial. Information now available allows the design of some initiatives to stop and revert soil degradation. However more detailed and comparable information on the extent and significance of the degradation processes, as well as on the most appropriate soil management practices and soil protection measures, is necessary to improve the prevention of degradation processes for the future.

4. THE INTERNATIONAL DIMENSION

Soil degradation processes are not confined to the European Union but constitute a major worldwide problem with significant environmental, social and economic consequences. As world population increases the need to protect soil as a vital resource particularly for food production is increasing. Growing awareness in the

international community of the need for global responses has lead to an increasing number of international initiatives.

The 1972 Council of Europe's Soil Charter called on states to promote a soil conservation policy. The World Soil Charter (FAO 1982) and the World Soils Policy (UNEP 1982) sought to encourage international co-operation in the rational use of soil resources. The UNEP Environmental Guidelines for the Formulation of National Soil Policies set out a procedure for preparing national policy with a built-in sustainable land use element.

At the Earth Summit in Rio de Janeiro in 1992, the international community agreed on a global partnership for sustainable development and established the Agenda 21 framework. As a result of that several conventions were launched.

The 1992 Framework Convention on Climate Change (CCC) recognises the role and importance of terrestrial ecosystems as sinks of greenhouse gases and that land degradation problems and changes in land use can exacerbate the emission of gases to the atmosphere. The 1997 Kyoto Protocol promotes sustainable development and calls on each Party to implement policies and measures to protect and enhance sinks and reservoirs of greenhouse gases. In March 2000 the Commission adopted a communication on EU policies and measures to reduce greenhouse gas emissions "Towards a European Climate Change Programme" (ECCP)[27]. The ECCP activity covers several areas including now soils as sinks. The report on work in this area will be completed during 2002.

The 1992 Convention on Biological Diversity (CBD) aims to conserve biological diversity, encourage the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources. Fundamental to the CBD is the concern that biological diversity is being significantly reduced by human activities, including soil and land management. In several Conferences of the Parties of the Convention, decisions[28]have been taken aiming at the protection of soil biodiversity and reduction of the negative effect on it of certain agricultural practices including the excessive use of inputs.

The European Community Biodiversity Strategy[29] and its recently adopted Action Plans set out the framework for developing Community policies and instruments in order to ensure Community compliance with commitments given under the CBD. In particular, the Action Plan for the Conservation of Natural Resources includes an action establishing an information base on soil erosion, organic matter and heavy metals and monitoring urbanisation in relation to biodiversity.

The 1994 Convention to Combat Desertification (CCD)[30] acknowledges that arid, semi-arid and dry sub-humid areas together account for a significant proportion of the earth's land area and represent the habitat and source of livelihood for a large segment of its population. The objective of the CCD is to prevent and reduce land degradation, rehabilitate partly degraded land and reclaim desertified land through effective actions supported by international co-operation and agreements.

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27 COM (2000) 88
28 For instance Decisions III/11 and V/5
29 COM(1998) 42
30 http://www.unccd.int

The CCD contains five regional annexes covering Africa, Asia, Latin-America and the Caribbean, the Northern Mediterranean (relevant for four Member States: Greece, Italy, Portugal and Spain) and Central and Eastern Europe (relevant for most Candidate Countries). The elaboration and implementation of Regional Action Programmes and National Action Programmes, form valuable policy instruments to combat desertification and soil degradation phenomena in the affected areas.[31] Furthermore, the Committee of Science and Technology, a subsidiary body within the Convention produces a significant amount of information and advice on scientific and technological matters relating to land degradation worldwide.

In 1999, following a joint initiative of the Commission and some Member States (Bonn Memorandum on Soil Protection Policies in Europe, 1998) the European Soil Forum (ESF) was created. Its membership includes EU, EFTA and Accession Countries, the Commission and the EEA. Its role is to provide a better understanding of soil protection issues and to promote the exchange of information among participating countries. It aims to bring the discussion on soil protection from the scientific and technical level to the administrative and policy area.

5. ACTION TAKEN BY MEMBER STATES AND CANDIDATE COUNTRIES

Individual Member States have taken different initiatives on soil protection aimed at those soil degradation processes they considered as priorities.

In central and northern Europe efforts focus on soil contamination and sealing, while in the southern countries initiatives concentrate on erosion and desertification in the context of the UN Convention to Combat Desertification (UN-CCD). Portugal, Greece, Italy and Spain have adopted National Action Plans to combat desertification, in which they analyse the desertification process and identify actions to be undertaken.

The Spanish plan has concluded that 31% of Spain is under serious threat of desertification. The plan has launched actions regarding sustainable management of water resources, forest fire prevention and experimental stations on desertification.

The Greek National Action Plan describes the desertification problem in Greece and proposes measures for its prevention and control. The Portuguese plan focuses on soil and water conservation. It targets measures for the recovery of degraded areas to ensure that the population remains in the more depopulated areas.

The Italian plan focuses on reducing the risk of floods and landslides. It relates to the regulation of water use and the co-ordination of the sectoral policies that have an impact on the water cycle. High risk areas for floods and landslides have been defined.

Some Member States have developed a comprehensive approach aiming at the protection of soil functions. In Germany, a soil protection act is in place that aims at the protection and restoration of sustainable soil functions. It obliges all parties to

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31 European Commission, September 2000. Addressing desertification and land degradation. The activities of the European Community in the context of the United Nations Convention to Combat Desertification.

prevent hazards, to avoid soil sealing and to take precautions against harmful soil changes.

In the UK, England is developing an overall soil strategy. The consultation paper considers several types of pressure on soil and lists sustainable responses. It sets out a new set of key soil indicators and targets, and addresses the relation between soil and land-use planning.

In Denmark and Sweden soil protection is considered an integral part of general environmental protection. In Sweden a monitoring programme on ecosystems includes several soil parameters.

In France a national action plan on soil management and protection has been agreed that emphasises on the prevention of future pollution. It contains inter alia a new soil monitoring network based on a 16 km to 16 km grid, the completion of the national soil map and maps on erosion risks and soil organic matter. Austria has developed a soil information system with Internet access.

Other Member States focus on particular threats. In the Netherlands policy concentrates on various types of soil contamination, including groundwater. Regulations on diffuse contamination define acceptable inputs and losses of agricultural nutrients. In Belgium, Flanders has established a legal framework for a liability regime concerning both historically and newly contaminated sites.

Among the Candidate Countries Czech Republic, Slovakia, Poland, Hungary, Slovenia, Romania, Bulgaria, Cyprus and Malta are also signatories to the UN Convention to Combat Desertification (UN-CCD) and are preparing national action programs in this context.

In Slovenia soil protection is part of the National Environmental Action Programme that deals with the cleaning up of degraded soils and the implementation of sustainable use of agricultural land. The programme is prepared on the basis of detailed existing soil data, accessible through the internet.

In Hungary soil protection is driven by the general environmental protection legislation, as well as by specific legislation on the protection of arable land, the protection of soil, land and groundwater and the redemption of contaminated sites.

6. COMMUNITY POLICY RELEVANT FOR SOIL PROTECTION

Although an explicit Community policy focused on soil protection does not exist at this stage, a broad range of Community instruments influence soil protection. Due to the multifunctional role of soil and its universal presence, many policies are involved, and, in addition, state aid is permitted for the rehabilitation of contaminated soils. The effect of these policies on the state of soils has so far not been systematically assessed. Most prominent among these are the Environmental, Agricultural and Regional Policies, but the Transport and Research Policies also affect soil.

6.1. Environmental Policy

The close link between soil and the other major compartments water and air, is reflected in specific environmental legislation, targeted at them, but in turn generally contributing to the protection of soil. The relationship between soil protection and legislation on waste and land use policy is equally obvious.

Community legislation on water (Nitrates Directive[32] and Water Framework Directive[33]) sets standards to prevent the contamination of surface and groundwater by the leakage of hazardous substances or excessive nutrients from soils. The Nitrates Directive places emphasis on the establishment of good farming practice in all areas and on action programmes in nitrate vulnerable zones. It includes provisions to improve soil condition, such as winter cover crops and adjusted soil management in areas with steep slopes. The Water Framework Directive aims to secure the ecological, quantitative and qualitative functions of water. It requires that all impacts on water will have to be analysed and actions will have to be taken within river basin management plans. Wherever contaminated soils, erosion or excessively fertilised soil contribute to surface or groundwater contamination, the necessary remedial action will in many cases lead to improved soil protection.

Contaminants in polluted air most likely to reach the soil directly or with precipitation are heavy metals and materials contributing to acidification and eutrophication. Legislation aiming to reduce and monitor air pollution (Air Quality Framework and Daughter Directives[34] and Directive on National Emissions Ceilings[35]) therefore impacts on soil protection. Further developments will be achieved through the forthcoming thematic strategy for air quality CAFE (Clean Air for Europe).

Waste management is one key element to prevent soil contamination. Most directly linked is the Sewage Sludge Directive[36] that regulates the use of sewage sludge in agriculture in such a way as to prevent harmful effects on soil. In more general terms the Waste Framework Directive[37] requires that waste is to be disposed without endangering the soil. Further specific waste legislation such as the Landfill Directive[38], the Incineration Directive[39] and the Urban Wastewater Directive [40]may contribute to the prevention of soil contamination.

Land use policy can play an important role in protecting soil resources, by limiting soil sealing and ensuring that soil characteristics (e.g. soil erosion risk) are taken into account in decisions concerning allocation and use of land. A separate Communication on "Planning and Environment - the territorial dimension" is under preparation and will take a number of soil-related aspects into account. It will address inter alia the sealing of greenfields and the appropriate re-use of brownfields.

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32 Council Directive 91/676
33 Directive 2000/60EC of the European Parliament and of the Council
34 Council Directives 96/92/EC, 1999/30/EC and 2000/69/EC
35 Directive 2001/81/EC of the European Parliament and of the Council
36 Council Directive 86/278/EEC
37 Council Directive 75/442/EEC
38 Council Directive 1999/31/EC
39 Directive 2000/76/EC of the European Parliament and the Council
40 Council Directive 91/271/EEC

It will make the case for rational land use planning that takes the soil's capacities into account.

General environmental legislation also has an impact on soil protection. The Integrated Pollution Prevention and Control Directive[41] requires industry and intensive livestock farms exceeding well-defined sizes to prevent emissions of pollutants to air, water and land, to avoid waste production and dispose of waste in a safe way, and to return disused industrial sites to a satisfactory state. The Strategic Environmental Assessment Directive[42] requires an environmental assessment to be carried out for certain plans and programmes including the area of land use, which should have a beneficial result for soil protection. The Environmental Impact Assessment Directive[43] requires an environmental assessment for certain private and public projects. Inter alia the likely impact on soils has to be examined. Under the chemicals legislation risk assessments and risk reduction strategies are produced for a considerable number of substances. The risk assessments carried out under the Existing Substances Regulation[44], address the risks related to emissions of the substances to the soil compartment. Comparable legislation exists for the assessment of new chemicals[45], of plant protection products[46] and of biocidal products[47]. The Habitats Directive[48] is of particular relevance since it defines a number of terrestrial habitats that depend on specific soil characteristics, such as dunes, peat lands, calcareous grasslands and wet meadows.

The financial instrument LIFE supports innovative solutions for some of the soil threats as well as for sustainable use of soil.

6.2. The Common Agricultural Policy (CAP)

As agricultural production is so dependant on soil and 77 % of land in the EU is used for agriculture and forestry, agricultural policy has by definition a huge impact on soil. The reform of the Common Agricultural Policy in the context of Agenda 2000, building on measures introduced in the 1992 reform, established the importance of rural development policies as the second pillar of the CAP. In 2000 new rural development plans were approved including a definition of Good Farming Practice (GFP), based on verifiable standards where soil protection received considerable attention.

GFP constitutes a core element of the new rural development policy: the granting of compensatory allowances in less favoured areas is conditional on the respect of GFP and agri-environmental measures provide compensation for undertakings going beyond this baseline. Good Farming Practice is defined as the standard of farming which a reasonable farmer would follow in the region concerned. It entails in any case compliance with general mandatory requirements including environmental legislation but Member States may establish additional requirements associated with good practice.

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41 Council Directive 96/61/EC
42 Directive 2001/42/EC of the European Parliament and of the Council
43 Council Directive 97/11/EC
44 Council Regulation (EEC) No 793/93
45 Commission Directive 93/67/EEC
46 Council Directive 91/414/EC
47 Directive 98/8/EC of the European Parliament and of the Council
48 Council Directive 92/43/EEC

Within the rural development plans, some Member States facing erosion risks included practices such as tillage following contour lines, while some with low soil organic matter have banned the burning of cereal stubble. Maximum livestock carrying capacities have been defined by several Member States to avoid soil degradation through overgrazing.

Agri-environmental measures aimed at soil protection range from overall farm management systems such as organic farming (including maximum stocking rates) and integrated crop management (ICM) to specific measures such as no-tillage or conservation practices, grassland strips, winter covers, use of compost and the maintenance of terraces. Measures aiming at a reduced use of pesticides, such as integrated pest management (IPM) or promoting balanced rotations can also contribute to improve the condition of agricultural soils.

Within the market pillar of the CAP, the Agenda 2000 reform introduced new environmental protection requirements, whereby Member States shall take the environmental measures they consider to be appropriate in view of the situation of the agricultural land used or the production concerned and which reflect the potential environmental effect. These measures may include support in return for agri-environmental commitments, general mandatory environmental requirements or specific environmental requirements constituting condition for direct payments. Member States shall decide on penalties for non-respect of environmental requirements, which may include a reduction or the cancellation of the market support.

A number of measures within the individual market regimes offer opportunities for soil protection. These include set-aside in the arable sector, the extensification premium in the beef sector and the possibilities within national envelopes in the dairy, beef and sheep sector.

An increased level of integration of environmental concerns into the CAP is to be envisaged in future: the further shift of resources to rural development foreseen in the Commission Communication on Sustainable Development[49] will provide new opportunities for agricultural techniques protecting soils.

6.3. Regional Policy and Structural Funds

Regional and agricultural structural fund programmes have as a general and compulsory objective to contribute to sustainable development. Measures in these programmes contribute directly or indirectly to the improvement and protection of soil. Examples are erosion and flood prevention, rehabilitation of derelict and polluted land and measures for sustainable tourism and leisure. For all large planned investment measures an environmental impact analysis study is to be performed.

The Community's strategy for Sustainable Development also makes reference to the need to put the European Spatial Development Perspective (ESDP) into action, including the implementation of an observatory network to analyse the regional impact of Community policies. The European Spatial Planning Observatory Network (ESPON) programme includes several measures relevant to efficient land protection.

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[49] COM (2001) 264 (page 6)

6.4. Transport Policy

The range of potential effects of transport on soil is very broad. Most important are the land take by transport infrastructure and fragmentation of ecosystems and habitats through transport networks. Soil quality is affected by water runoff from roads and airport runways, use of persistent herbicides on railroads, emission of NO_x from motor vehicles, disturbance of groundwater flows due to construction work and contamination risks associated with the transport of dangerous goods.

The White Paper on a Common Transport Policy[50] describes the current transport policy. It sets out the need for the integration of transport into sustainable development. It lists packages of measures aimed at shifting the balance between modes of transport, in particular from road and aviation to the more environmentally friendly modes of rail and waterway transport.

The indicator system TERM provides a monitoring system aimed at assessing the environmental performance of the transport sector. It includes indicators for land take and fragmentation.

6.5. Research Policy

In the context of various Community research programmes, a number of soil protection problems are addressed. In the current 5th Research Framework the programmes "Environment and Sustainable Development" and "Quality of Life" are supporting soil-related research.

In the key action "Sustainable management and quality of water" a number of research activities are dedicated to assess and minimise pollution originating from industrial activities, from contaminated land, waste disposal sites and sediments or diffuse pollution originating from land-use practices. The interactions between soil and water are also being studied in the context of integrated water management. Ongoing RTD activities are addressing sustainable, risk-based management of contaminated land and groundwater. The Contaminated Land Rehabilitation Network for Environmental Technologies, CLARINET, is a policy-orientated expert network on the management of contaminated land.

In the Environmental Applications domain of the "Information Society Technologies Programme" several research projects are carried out which are relevant for improved management of soils.

The key action "Global change, climate and biodiversity" studies vulnerable ecosystems, of which soils are principal components, in relation to climate and global change. Particular attention is given to the driving forces in land degradation and desertification in the fragile ecosystems of Europe. Research effort is also put on assessment of impacts of policies and practices.

In the "Quality of Life programme" research is carried out on new farming systems reducing negative impact on environment and soils. Prevention and control of erosion and salinisation form also part of research activities promoting sustainable

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50 COM (2001) 370

use of the soil. For instance, the PESERA research project will assess soil erosion risk all over Europe.

In addition, the European Soil Bureau, a specific project of the Commission's Joint Research Centre (JRC), is a network of soil science institutions. It is carrying out scientific and technical work programmes in order to collect, harmonise and distribute soil information from countries all over Europe relevant to Community and national policies.

The proposed 6th Research Framework supports soil related research in the priority "Sustainable Development, Global Change and Ecosystems". It will focus on large scale integrated assessment of land/soil degradation and desertification in Europe and related prevention and mitigation strategies. Furthermore, it will address soil aspects in relation to the water cycle. Other priorities aim at a better understanding of terrestrial biodiversity and on the role of soil as a carbon sink. In addition under the priority "Specific activities covering a wider field of research", the 6th framework programme will support research underpinning the formulation and implementation of Community policies (6th Environment Action Programme), including environmental assessment (soil and water, including the effects of chemical substances). The JRC programme will continue to support the European Soil Bureau as a network of soil science institutions providing policy relevant soil information to the Commission services.

7. EXISTING SOIL DATA GATHERING SYSTEMS

7.1. Soil surveys

Soil surveys collect data on the physical and geological properties of soils, in order to define soil types and to draw up soil maps. This information is static based on the assumption that soil and soil properties only change over extremely long periods.

Most of the national soil survey organisations in Europe were established almost 50 years ago in response to the need to ensure food self-sufficiency. Land Capability Classification, principally in relation to agriculture, was developed in the UK, Germany and other countries at that stage.

Soil data sets from different countries were generally established using different nomenclatures and measuring techniques, thereby creating comparability problems. The related soil maps based on the data are also extremely variable in Europe. Differences of national coverage and scale are common and only Belgium and The Netherlands have soil maps at scales of 1:50.000 covering their whole national territory.

In 1985 a first soil map of the European Community countries was finalised under the Commission's initiative. This 1:1.000.000 scale map was based on the soil classification system adopted by FAO/UNESCO and indicated different soil types.

The European Soil Information System (EUSIS), which is the only homogeneous soil information available at EU scale, was developed by the Joint Research Centre of the European Commission and the National Soil Surveys. It currently extends to the EU, EFTA and the Central and Eastern European countries and in the future will include all Mediterranean basin countries. EUSIS provides soil maps at 1:1.000.000

scale. It also provides a number of interpretative models for more complex information of environmental interest such as soil erosion risk, soil organic carbon content and soil compaction risk.

EUSIS however has limitations. Firstly, the comparability of physical and chemical information is limited since it is based on data collected over a long period by National Soil Surveys using different methodologies. Secondly, it delivers information at a very coarse scale for environmental protection purposes. Furthermore, it lacks integration with other soil databases. However, its most serious constraint is that it delivers static information without any indication on changes and trends.

7.2. Monitoring systems

Based on systematic sampling and analysis, soil monitoring systems aim to deliver information on changing soil parameters, important for soil functions, such as nutrient status, organic matter, biodiversity and heavy metal contamination.

Monitoring systems already operate in Austria, France, Finland, The Netherlands, Sweden and the UK with a periodicity ranging from 5 to 10 years. A recent initiative in France, RMQS (Réseau de Mesures de la Qualité des Sols), based on the monitoring system for forest soils, has established a nation-wide soil quality monitoring network based on a 16 by 16 km grid with 2,000 sampling plots. Every 5 years it will measure a number of environmental parameters such as diffuse pollution and organic matter.

The only monitoring system in Europe covering a number of soil aspects was developed as a part of large-scale scheme monitoring the health of forests in the context of Council Regulation 3528/86 on the Protection of Forests against Atmospheric Pollution. This monitoring system is restricted to forests. It was designed for purposes other than soil protection and only addresses a number of soil parameters, e.g. organic carbon, heavy metals, soil acidity and buffer capacity.

The measurement of these parameters was completed only once in 1992 based on partial harmonisation of sampling and analytical methods. Further work on harmonisation is ongoing.

7.3. Soil data networks

In a wider environmental context, the European Environmental Information and Observation Network (EIONET) was established to assist The European Environment Agency (EEA) in producing policy-relevant information on Europe's environment through the delivery of relevant national data. It is a network of national environmental information networks, of centres of expertise (currently for soil, contaminated sites and land cover) and European Topic Centres (ETCs) as EEA contractors coordinating activities in their thematic areas. There are ETCs for air, water, nature, waste and terrestrial environment.

The European Topic Centre on Terrestrial Environment (ETC/TE) technically supports the EEA in the implementation of the soil monitoring and assessment framework through the maintenance and further development of databases and information for use in indicator development and reporting on soil and land issues. In particular, it carries out assessments of past trends, current state and prospective

development of soil quality and degradation. A core set of soil related indicators are being developed in the domains of soil sealing, soil erosion, local and diffuse contamination as main soil issues.

In addition the land use/cover statistical survey LUCAS is a pilot survey developed by Eurostat and carried out throughout Europe during 2001. It aims at the collection of data on land use, land cover and environmental features such as erosion and natural hazards. Information on erosion includes the registration of the number of rills, gullies and accumulation zones. The survey will again be carried out in 2003.

7.4. Soil data comparability

To reach a common understanding throughout Europe of soil degradation processes, it is important to ensure data comparability. To this end, sampling procedures and soil analytical methods have to be harmonised in the future.

Experience has shown that the major bottleneck for the assessment of soil condition in Europe based on already existing data still is the lack of harmonised methodologies for monitoring and data transfer, leading to a lack of comparability of the data.

The elaboration of internationally accepted standards takes place in international standardisation organisations such as CEN (European Committee for Standardisation) and ISO (International Organisation for Standardisation).

8. THE WAY FORWARD: BUILDING BLOCKS OF A THEMATIC STRATEGY ON SOIL

The principle of sustainable development is at the core of Community policy. The achievement of this objective will require policies delivering appropriate levels of soil protection.

To date, despite the delivery of some soil protection through several existing policy areas, a comprehensive Community approach to soil protection does not exist. Soil protection is more the result of the crosscutting nature of soil than the outcome of an explicit intention to tackle soil problems. A thematic strategy is needed to underpin an integrated and targeted effort for a sustainable management of soil in the EU.

Soil protection requires an integrated approach based on existing knowledge and the adjustment and improvement of existing policies. However, it also requires the development of a more long-term approach whereby protection is based on a more complete knowledge both of the direct and indirect impacts of human activities and of the best practices and measures to address soil protection problems. This knowledge also includes awareness of the probable increasing threat due to climate change.

Historically, national, regional and local authorities have dealt with soil issues. Such an approach was justified by the geographical variability of soil, which requires soil policies to have a strong in-built local element.

On the other hand, there is substantial evidence that soil problems have not only a local dimension but also wider and indeed global consequences including for food security, poverty reduction, water protection and biodiversity. Hence concerted

approaches are more likely to be effective in providing solutions. Therefore the Community has a role in soil protection policy, where it can deliver added value vis-à-vis action carried out individually by Member States. Moreover Community initiatives should take account of relevant international conventions, most notably the UN-CCD.

The distinctive characteristics of soil for policy development were described earlier in this Communication. Soil protection policy will have to focus on the principles of prevention, precaution and anticipation. It needs to ensure the protection of soil biodiversity and organic matter which are central to soil functions. It should use monitoring as an indispensable tool and take environmental liability into account.

In developing its thematic strategy for soil protection the Commission is aware of both the threats described, the relevant policy features and the need for integration.

8.1. Actions in relation to the threats to soil

Based on the existing knowledge, a number of initiatives to stop and revert soil degradation processes will be taken through individual Community policy instruments. However as degradation processes are closely linked, the combined effect of actions to address particular threats will be beneficial to overall soil protection.

8.1.1. Environmental policy

Environmental policy provides the opportunity to address most threats, and in particular those relating to contamination, soil organic matter, biodiversity and sealing.

Full implementation of existing legislation, including the Nitrates Directive, the Water Framework Directive, the Air Quality Directives, the Landfill Directive, the Habitats Directive and other, more general environmental legislation, will make a significant contribution to the prevention of contamination and the protection of biodiversity. The implementation of the Strategic Environmental Assessment Directive will be relevant to address soil sealing, since it will lay a strong emphasis on soil issues covering all projects supported by the Structural and Cohesion Funds beyond a certain sealed area threshold.

New legislation will be proposed in the following areas.

During 2002 the 4th Daughter Directive under the Air Quality Framework Directive will be proposed relating to heavy metals and PAH.

During 2002 a directive on mining waste will be proposed and by 2004 a document established on the best available techniques for the management of mining waste.

During 2003 the Commission will undertake a revision of the Sewage Sludge Directive entailing a reduction in maximum permitted levels of contaminants in sludge, and possibly its extension to all land where sludge is applied and to other sludges.

By the end of 2004 a directive on compost and other biowaste will be prepared with the aim to control potential contamination and to encourage the use of certified compost.

The fact that Regulation (EEC) No 2158/92 on protection of the Community's forests against fire will expire on 31.12. 2002 will not prevent the Commission from paying special attention to the development of the Community forest-fire information system. This will enable the effectiveness of the protection measures against fires to be better assessed, which will be relevant in the framework of erosion prevention.

To protect soil biodiversity, the Commission could consider the extension of the annexes of the Habitats Directive to complete the so far limited list of soil-based habitats requiring special protection should it be shown that existing designation is insufficient. Complementarily, the importance of soil in the management plans for designated Natura 2000 sites will be increased. A considerable amount of research will be required to establish more completely the biodiversity aspects of soil and the areas which might merit such designation.

In addition to the legislative initiatives, during 2003 the Commission will present a Communication on "Planning and Environment – the territorial dimension", addressing rational land-use planning and taking into account the need for sustainable management of soil resources. Geographic Information systems (GIS), which should be a major tool in the planning process, will be instrumental in providing the necessary support to an appropriate common policy for sustainable land, and hence soil use. Where erosion, salinisation, floods and landslides are problematic, restrictions in land use will have to be considered. More positively, the communication will also address the need to protect land (and thus soils) of prime agricultural value for long term food production.

The Commission will also develop a strategy on the sustainable use of pesticides (i.e. plant production products and biocides) as outlined in the 6th Environment Action Programme.

In the context of the Climate Change Convention, the Commission is also aware of the desirability to sequester carbon. It will examine ways in which soil organic matter can be increased, in this way responding to the challenge of carbon sequestration, while at the same time delivering at least partial solutions to several of the other threats on soil, in particular erosion and loss of biodiversity. The result of this examination may lead to particular proposals in the context of the main EU policies.

Furthermore, soil will be included within the main themes of the Commission's public awareness campaigns in the environmental area.

8.1.2. Common agricultural policy

The overwhelming importance of soil for agriculture and forestry has been highlighted. Agriculture and forestry soils are subject to threats originating in other sectors, but in addition some farming practices can result in soil degradation, while others can be beneficial to soil protection.

The Common Agricultural Policy already provides opportunities for soil protection. A number of agri-environmental measures offer opportunities for the build-up of soil

organic matter, the enhancement of soil biodiversity, the reduction of erosion, diffuse contamination and soil compaction. These measures include support to organic farming, conservation tillage, the protection and maintenance of terraces, safer pesticide use, integrated crop management, management of low-intensity pasture systems, lowering stock density and the use of certified compost. In line with the integration approach these measures can be developed further to enhance beneficial practices.

The Commission recalls the importance of Article 3 of Regulation 1259/99 in so far as the protection of soil in the context of Good Farming Practice is concerned. It encourages Member States to make use of this provision, in particular where soil degradation problems related to poor farming practices are widespread.

The Commission is committed to expanding the financial commitment to Rural Development in the review of the CAP. The Commission is reflecting on possibilities to strengthen measures in both agriculture and forestry delivering increased soil protection.

More attention will be paid to forestry and afforestation so that they provide long-term environmental benefits including through the prevention of soil erosion. Member States will have in particular the possibility to introduce or reinforce forest fire prevention measures in their Rural Development programming documents from 2003 onwards.

In addition, in line with the proactive approach required for soil protection, the Commission will include soil protection issues in the discussion on the future evolution of good agricultural practices as a policy tool.

8.1.3. Other Community policies

Infrastructural developments and transport tend to pose problems to soil related to sealing, local and diffuse contamination and erosion. Particular support programmes of the Structural Funds have as a crosscutting objective the improvement and protection of soil in order to mitigate this.

As the extent of environmental legislation covering aspects of soil protection increases, the Commission will consider how to integrate it further into Regional and Cohesion planning. It may be necessary in the next programming period to address the issues of sealing and contamination together with other issues relating to soil and land to be addressed in the Communication on Planning and Environment.

In Transport Policy, the problems of soil sealing and diffuse contamination will be addressed.

Since soil and soil functions are both complex and crucial for long-term sustainability, a stronger emphasis of research policy on soil is required. Further study of the impact of human activities on soil functions at the appropriate geographical level will be promoted through the Sixth Research Framework Programme. Particular attention should be paid to a better understanding of the soil ecosystem and how to manage it in a sustainable way. Other research issues are the potential impact of a decline in soil biodiversity, development of effective monitoring schemes for soil threats and the effect of climate change on soil threats.

In the context of the enlargement process, the Community will pay particular attention to soil protection issues by ensuring that potential negative effects on soil from infrastructure works supported by the Instrument for Structural Policies for Pre-accession (ISPA) are avoided.

In Candidate Countries the Special Accession programme for Agriculture and Rural Development (SAPARD)[51] provides certain opportunities for soil protection. Agri-environmental pilot actions in this framework can include actions to combat soil erosion, improve soil quality and soil tillage practices, organic farming or extensive grazing.

At the international level, while continuing to honour its commitments in the UN Conventions, the Community will have to ensure that a soil protection dimension is included in EC development co-operation policy in those regions facing severe soil problems.

8.2. Monitoring soil threats

The actions to be taken in the near future to address soil protection are based on existing information, which is recognised as incomplete. For the long-term protection of soils it will be necessary to ensure the development of a more complete information basis, monitoring and indicators to establish the prevailing soil conditions, and to evaluate the impact of diverse policies and practices.

The specifications of a Community information and monitoring system on soil threats will be the subject of an appropriate proposal for a soil monitoring legislation. It will aim to ensure that a number of measurements on the identified threats in the relevant areas are carried out in a harmonised and coherent way and that its results are relevant to and accessible for policy makers and for early warning purposes. As regards contaminants, the monitoring will give priority to those substances that can be transferred from soil to food or have potential health implications in any other way.

The monitoring system to be established should in so far as possible be based on existing information systems, databases and know-how. The principle of cost-effectiveness will be taken into account. Such system should be designed in such a way that the data can be integrated into more comprehensive/multi-layered monitoring and reporting programmes, for example the Commission's Infrastructure for Spatial Information in Europe initiative. The consultation process should be completed to allow a formal proposal to be made by mid 2004.

During 2002 the Commission will reflect on the future replacement of Council Regulation 3528/86 on the Protection of Forests against Atmospheric Pollution so that it can contribute more fully to general soil monitoring and in particular to localised problems related to the environment.

Together with a basic monitoring of soil conditions throughout Europe, this legislation would provide the necessary flexibility to focus, where necessary, on more locally relevant threats and degradation processes and their driving forces. Such threats include problems of contamination related to particular industries or

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51 Council Regulation (EC) No 1268/1999

transport with a local dimension, but of Community relevance. In this way soil monitoring can be used not just to ensure soil protection itself, but as a measure of the effectiveness of other protection policies and as a tool for their improvement where necessary.

8.3. Future soil protection

The Commission emphasises the need for the establishment of a comprehensive monitoring system to form the knowledge base for coherent actions in the future.

General monitoring will give information on the extent and the evolution of existing widespread threats and will provide the basis for policy development to respond more fully and accurately to them. In this way monitoring can become a driving force for policy adjustment and revision for the benefit of soil protection.

Specific monitoring will focus on local scale threats and their driving forces and lead to action in sectors which are the original source of soil degradation, thus focusing on the elimination particularly of contamination at source. An example could be focused soil monitoring close to industrial plants or highways. At present the soil is the recipient of many contaminating emissions. When some contaminants accumulate in soil, they provide a threat not just to soil functions, but more widely via leakage to water and bio-accumulation to plant, animal and human health.

Over an extended period, priorities particularly for specific monitoring will change as actions are carried out so leading to a programme of work to deliver not just soil protection, but also, where necessary, improved regulation of activities in sectors which may be contributing to soil degradation.

9. THE WORK-PLAN AND TIMETABLE FOR BUILDING THE THEMATIC STRATEGY

A thematic strategy on soil will build on the actions indicated in Chapter 8 which will contribute to an improved protection of soils. To prepare additional measures, the Commission will establish an inter-service group on soils in order to ensure an integrated approach to soil protection across the different policy areas. This group will follow the development of the initiatives enumerated in section 8.1 as well as identifying other opportunities for promoting soil protection. The Commission will publish a report by June 2004 on the technical measures and legislative and policy initiatives which it has taken to promote soil protection.

In order to address the challenging task of developing better instruments for soil protection, the Commission will work together with Member States, Candidate countries, the EEA, academia and other stakeholders. The Commission will provide the leadership and co-ordination but this will be a collective effort with the burden of work being shared among all participants on the basis of a detailed work-plan. The objective of the work will be to assist the Commission in developing:

- a proposal for soil monitoring;
- a Communication on soil erosion, soil organic matter decline and soil contamination including detailed recommendations for future measures and actions.

The proposal for soil monitoring will be finalised by June 2004. In preparing this proposal, the Commission will be guided by various current initiatives. To this end, work is already underway to identify best approaches to monitoring and this will be both intensified and linked to particular issues including erosion, the decline in organic matter and contamination.

With regard to the Communication:

- A more complete picture of the extent of contamination within the current and future enlarged EU is needed. In order to achieve this, the Commission will rely heavily on the work of Member States, Candidate Countries and of the CLARINET expert network. Best practice in the management and remediation of contaminated sites will be identified and priorities for future remedial action indicated.

- The Commission is fully aware of the significance of soil erosion in the Mediterranean Region in particular, although evidence strongly suggests that erosion is taking place in many regions of the EU. The Commission intends to organise a conference on soil erosion and the related issue of the decline in organic matter during 2003. This conference should bring together all stakeholders both from the EU and candidate countries and also other Mediterranean countries. Several countries are developing or have developed plans in order to fulfil commitments in relation to the UNCCD and this conference should provide an opportunity to describe progress and problems in tackling soil erosion thus contributing to the Commission's reflections for the Communication.

- The conference will also examine the situation in relation to organic matter including measures which could be taken to redress the decline and increase soil organic matter levels.

Building on the actions to be taken until then, the measures to be presented in the Communication together with the proposal for soil monitoring will establish the thematic strategy on soil protection. It is incremental in approach addressing issues now to the extent possible and setting the basis for more solid work to ensure soil protection in the medium term and future. The Communication, in particular, will place emphasis on actions to be taken to address identified problems and so will ensure that soil protection is treated as a major issue to be tackled both within and outside the EU.

10. CONCLUSIONS

In presenting this Communication on soil protection, the Commission is placing soil alongside water and air as environmental media to be protected for the future. Soil is both essential to human existence and subject to human activities.

In developing a soil protection strategy the Commission has taken a pragmatic approach directed in the first instance towards the adjustment of existing policies relevant to soil taking both a preventative approach through the development of new environmental legislation and an integrational approach for sectoral policies of particular relevance for soil. This integrational approach is fully in line with the Cardiff process and sustainable development.

In addition the Commission has established the need to provide a more solid base through monitoring for actions in the future. These actions will be beneficial not only to soil, but will also contribute to reducing water and food contamination by hazardous pollutants and will therefore contribute to the limitation of environmental impact on human health.

Soil protection has both a national and community-wide dimension and requires that Member States implement national and community relevant policy.

The Commission requests the Council and the European Parliament to endorse the approach it has established in this Communication.

Via email

From: Georgia Hutchinson
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Date: 16 May 2002

MARTIN HURST

cc: PS/Sir Richard Wilson
Helen Ghosh
David Pearson, TSol
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LESSONS LEARNED INQUIRY

1. Central Secretariat met officials from Iain Anderson's Inquiry and the DEFRA Inquiry Liaison Unit earlier this week. The purpose of this note is to inform you of recent developments and issues that are likely to arise shortly.

Potential Criticisms

2. On the balance of probabilities it seems unlikely that there will be any criticisms of individuals in Iain Anderson's report. The Inquiry has agreed that by the end of next week (24 May) they will contact any people who might be criticised in the report. The Inquiry intends to issue letters to all such people setting out the area of potential criticism and to give them 21 days to respond. The Inquiry Liaison Unit have asked to be informed of any potential individual criticisms and Treasury Solicitors are working up arrangements to offer legal advice to any such person should they require it.

Publication of Report

3. It has been agreed that Iain Anderson's report will be published by way of a return to address to attract Parliamentary privilege and therefore protection from legal action. The Inquiry has begun to think about timing and Iain Anderson has proposed the following timetable as an opening gambit in what the Inquiry accepts will need to be negotiation with Government on the timing of publication.

21-23 June	Report to Designers
1-2 July	TSO Print (Hopefully final version)
9 July	HMG Receives Report
11 July	Report Launched

4. Various factors will affect the timetable, including responses to any criticisms, the printing process, finding an appropriate slot in the parliamentary calendar, Government's political priorities, and the time required for the Government to prepare an initial statement and response to the report. The Inquiry is concerned to limit the time between release of the report and the launch to minimise the risk of leaks, which would negate the indemnity afforded by the return to address procedure. However, the point has been made

to the Inquiry at official level that 48 hours is an inadequate time for Ministers to prepare a considered statement and initial response to the report. DEFRA officials are presently consulting their Minister on what they consider an appropriate timeframe.

5. Under the Inquiry's terms of reference, the recommendations must be delivered to the Prime Minister, the Secretary of State for Environment Food and Rural Affairs and First Ministers. The terms of reference are silent on the issue of publication. Consideration of how and when to release the report to the Devolveds is needed and the Inquiry Liaison Unit is currently finding out what plans the Devolveds have for publication and response.

Publication of Supporting Documentation

6. Iain Anderson intends to publish supporting documentation in an Annex to back up the findings and recommendations in his report. It is clear that this will only be a limited selection of the material considered by the Inquiry but it may include documents, or extracts, released to the Inquiry by DEFRA, Cabinet Office and Number 10. The Inquiry has agreed that, other than when it is already in the public domain, when they consider publishing such a document they will contact the relevant department to seek agreement to publish. Inquiry officials believe there may be one or two sensitive documents. The Inquiry has agreed to inform the Inquiry Liaison Unit of any intention to publish Government papers to enable central co-ordination of and a consistent response to requests.

7. To continue the Government's policy of openness with the Inquiry, the basic presumption will be that the Inquiry should be able to publish papers or extracts other than in exceptional circumstances. Treasury Solicitors and DEFRA Legal are working up criteria by which departments will be able to decide whether it would be appropriate for the Inquiry to publish documents released by them. These criteria are likely to include an assessment of potential damage to security / international relations, third person commercial confidences and the impact on future requests for access to / publication of Government papers e.g. Cabinet and Cabinet Committee papers.

GEORGIA HUTCHINSON

From: Martin Hurst
Date: 15 May 2002

JONATHAN POWELL
JEREMY HEYWOOD

INTERVIEW WITH IAIN ANDERSON

You are being interviewed, with David North, on Friday at 4pm, for what Alun reckons will be about two hours. I plan to take the opportunity at the meeting to hand over to the Inquiry a few papers – not internal advice – relating to the contiguous cull decision. Jeremy has seen and approved these. You may still come in for a little light criticism about secrecy.

Iain is, I think, well on the way to reaching his conclusions. His dedication to the task has been impressive, and his work forensic in detail: his first interview with Brian Bender, for example, lasted five hours and only covered events up to 23 March 2001! He is intending to be hard hitting, but forward looking and will not seek to find scapegoats (you are aware that the Prime Minister has asked us explicitly not to blame Nick Brown).

In terms of likely conclusions he is, I think, feeling that there were specific problems, and not just with hindsight, over some of the early decisions (e.g. closing footpaths?). He will suggest that there were bigger problems and things going badly wrong (e.g. over culling, disposal/logistics, bringing in the army) between about 15 and 26 March. He will be critical over the reopening of the countryside messages, and over the general lack of management information. From what I've seen, his conclusions will be evidence based. But in some cases I think he has too discrete (in the statistical sense) a view of policy making, rather than the more evolutionary approach which there seems to have been in practice.

The areas for questions which the inquiry team have suggested are set out below, with very preliminary lines of response. Iain's examination technique tends to be to offer observations from others and invite views. Some of the critical observations he has received have come from government employees, e.g. in the regions. The agreement, promoted by Sir Richard Wilson, is that we to stick to the 'core script' of the first two chapters of the Government evidence. I'll bring spare copies of this for you tomorrow. The PM was also very keen that we relate all decisions to the underpinning science/vet advice. It might well be worth making an introductory statement to this effect.

Areas for questioning (note: some answers are distinctly partial, there are gaps in our files, and the govt evidence is not comprehensive)

1. The role of No.10 (including the Policy Unit) in policy making and operational decisions during the crisis: who did what?

The role of the PM is, I think, understood, and is set out in the exec summary to the govt evidence. In short, PM gave leadership from an early stage, and once the national scale of the epidemic was clear oversaw personally the development of policy, and, with Geoff Hoon, chaired COBR.

The respective roles of Number 10 staff is less clear, to me at least. I guess iain will want to know how much you respectively did, and how much David advised the PM. An elephant trap may be to suggest that there was Number 10 'advice' to the PM, rather than reporting back and briefing. We have not been willing to concede this in terms of handing over papers.

2) The audit trail for policy making in No.10

Again there is an elephant trap regarding handing over of papers. I think we can, though say, that the policy discussions were with ministers and officials from MAFF, MOD etc. These were ad hoc, and even a little chaotic at times, particularly before COBR was opened. Meeting notes were produced wherever possible, and remain on file – as they will be on files of OGDs. If there are specific meetings they haven't tracked down notes for from CO/OGDs please let us know ....

3) The decision making process leading to the closure of footpaths on 27 February 2001 and subsequent discussions to re-open them

This seems something of an idee fixe with Iain. The decision to advise local authorities to close of footpaths wasn't, so far as I can tell, a marginal decision. It had been vociferously urged by farming and rural leaders. As Iain should recall, our response was criticsed by some countries (e.g. Eire) as insufficiently precautionary.

The reopening issue is tougher. The decisions were, of course, for local authorities. And there was an element of their playing politics with the decisions (under considerable pressure from locals to keep paths closed). But under our new contingency plan, and on the latest vet/science advice, we wouldn't have closed so many paths initially, and would have reopened much faster. I suppose the key question is should be have taken powers to reopen the paths ourselves.

4) The decision making process leading to the creation of the Rural Task Force

Michael Meacher held the first rural task force meeting on 14 March and wrote out seeking assistance/input from colleagues on 15 March. The key meeting was with countryside players (Nat Trust, Countryside Agency, YHA, BTA, CLA etc.) on 13 March, at which the Prime Minister concluded that the task force should be set up. This idea had been prepared in advance with Michael Meacher – I can't work out where in govt the idea originated.

5) The decision making process leading to the introduction of the military

The army were brought in, in Cumbria and Devon, from 19 March and in HQ from 23 March. The decision process isn't well documented. Geoff Hoon and Nick are minuted as discussing this as early as 14 March – and decision to deploy appears to have been taken then (but I can't find evidence of Number 10 involvement – we should discuss), and John Spellar and Helene Hayman has corresponded about snipers and vets on 9 March.

6) The decision making process leading to the policy announcement on 15 March 2001 introducing the 3km sheep cull in certain areas

This (or at least the need for a more draconian sheep cull) appears to have been considered as early as 9 March. Was Nick's reference in his statement of 15 March to animals a genuine mistake (for sheep and pigs) or was slaughter of cattle also intended? How far were we consulted? The files and the govt evidence are unclear, we should discuss.

7) The decision making process leading to the introduction of the contiguous cull (in particular the weight given to scientific and veterinary advice)

We'll want to say (and it happens to be true, so far as I can see) that science/vet advice was the main mover throughout. It obviously took time to get a wide enough epidemiological sample to draw firm conclusions, and the final contiguous cull therefore evolved out of more ad hoc vet/science advice. The PM was, as you know, highly impressed by the work of David King's team. Iain may ask about the significance of the Ross Anderson Newsnight quote about 'out of control'. This did no more than reflect the science we had, by that stage, already got and had been abosrbing – it did not change policy.

We did, of course, never meet the 48 hour target, and it could be argued that the contiguous cull policy therefore changed little. We would argue against this, saying that it had a concentrating and galvanising effect, and that the 24 hour target was the more important. If we ever get the Animal Health Bill through the Lords then we will be better placed to get faster culls – a big problem was vexatious appeals.

You will want to be aware of a new twist to the King/Scudamore rivalry. DEFRA and other science work shortly to be published will, according to Jim, show that the underlying infection rate was coming down before the contiguous cull policy took effect. Not worth referring to, but a sign that we shouldn't be too gung ho over the contiguous cull.

8) The process leading to the decision not to vaccinate

You are both pretty well aware of this, I guess. Vaccination was under consideration from a pretty early stage, and we came very close after the CVO and CSA advised proceeding, subject to conditions about local buy in which were never fully met (partly due to farmer and NFU hostility). At that point the PM tried to persuade the food industry to sell vaccinated produce. Most agreed but some (e.g. Nestle) would not. It was also considered in August for pigs near Thirsk, but in the event wasn't needed.

9) The setting of payment levels for the Livestock Welfare Disposal Scheme

The rates were set at meetings here on 20 (with Jim/Nick) and 22 March (with a wider cast, including Ben and Jim Walker). I'll bring a copy of the note along tomorrow. The rates were subsequently lowered, and there is an NFU legal case about the subsequent reduction in rates (a DEFRA decision, through COBR) alleging a PM pledge to the contrary at a meeting here on 20 March.

Martin Hurst

MARTIN HURST

FOOT AND MOUTH DISEASE: LESSONS LEARNED INQUIRY

JJH.

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DATE 13 May 2002

OUR REFERENCE

YOUR REFERENCE

Jeremy Heywood CB
Principal Private Secretary to
the Prime Minister
10 Downing Street
London SW1A 2AA

Dear Jeremy

I would like to extend a formal invitation to you and to Jonathan Powell, Martin Hurst and David North to meet the Inquiry on 17 May at 4pm to discuss the Foot and Mouth Disease outbreak last year. This would be an on-the-record meeting, lasting approximately two hours, at Downing Street. We would expect to cover:

- The role of No.10 (including the Policy Unit) in policy making and operational decisions during the crisis: who did what?
- The audit trail for policy making in No.10
- The decision making process leading to the closure of footpaths on 27 February 2001 and subsequent discussions to re-open them
- The decision making process leading to the creation of the Rural Task Force
- The decision making process leading to the introduction of the military
- The decision making process leading to the policy announcement on 15 March 2001 introducing the 3km sheep cull in certain areas
- The decision making process leading to the introduction of the contiguous cull (in particular the weight given to scientific and veterinary advice)
- The process leading to the decision not to vaccinate
- The setting of payment levels for the Livestock Welfare Disposal Scheme

I attach a copy of our procedures for formal meetings. As you will see, a summary note of the meeting will be taken by the Inquiry Secretariat and then agreed for factual accuracy. We intend to publish these summary notes as appendices to the final report of the Inquiry.

Iain Anderson and I look forward to the discussions on the day.

Yours ever

Alun

ALUN EVANS

INVESTOR IN PEOPLE

INQUIRY INTO THE LESSONS TO BE LEARNED FROM THE FOOT AND MOUTH DISEASE OUTBREAK OF 2001

PROCEDURES FOR GATHERING INFORMATION AT INQUIRY MEETINGS

1. The Framework Document published on 14 December 2001 set out the overall approach and timetable to be adopted by the Inquiry. It made clear that the Inquiry would not be adversarial and the intention would not be to apportion blame on particular individuals. The Inquiry instead intended to identify those areas where there were significant shortcomings and failures in processes and would make appropriate recommendations to remedy them.

2. The Framework Document indicated that meetings with invited individuals and organisations would be held in London and around the country to gather information on all aspects of the disease outbreak. It is available on the Inquiry website at www.fmd-lessonslearned.org.uk.

3. As part of its programme of work, therefore, the Inquiry intends to interview a range of individuals and organisations. These interviews will include:

   - people and organisations involved in the management of the outbreak and its handling in England, Scotland and Wales; and
   - people and organisations who experienced the impact of the disease in England, Scotland and Wales and were most affected.

4. As indicated in the Framework Document, all interested parties who wish to submit information in writing to the Inquiry are encouraged to do so by 15 March 2002. The Inquiry wishes to receive as wide a range of comments and views as possible. However the Inquiry will not be able to accede to all requests to meet it.

5. In preparing its final report and recommendations for Government, the Inquiry will take all written submissions into account. Additionally, in some cases, the Inquiry may wish to meet individuals or organisations to discuss particular aspects of their submissions. If so, it will write to them to make the necessary arrangements.

6. In those cases where individuals or organisations are invited to meet the Inquiry at its London office the following procedures will apply:

PRIOR TO THE MEETING

   - we will arrange a convenient time and date for the meeting, we will give directions to our offices and, where appropriate, will offer to pay reasonable travel expenses;
   - we will endeavour to ensure that meetings are conducted so as to minimise the amount of time individuals or organisations are kept away from their working commitments; and
   - we will set out any key areas or questions that the Inquiry will wish to discuss.

AT THE MEETING

- we will offer individuals or organisations the opportunity to raise any points they wish at the start of the meeting and then the Inquiry will ask its questions;
- information given will remain confidential save to the extent that we need to disclose it to carry out our Inquiry properly and to the extent that we need to rely on the information to support the findings in our final report. All individuals and organisations who meet the Inquiry will be listed in the final report;
- we will record views in writing, though not necessarily verbatim, so that we have an accurate record of what we are told.

AFTER THE MEETING

- a note of the meeting will be sent to the individual(s) or organisation concerned to ensure the factual accuracy of recorded views;
- in the event that we do have potential criticisms of individuals, then we shall give written notice thereof to the individual(s) concerned so that they may comment on our criticisms and bring to our attention any matters they consider relevant;
- we will expect to receive any further comments within 21 days of the notice and they will be taken into account before we finalise our report.

7. The Inquiry will also be visiting those areas of England, Scotland and Wales most affected by the disease to meet local people and organisations and seek their views on the handling of the outbreak. Arrangements for these visits will be published in advance on the Inquiry website.

Dr Iain Anderson, Chairman
Mr Alun Evans, Secretary to the Inquiry
February 2002

2002/0025817ADRJH

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John Healey MP
Parliamentary Under-Secretary of State for Adult Skills

Joanna Key
Policy Adviser
10 Downing Street
London
SW1A 2AA

JK ✓ MH OJ [redacted] PD

15 May 2002

Dear Joanna

Thank you for your recent letter of 9 April to Steve Bartlett.

John Healey fully understands the importance of training in the meat and poultry industry in light of recent problems. The proposals for a new UK wide network of Sector Skills Councils (SSCs) are about strengthening sectoral training arrangements. We wish to build on good work that has already been done and certainly not undermine it.

SSCs will be licensed where employers want one and where the SSC standard is met. The standard is contained in the development guide published in November 2001. The scope of SSC coverage will therefore be defined by the employers that recognise themselves as a unified sector. Therefore if strong support exists for a Food and Drink SSC this will be due to a large number of employers in the sector pushing for the sector to be shaped in that particular manner.

A further criteria for becoming an SSC is for the sector to have an employment base that is of economic and strategic significance. Unfortunately, the Meat Training Council would not fulfil this requirement by 'going it alone'. John Healey understands that several meetings have taken place between the Sector Skills Development Agency (SSDA) Business Adviser, Patrick Bonnett, for the food and drink sector and officials from DEFRA. As a result, the Meat Training Council has been encouraged to explore alliances with other organisations in the food and drink sector. These new proposals are not simply a re-badging of NTOs and we are looking to form Sector Skills Councils that have strong influence and authority. This can only be achieved by engaging employers across the sector and working in partnership to address common skills and productivity issues.

In response to the point about funding for the Meat Training Council, we understand that money has been made available to carry out essential functions in the areas of Modern Apprenticeships and National Occupational Standards until the end of August.

Should you wish to discuss the matter further we would encourage you to contact Patrick Bonnett, the Business Adviser for the food and drink sector on 07867 500 671. I trust this information will be helpful for the Meat Training Council in determining future direction.

Yours sincerely

SAFIA MANZOOR
ASSISTANT PRIVATE SECRETARY TO JOHN HEALEY MP

10 DOWNING STREET
LONDON SW1A 2AA

THE PRIME MINISTER

14 May 2002

Dear Peter,

Thank you for your letter of 2 April. I am pleased that you appreciated the seminar on 26 March and am glad that you have constructive proposals to put forward. Your letter raises two specific issues.

As we all agreed at the seminar, consumer research is very important. I welcome the work that the MLC is doing and has undertaken to share with Martin Hurst here. I have no doubt that the industry as a whole will benefit greatly from it.

I am aware of the valuable work that the Red Meat Industry Forum has been doing. I am also pleased that you recognise that the primary responsibility for implementing change and modernisation rests with the industry. The DTI award of a grant of £1.5 million is an indication of the Government's willingness to support these initiatives although it is, of course, only a start. I understand that you have been discussing various aspects of your action plan with DEFRA officials in the context of how they will take forward the Policy Commission recommendations. Like all departments, DEFRA will have to make difficult decisions on priorities for spending, but I am assured that they are looking very seriously at your proposals.

Yours ever,

Tony Blair

Mr Peter Barr

BRIEFING FOR THE PM AND SECRETARY OF STATE MEETING WITH BEN GILL ON TUESDAY 14 MAY 2002

ELECTRONIC FORMS

Issue

Ben Gill took 6 hours to complete his e-IACS form, compared with 2 hours when completing a paper form. He is dismissive of the system which is supposed to simplify/lift the burdens of red tape.

Points to Mention

- The time it can take to complete forms can vary enormously, depending on the number of parcels to be entered. Some applicants take no more than half an hour, whereas others can take substantially longer. There is however, a steep learning curve for those submitting electronically for the first time.
- It is true that the system speed needs to be improved. It is also true that many farmers have experienced difficulties with the Government Gateway and obtaining digital certificates. Legal (and Audit) advice is however that the security of the system is dependent on digital signatures. We will address these issues as well as the possibility of off-line completion of e-forms for the future.
- We have so far received 1150 forms electronically this year, an increase of more than a third on last year (we expect to finish with at least 50% more). This increase in uptake is against a reduction of 25% in calls to our helpline compared to last year. 2030 customers have obtained digital certificates and registered on the Government Gateway. The certificates have been paid for by RPA and customers with them will not have to register again or obtain new certificates.
- We will be conducting a post project review in the near future to identify the lessons learned. This will include a survey of all our customers who have used the electronic system this year.
- RPA is in the process of a major change programme involving radical changes to computer systems and expansions to the use of e-business. The e-IACS project results inform but do not drive this change programme.

Background

Farmers are required to submit an IACS form annually if they wish to receive payment from the CAP funded schemes operated by the RPA. Following a limited regional trial in 2000, the e-IACS system went live in 2001. Applicants have again had the option to complete an electronic form online in 2002.

BRIEFING FOR THE SECRETARY OF STATE'S MEETING WITH BEN GILL, 14 MAY 2002

LIVESTOCK AT AGRICULTURAL SHOWS

File

Points to Make

- Pleased that the FMD situation has now allowed shows for all species to resume.

- The licence conditions for biosecurity have been developed in very close association with the Association of Show and Agricultural Organisations, other individual shows organisers who indicated that they wanted to be consulted direct, and many other stakeholders.

- The NFU, as part of the FMD stakeholder group, were also consulted but offered no comments.

- During these discussion, the aim has been to keep the costs and limitations on shows to a minimum while addressing the biosecurity risks.

- The rules will be kept under review to ensure that they remain proportionate to the disease risk.

- The need for strict biosecurity is keenly appreciated by the majority of shows organisers. Pleased that they are taking a responsible attitude to protect livestock farmers and the wider rural community from another devastating outbreak of animal disease.

Background

1. As of 15 May, shows for all livestock species can be held. Prior to this, sheep and goats were not allowed to attend livestock shows. However, they are subject to biosecurity conditions.

2. The Animal Gatherings (Interim Measures) (England) Order 2002 came into force on 11 February to control biosecurity at places where animals are gathered for the following purposes:

- sale
- show
- exhibition
- for onward consignment for slaughter within Great Britain and
- for onward consignment in Great Britain for further rearing or finishing

3. Key to the control of biosecurity is the introduction in the Order for a DEFRA licence for premises to be issued by the DVM.

Licence Conditions for Shows

4. The licence conditions cover:

i) General points
ii) Facilities on the premises
iii) Show staff
iv) Action to be taken on operational days
v) What the public, judges and those showing livestock should do

5. Most important is the general condition that the premises operator must have a standard operating plan for biosecurity agreed with the DVM which includes a contingency plan to deal with a suspect case of a notifiable disease.

SECRETARY OF STATE'S DRINKS WITH PM AND BEN GILL *(This briefing has been copied to Martin Hurst)*

KEY POINTS TO MAKE

POLICY COMMISSION

- Welcome NFU support at the PM's seminar – looking to maintain the momentum.

- Hope NFU will continue to contribute positively to help us, with other stakeholders, deliver a strategy for sustainable farming and food in the autumn.

- Government will do all it can to facilitate change, but it cannot assume sole responsibility for delivering it: we will be looking to the NFU and other key stakeholder groups to contribute constructively.

STATE OF THE INDUSTRY

- Fully recognise the difficulties the industry has faced.

- We have done what we can to help in specific policy areas (FMD / livestock recovery related payments), but, as the Curry report recognised, short term financial aid is not the long term solution.

- This is why we established the Policy Commission, and why we are now developing a strategy that will, in part, focus on how we might deliver solutions over the longer term. Look forward to the NFU's active and constructive participation in this process.

CAP REFORM

- Glad that the NFU support our general approach to CAP reform. We need to give farmers a clear, certain framework in which they can plan their businesses, sooner rather than later.

- I welcome your efforts to work with farming unions across the European Union on the case for reform.

- I always stress our case for significant reform and ensure that our commitment to reform is taken seriously when I meet other European Heads of Government.

ANIMAL HEALTH BILL

- House of Lords voted to block the Bill on 26 March. Very disappointed at the decision to block the passage of this important piece of legislation. We are looking to bring forward effective new measures at the earliest opportunity.

- Cannot rule out the possible need for emergency measures if there is an outbreak of serious animal disease before new legislation can be passed. Had hoped to give Parliament the opportunity to debate the measures in full and therefore regard the vote to postpone the Bill as irresponsible.

NITRATES DIRECTIVE/NITRATE VULNERABLE ZONES

- Carefully considering responses from NFU and others to our recent consultation before taking any decisions on which implementation option to pursue.

GOLD PLATING OF LEGISLATION

- Government made clear its position on regulations and gold plating when the new strategy for agriculture for agriculture unveiled on 30 March 2000.

- That is to avoid all gold plating of legislation, its implementation and enforcement; to regulate in the least bureaucratic and burdensome way. We would also avoid implementing legislation ahead of specified EU deadlines.

REDUCING THE BURDEN OF REGULATION ON FARMERS

- Government committed to developing new approaches and new behaviours supported where necessary with regulation.

- Our aim is to apply such regulation fairly and effectively and we shall be looking to NFU and others in industry to help develop/manage this process.

ILLEGAL IMPORTS ACTION

- The Action Plan to reduce the risk of outbreaks of disease linked to imports of meat, animal products and plants was published on 28 March and implementation is well under way. The NFU are being fully involved in this work.

CATTLE TRACING SCHEME CHARGING

- The options for charging in relation to cattle tracing are under consideration, bearing in mind the other financial and regulatory burdens faced by the livestock sector.

- Future possibilities include charging for extracting information from the Cattle Tracing Scheme database rather than for regulatory compliance inputs.

BEEF BAN

- Have repeatedly made clear to the French that we expect them to lift their ban immediately.

- On the wider front we want to see the re-establishment of British beef exports on world markets following the end of the foot and mouth outbreak and we are working with the Commission to amend the rules of the Date-based Export Scheme to make the Scheme more workable.

BACKGROUND

1. IMPLEMENTATION OF POLICY COMMISSION'S REPORT ON FOOD AND FARMING

1. Government committed to delivering a sustainable new strategy for food and farming by the autumn.
2. Policy Commission's Report contains over 100 recommendations - not all of which fall to Government to implement or indeed fund. Many targeted wholly or partly at industry and the wider rural community.
3. Early actions agreed at the Prime Minister's 26 March meeting include:

- the launch of a new Food Chain Centre to increase efficiency within the food chain;
- an action plan to combat illegal imports of meat and meat products;
- £5m of Agricultural Development Scheme grants to improve marketing performance and competitiveness;
- award of £1.5M DTI grant to strengthen competitiveness of the redmeat sector;
- an organic food and farming action plan to help farmers respond to growing demand for high-quality organic food;
- measures to ensure a more proportionate and joined-up approach to regulation.

4. Additional material on ***implementation of food chain aspects*** of Curry Report attached as annex to this brief.
5. "*Sustainable Food & Farming - Working Together*" published on 26 March and sent to over 2000 organisations and individuals. Deadline for comments: 18 June.
6. Regional events are in train to consider issues raised in this document. Participants cover a wide range of interests (farming, food, rural affairs, consumer, environmental). 5 meetings held so far, 3 remaining.
7. Final decisions on funding the strategy will in the main, be made as part of the 2002 Spending Review. Cannot prejudge the Spending Review settlement, which is expected in July, but the Government will want to target resources to achieve the best, most cost effective outcome.
8. Devolved administrations will develop and implement their own strategies.

IMPLEMENTATION OF CURRY REPORT: FOOD CHAIN

Food Chain Centre: The launch of this industry body, with Government financial support, was announced on 26 March. Deirdre Hutton, the chair, is currently completing appointments to the Steering Group which will meet for the first time on 30 May. Initial projects to contribute to the objective of increasing efficiency in the food chain include a value chain analysis for redmeat, a cost benchmarking service for horticultural produce, a grain value chain analysis and a review of benchmarking practice throughout the food chain.

Farm Assurance Schemes: Action on assurance is progressing on a number of fronts. On 10 April DEFRA launched a consultation on the new £5 million Agriculture Development Scheme (ADS) including a proposal that one of the three priorities to be targeted should be assurance schemes. DEFRA plan to open the final scheme for applications in the Summer so that the first awards can be made before the end of the year. DEFRA is also currently funding Assured Food Standards (AFS), which brings various assurance schemes together under the Red Tractor logo, including helping with their review of environmental standards in schemes. A DEFRA meeting with key interested organisations on 30 April secured the agreement of the British Retail Consortium, NFU, AFS and National Consumers' Council to work together to develop by the end of May a model for turning the Red Tractor into a baseline standard owned by the whole food chain in line with the Curry report. Martin Hurst participated in this meeting. FSA also attended and are co-operating closely with DEFRA to ensure that the report on assurance schemes they will produce in June fully takes account of this work.

Collaboration/co-operation: The ADS consultation identified initiatives to strengthen and expand collaborative activity among farmers and growers as another of its three priorities. Margaret Beckett wrote to the Secretary of State for Trade and Industry about the attitude of the Competition Authorities to collaboration and co-operation (which Martin Hurst is following up with DTI). A DEFRA initiative has led to the establishment of an NFU-sponsored steering group, with DEFRA participation, to advise by end-June on what an English Collaborative Board (which will need a different name) might do. DEFRA is also supporting the Royal Agricultural Society of England in a potentially very productive benchmarking project on world class farmer controlled businesses.

Code of Practice on Supermarkets: Margaret Beckett has written to the Secretary of State for Trade and Industry about the need to keep the Code under review and the dispute resolution procedure. Also in line with Curry, Lord Whitty has written to the smaller supermarkets and organisations representing other major buyers encouraging them to sign up to the principles and practices in the Code in working with their suppliers.

Regional and Local Food: DEFRA is working with Food from Britain, the RDAs and Countryside Agency to develop a strategy for regional and local food building on the Curry recommendations. A cross cutting team next meets on 17 May to carry this work forward. The variety of stakeholders and major EU state aid problems mean that it is moving on a slower timescale than implementation of other food chain recommendations but it is on target to form part of the autumn strategy.

2. STATE OF THE INDUSTRY/GOVERNMENT'S AGRICULTURAL POLICY

1. **Industry statistics:** UK Agriculture sector accounts for almost 0.7% of GDP, employs around 2% of the population (approx. 568,000) and looks after approx. 77% of our land (Source AUK 2001 published on 3 May 2002).

2. **Farm incomes:** Figures published on 14 March 2002 indicate a rise in Total Income form Farming (TIFF) of 11% in real terms in 2001 i.e. 72% below there recent peak in 1995, to an average of 37,861 per full time farmer (Source FIUK 2001).

3. **Different sectors faced different conditions in 2001:** milk and some crops (in particular wheat, oilseed rape, sugar beet, potatoes and vegetables) have faired better than in 2000, whilst livestock (particularly sheep and pigs) and cereals have faired worse, due to a fall in production as a result of wet weather in 2000 and FMD respectively in 2001.

4. **Difficulties should be viewed in the context of considerable public support for agriculture:** UK farmers benefit from around £3 billion in CAP direct payments each year. This is over and above the £785 million paid out to framers in agrimonetary compensation between 1997 - 2001 and the £2.7 billion paid to farmers as a result of the FMD Disease outbreak. England Rural Development Programme: £1.6 billion available to help industry over 7 year to help farming and related industries become more competitive, diverse, modern and sustainable and Rural White Paper: launched in November 2000 included £8.7 million to help secure the future of small/medium sized abattoirs.

3. CAP REFORM

1. The European Commission are expected to publish their proposals for reform of the CAP - the Mid-Term Review of Agenda 2000 - towards the end of June, in time for a first Ministerial discussion at the 27 June Agriculture Council. Negotiations will continue throughout this year, and the UK will be looking for a firm commitment to reform at the Copenhagen European Council in December, with a view to concluding negotiations during the Greek Presidency in the first half of 2003.

2. We want the Commission's mid-term review proposals to address internal EU economic, social and environmental drivers for reform; and to support our objectives on enlargement, international trade, and sustainable development. We are pushing for radical proposals which will signify a significant shift in support from production-linked subsidies ('Pillar 1' of the CAP) to environmental and rural development measures ('Pillar 2'). Our reform allies are the Netherlands, Sweden, Denmark and Germany, with Italy looking increasingly like it will return to the pro reform camp. But whoever wins the legislative elections, Chirac is likely to be as difficult as ever on CAP and will probably appeal to the Germans for political solidarity at a difficult time. Others, particularly Spain and Ireland, are hostile to reform.

3. The NFU are in favour of CAP Reform. They recognise that although there will be difficult decisions, delaying reform will only cause more problems. They want a clear framework within which producers can plan their businesses sooner rather than later. They will, of course, focus closely on the detail of the Commission's proposals and on the overall effect of reform on producer returns. But their principle concern will be that reform is applied equitably to all producers in all sectors across the EU. Like us, they will want to resist calls from some other Member States that reform of the CAP should be shaped in favour of smaller farms.

4. ANIMAL HEALTH BILL

1. The House of Lords passed (by 6 votes) Lord Moran's amendment to the motion resolving the House into Committee. The effect of the vote was to postpone Committee consideration of the Animal Health Bill until the Government had:

- published a response to its recent consultation on implementing powers in the Bill; and

- "...received, considered and published the results of the inquiries [it had] commissioned into foot-and-mouth disease from the National Audit Office and the Royal Society."

2. Once these conditions have been met, the Government will aim to being forward effective new measures at the earliest opportunity.

3. Lord Whitty told the Lords during the livestock debate on 17 April that in the event of an outbreak, prior to any new measures being introduced, and in the light of their defeat of the Bill, he would seek their full co-operation in the passage of any emergency disease control legislation that might be necessary in the event of an outbreak. The Opposition spokeswoman, Baroness Byford, confirmed that the Government would have her support in such circumstances.

5. IMPLEMENTATION OF NITRATES DIRECTIVE

1. Have delayed action for as long as possible but now needs to take action to comply with the European Court of Justice judgement.

2. Carefully considering responses from the NFU and others to the recent consultation before taking any decisions on which implementation option to pursue.

6. GOLDPLATING OF REGULATIONS

1. The Government made clear its position on regulations and gold plating when the strategy for agriculture was unveiled on 30 March 2000.

2. This was to regulate only where it is really necessary and make use of market and other voluntary measures wherever possible.

3. The policy in relation to farming is to avoid all gold plating of the legislation, its implementation and enforcement; to regulate in the least bureaucratic and burdensome way and to avoid implementing legislation ahead of specified EU deadlines.

7. REDUCING THE BURDEN OF REGULATION ON FARMERS

1. An example of new approaches to regulation – Environment. DEFRA and the Environment Agency are working closely together. A series of immediate initiatives can be announced to improve consultation, information, and advice. These include:

'Netregs' – internet based advice on regulation
'Environmental Management Standard – developing a package to incorporate environmental management into business planning – a pilot project to be launched this year

more joined up advice on business/environmental planning
Agricultural Waste Forum – to improve consultation/communication

2. DEFRA has a longer-term strategy (now – 2007) – introducing proportionate risk-based regulation (across all sectors including agriculture). New risk-assessments, standardised permits, better reporting arrangements etc. will keep charges down and reduce the bureaucracy of regulation. Advice on Environment will be joined up with business planning advice and, eventually, Whole Farm plans. We are also better planning what is coming from Europe in future – and seeking to link Agriculture and Environment in European thinking.

3. As in a number of areas (health and safety, biodiversity etc.), farming lags behind in environmental performance. Past concessions mean it is playing "catch up" with all other sectors, who are already regulated. We can make regulation as efficient as possible, help keep charges down and minimise bureaucracy. But we have very little scope to provide direct financial support or further exemptions (EU rules). This would in any case undermine environmental and public health commitments. So, even with our best efforts, farmers inevitably face a significant increased burden of regulation (not only in the environment area). Some of them will find this very difficult to sustain.

4. An Agriculture Regulation Steering Group, chaired by Anna Walker, met for the first time on 9 May. Members are drawn from across DEFRA as well as elsewhere in Government (Cabinet Office, FSA, EA, etc.)

8. **ILLEGAL IMPORTS**

- NFU involved in and signed up to the Government's action plan published 28 March. At a meeting on 8 May NFU official (and a representative from the National Pig Association and National Beef Association) indicated he was appreciative of the action being taken.

- Progressing the various elements as a matter of priority, of which key points are listed below.

- **Disease Risk assessment** – on target for the autumn completion. Steering Group met on 29 April - the NFU is represented by Michael Seals. Too early to reach any conclusions.

- **Publicity** – taking forward a range of measures including paid publicity at key airports and a public information video, with aim of an awareness campaign to run over the peak summer holiday period.

- **Co-operation between agencies** – Though not public knowledge yet, centre of government (as pushed for by the SoS) is planning to undertake a review of enforcement structures before the autumn. A draft of the 'plain man's guide' (promised in the action plan) on current roles and responsibilities was sent to the NFU on 9 May for comment.

- **Effective intelligence** – we are working with the enforcement agencies to identify further improvements that can be put in place - to gain a better idea of the current volume and types of checks taking place on all the potential smuggling routes and to gather and disseminate all data that will help target anti-smuggling measures more effectively.

- **Legislation** – Regulations were laid on 1 May which includes the powers for enforcement officers to search personal luggage for meat and other animal products. The powers become effective 22 May but this does not mean that there will be an increase in enforcement of activity from that date since such issues are also linked to funding and manpower availability.

- **Detector dog** – Main effort is pulling together all the ingredients for running the pilot. This includes negotiating terms with dog training experts for training dog(s) and handlers as well as putting in place the infrastructure to support the pilot (kennelling, back-up teams, protocols with other enforcement agencies etc).

9. CHARGES IN RELATION TO CATTLE TRACING

1. The British Cattle Movement Service (BCMS) manages the Cattle Tracing System (CTS) for Great Britain, maintaining a register of births, deaths and imports of cattle, issuing cattle passports and recording cattle movements. Although charging was initially planned for recovery costs these were waived with the agreement of HM Treasury until 1 April 2004. As part of SR 2002, we are exploring options for the introduction of charging for CTS. **The NFU have not been officially informed of this work but an extended version of this briefing was requested by Martin Hurst for a meeting on 2nd May.**

2. Options under consideration are:

- **Birth Registration:** this is a mandatory contact between a keeper and BCMS and without such contact, the animal has little value, cannot enter the food chain or receive any subsidies and is prohibited from movement;

- **Charging at death/slaughter:** the death/slaughter of an animal must be reported to the database. The death of the animal will trigger payment of a slaughter premium scheme payment and thus an incentive for the keeper to pay a CTS fee. Alternatively such a fee could be recovered from the slaughterhouse;

- **Future options:** it may be possible to shift the burden of charging to those making enquiries and deriving benefit from the database (e.g. prospective purchasers of an animal, marts who are attempting to sell it and slaughter houses wishing to confirm that it meets a certain specification). Such charges would be seen as access costs to data which would only work if the hard copy cattle passport document is withdrawn, as the passport can currently be read for nothing.

- **Charging for reported transactions during an animal's life:** Movement reporting is a weak link within the system and the imposition of a charge at this stage would act as a further disincentive for farmers to keep the database up to date. The cost of recovering the fees may be disproportionate to the level of the fee sought.

3. The costs to the farmer of new proposals will depend on exactly which option is chosen and the extent of the costs it is proposed to recover. We estimate that full cost recovery would be around £10 per head.

4. Charging is, unlikely to be acceptable to the livestock industry unless accompanied by measures to increase the efficiency and user-friendliness of the Cattle Tracing

Scheme and to ease the general regulatory burden on farmers. Investment is currently in progress which should help to deliver improvements in CTS.

10. BEEF BAN AND BEEF EXPORTS

KEY MESSAGE

- Have repeatedly made clear to the French that we expect them to lift their ban immediately. On the wider front we want to see the re-establishment of British beef exports on world markets following the end of the foot and mouth outbreak and we are working with the Commission to amend the rules of the Date-based Export Scheme to make the Scheme more workable.

KEY QUESTIONS

What is the Government doing to get the French beef ban lifted?

- This is principally a matter for the Commission which is receiving our full support in formally seeking an explanation for France's failure to comply with the European Court of Justice (ECJ) Judgement. This is the first stage in a procedure which could lead to further proceedings in the ECJ and the imposition of substantial penalties.

What is the Government doing about compensation for farmers?

- It is not for the UK Government to claim compensation in this case but we will provide information and practical assistance (although not financial support or detailed legal advice) to exporters who wish to pursue claims for compensation against the French Government.

- We have formally intervened in the NFU case against the French Government which the French Courts have referred to the European Court of Justice and we now await the Judgement of the Court.

What is the UK Government doing to encourage beef exports?

- We are pressing the Commission to amend the conditions of the Date-based Export Scheme to make it easier for UK companies to export and we are in regular contact with the industry about re-establishing beef exports.

Stephen Wall

From: Martin Hurst
Sent: 14 May 2002 14:18
To: Stephen Wall
Cc: Bourne John - European Secretariat -
Subject: FW:

File.

table.doc

Stephen

You may be interested in the attached table from DEFRA, looking at the implications for ms of ceilings on CAP payments - a possible Fischler compromise re degressivity. (You will recall the Pm asking for some analysis along these lines.)

Not sure how we should advise him re next weeks mtg - Fischler will probably raise it. I don't think we can afford to be too negative on transfers to smaller farmers: without something like that its hard to see what's in the package for Fischler or how he could sell a reform line to some of the key swing countries. I will put a draft brief past you on Thurs. But in advance, might a line run:

' Strongly pro degressivity. Understand where you are coming from on small farms. Obvious cost to the UK, and could certainly not welcome such a move. But always prepared to examine workjed up options.'

-----Original Message-----
From: Williams, Ann L (AFID) [mailto:Ann.L.Williams@defra.gsi.gov.uk]
Sent: 13 May 2002 12:52
To: 'martin hurst'
Cc: Desai, Ragini (EUAC); 'wall'; Bourne (E-mail)
Subject:

Martin

cc as header

We spoke briefly last week about the question of persuading the Commission not to propose a ceiling on aid to larger farmers. Our anxiety about this is illustrated in the attached tables. The first shows that a ceiling of EUR100,000 would impact very hard on UK and German farmers, and hardly at all on anyone else. In fact although the gross figures show the Germans hit harder than we are, in fact the reverse is true. Their impact is borne largely by a relatively small number of farms in the Eastern Länder whereas here farms right across the country (mostly in England and Scotland - see second table) would suffer. You can see why it is so appealing to other member states!

In addition, a ceiling would operate contrary to the whole approach of our objectives for farming which is to make it more competitive. It would in effect create a perverse incentive to farmers to break up their farms so as to avoid the ceiling.

Finally, in tactical terms, if we are ever to concede something on a ceiling we will need to be sure we are getting something pretty good in return - like a decent rate of degressivity and a decent increase in our share of the Pillar 2 cake. It is real endgame stuff. So it is vital that the PM does not give anything on this away at this stage.

Hope this helps.

Andy

<<table.doc>>

M Hurst & JB (MD)

Tricky. I can't see the PM accepting a strike against us like this. And the Germans would have to agree because of the eastern Länder. I think we should attach these tables to the brief. And at this stage be pretty tough w Fischler "Odd way to reform the CAP if you penalise one of the countries that already does least well from it".

SWall
15/v

13/5/02
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Impact of imposing a ceiling on CAP direct payments

	Reduction in receipts with a ceiling of €100,000 (€ million)	As a % of all direct receipts %	Reduction in receipts with a ceiling of €50,000 (€ million)	As a % of all direct receipts %
Bel/Lux	0	-	13	2%
Denmark	9	1%	40	4%
Germany	766	14%	878	16%
Greece	0	-	0	-
Spain	118	3%	257	5%
France	61	1%	483	6%
Ireland	0	-	14	1%
Italy	131	3%	226	5%
Netherlands	0	-	8	1%
Austria	0	-	0	-
Portugal	0	-	0	-
Finland	0	-	0	-
Sweden	0	-	22	4%
UK	367	12%	696	17%
Saving over current policy	1452	4%	2636	8%

Estimated loss of CAP direct receipts from imposing ceilings of €100,000 and €50,000

	England	Scotland	Northern Ireland	Wales
Total Direct Receipts (£ million)	1450	386	237	222
Loss of receipts with a €100,000 ceiling	130	47	1	5
As a % of total receipts	9%	12%	<1%	2%
Loss of receipts with a €50,000 ceiling	390	122	6	29
As a % of total direct receipts	27%	32%	3%	13%