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Response of the Deer Initiative to the public written consultation on:

**THE DRAFT FOOD HYGIENE (ENGLAND) REGULATIONS 2005 AND
ASSOCIATED INDUSTRY GUIDANCE**

Introduction

The Deer Initiative (DI) is a wide partnership of statutory, non-statutory, voluntary and private interests. Whilst originally set up by the Forestry Commission and still, in the main, funded by the Forestry Commission and English Nature, it has a core staff whose activities are both to co-ordinate the relevant activities of the partners and to deliver some functions directly.

The aim of the DI is *“to ensure the delivery of a sustainable, well managed wild deer population in England and Wales”*. The staff and finances of the DI are managed through the DI Ltd, a charitable company limited by guarantee, dedicated to supporting the DI. This response reflects the views of the staff of the DI: our partner organisations will respond separately.

Background

The Deer Initiative is solely involved in the management of wild deer and we therefore have an interest in venison but no other food product, though some of our comments may also be applicable to other wild game.

In support of our aim of achieving sustainable deer management we have been involved at a local, regional and national level in venison quality assurance and marketing initiatives in England and Wales. We have been involved in a number of projects which have attempted to follow a ‘field to table’ approach to deer management and in particular we have tried to foster a ‘locally culled, locally processed, locally sold’ ethos.

We have therefore looked at the wild venison production and processing industry in some detail and would make the following general comments in addition to the detailed responses to the questions set out in the consultation.

A report¹ on the deer industry (prepared for Defra and the FSA) in 2002 suggested that the scale of the wild deer venison production in England was in the order of 1000 tonne per annum. We are aware that Defra (Livestock Products Division) have recently commissioned research to assess the impact of an increased amount of wild venison available for sale in the UK and abroad and it is unfortunate that this report will not be available until March.

In the absence of this data BASC research suggests that in 2003 over 180,000 deer were culled in England and Wales. This equates to at least 3400 tonnes of venison each year. Table 1 shows the percentage of each species that is currently sold to licensed game-dealers. The remainder is consumed by the primary producer.

Table 1: Percentage of wild deer carcasses (by species) sold to Game-dealers by individual stalkers/estates in England in 2003 (BASC unpublished research)

Deer/country	% Game-dealer
Roe (England)	46
Muntjac (England)	19
Red (est based on Scotland)	85
Fallow (England)	76

Game-dealer records indicate that the average weights for the different species are: -

- Roe – 12kg
- Sika – 21kg.
- Fallow - 24kg
- Red – 42kg
- Muntjac – 8kg
- CWD – 10kg

Based on the percentages and average weights we now estimate that the total wild venison production in England is now in the order of 3400 tonnes. The breakdown is shown in Table 2.

Table 2: Breakdown of wild deer venison production by species (BASC unpublished research)

Species	Cull	Weight (tonne)	Home	Dealer
Red	17,500	735	110	624
Roe	74,500	894	482	411
Fallow	61,500	1476	354	1121
Sika	5,000	105	21	84
Muntjac	23,500	188	152	36
CWD	1,500	15	12	3
TOTAL	183,000	3413	1131	2282

Our major concern with the implementation of the new regulations is our lack of knowledge of the game-dealing sector. As far as we are aware, there are less than 6 game-dealers in England currently legally exporting venison and

¹ Report on the Deer Industry in Great Britain, 2002, R Munro Nov 2002.

which could therefore be considered as reaching the proposed H2 standard. We estimate that these licensed premises are processing less than 40,000 of the carcasses currently being produced. This leaves over 60,000 carcasses which are processed by small game-dealers (many of whom probably do so as a marginal activity). We are extremely concerned that the RIA does not recognise the impact that the changes may have on this sector. The smaller game-dealers do not have a representative body and we are not aware of any small dealers who have been contacted by Local Authorities during the consultation process.

As part of a wider deer management project in Herefordshire, in one local area alone, we have identified 7 categories of game-dealer currently registered with Local Authorities. The complexity of the current system is shown in the table below.

Table 3: Breakdown of Game-dealer activity in venison (✓) in the Heartwoods deer management project area

Game-dealers (Number of dealers)	1 Buying from local stalkers	2 Buying from other dealers (not necessarily local)	3 Selling locally	4 Selling out of the local area	5 Stalker (game-dealer) who is also a retailer	6 Stalker (game-dealer) who sells to local dealers	7 Selling to other local dealers
Ludlow (8)	✓✓	✓✓✓	✓✓✓✓✓	✓	✓✓	✓✓	
Cleobury Mortimer (1)		✓	✓				
Bishops Castle (2)		✓✓	✓✓	✓			✓
Craven Arms (1)		✓	✓				
Dorrington (1)		✓	✓				
Bromyard (2)	✓✓	✓	✓				
Downton (1)						✓	
Ledbury (2)	✓		✓			✓	
Hereford (6)	✓✓✓	✓✓✓✓✓✓	✓✓✓✓✓✓	✓		✓	
Leominster (4)	✓✓✓✓	✓✓✓	✓✓✓✓				
Ross on Wye (2)		✓	✓✓		✓	✓	
Weobley (1)	✓					✓	
Orleton (2)	✓		✓		✓	✓	
Wormbridge (1)					✓	✓	
Ewyas Harold (1)	✓		✓				
Colwall (1)	✓		✓				

Category 5 & 6 dealers may fall into the small numbers/local sales exemptions below but of those dealers processing in the area only one (coincidentally) is currently export-licensed. Many of the dealers in Categories 1-4 & 7 are currently processing carcasses and it seems likely

from our initial enquiries that the changes in legislation will reduce the current capacity.

General Comments

1. At a time when deer culls are generally on the increase we are extremely concerned at the possible impact of a potential reduction in outlets for the resulting venison. This likely reduction in the number of MHEs processing venison will, at the very least, result in increased transportation costs and thus a lowering of the price paid to the primary producer for venison.
2. Our major difficulty in responding to this consultation was the lack of readily available information on the industry. The likely Defra proposals to remove Game and Game-dealing licenses will mean that in future there will be even less opportunity to obtain data unless we take specific action to do so. In Scotland venison dealers have a statutory responsibility to produce returns on carcasses and this allows SEERAD (through the Deer Commission for Scotland) to track both deer culls and venison processing. We would strongly recommend that a method of tracking wild venison carcasses from primary producer through processors is introduced as part of this process. This would aid not only food safety but would allow Defra to have more information on deer management across the country.
3. The RIA suggests that the new legislation will not have a direct financial impact on primary producers. We are not convinced that this is the case. We believe that all stalkers who hold deer for sale or game larders will have to register as food businesses (until now those operating for less than 5 days in 5 consecutive weeks have not). This has planning and local tax implications and many will also need to install chilled storage facilities, which has a significant financial implication.
4. **Hunter training** You have not asked specific questions relating to hunter training and we are generally content with the progress to date on appropriate qualifications. It seems likely that many individuals will have to undergo training (and assessment) to satisfy the requirement to supply game to H2 processors. The number of individuals has been estimated at between 5000 and 30,000 in the first year and this direct cost to individuals who are not employed within established businesses is substantial and should not be overlooked.

The large game industry has developed a training system which is already delivering outstanding levels of food safety and to date nearly 8000 people have voluntarily attained the Deer Stalking Certificate at level one which contains modules on food legislation and meat hygiene. Given that one of the tenets of the new regulation is that controls should be commensurate with the risk, we believe that there is a case for a derogation to allow holders of the DSC qualifications to be exempt from further training and that other related qualifications within the game sector should be given a similar consideration. It will be tragedy if game industry-designed qualifications are ignored especially when they have

proven themselves to be exceptionally effective. Such an outcome would be an issue of equity and fairness particularly where many thousands of individuals have to expend further time and financial outlay for a very questionable additional food safety benefit.

5. We would suggest that it might be appropriate to include 'game larder/store' as a specific type of premises in Annex I the 'Application form for the registration of food establishments'.

Specific questions/issues

We have only commented on those specific questions which are relevant to wild venison production:

6. Draft FSA Guidance on the Requirements of Food Hygiene Legislation applying in the UK.

We welcome the draft guidance on the requirements of the food hygiene legislation applying in the UK. The key to ensuring compliance within the wild venison industry is to ensure that the guidance is given the widest distribution possible and is accessible to all deer managers. It should be noted that approximately 87% of those that cull deer in England do so as a recreational activity and thus cannot necessarily be reached through usual routes. We would be happy to be involved in the dissemination of the necessary guidance to ensure the widest availability within the industry.

7. You asked for specific comments In relation to Annex H.

Paragraphs 1 and 3 – Direct supply to the final consumer, or local retail establishment, of small quantities of wild game or wild game meat.

As we stated in our response to the earlier consultation we believe that a small quantity would by nature be self-defining, in that individual primary producers are limited by deer culls, time and the fact that a local market can only support a certain level of trade. However if it is necessary to provide a figure for guidance then 300 is acceptable. The Scottish proposal takes no account in the variation in deer species across the UK: 300 red deer would generate in the order of 10 - 15 tonne of carcasses, 300 muntjac would produce less than 10% of this quantity.

Nor does the Scottish proposal take into account the seasonal nature of deer culls. The restriction on out of season venison sales and, in particular the requirement in England for the female cull to be carried out between 1 November and the end of February, means that any weekly limit would provide a significant obstacle for producer/processors and might inhibit culling operations. We believe that the new legislation already places a large burden on small producers and any reduction in the exemption to no more than 75 (or 150) carcasses per annum might well drive sales 'underground' thus increasing the already significant illegal trade in venison.

We agree with the current proposal that "local" and "localised" be interpreted in guidance as 'sales within the supplying establishment's own county *plus*

the greater of either the neighbouring county or counties or 30 miles/50 kilometres from the boundary of the supplying establishment's county'. WE fully support the interpretation that "County" should mean metropolitan or non-metropolitan counties in England and Wales as defined in the Local Government Act 1972 and London Government Act 1963 (e.g. Greater London, North Yorkshire & Leicestershire). We believe that this makes allowance for the imbalance between closely spaced urban authorities and widely spaced remote populations, as well as those on the boundaries or bordered by the sea.

8. Paragraph 4 – Retail-to-retail supplies and the interpretation of "marginal", "local/localised" and "restricted"

Whilst we have no national figure for the number of butchers who process venison as a marginal activity it is clear from our local research that there are a significant number of game-dealers in Categories 2,3 & 7 (above) whose main activity is as a butcher. We believe that most of the 60,000 carcasses described above which do not reach export-licensed premises, are processed and retailed through these game-dealers.

We are not convinced by the argument that approval as cutting plants would not be as significant a burden as licensing under the current regime.

9. Draft Summary guidance on the new food hygiene regulations

Whilst the 3 summary guides for particular business sectors are useful, we would highlight the point made in Paragraph 1 above that up to 12,000 deer stalkers/managers will in some way be affected by the legislation and it is vital that sufficient guidance is provided for them and Local Authorities to allow a smooth transition to new legislation that comes into force in the middle of the busiest part of the year.

10. Comments on the consultation process itself:

Our response to the Consultation Feedback Questionnaire is attached at Annex A.