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Animal By-Products Team,
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Dear Neil

Consultation on the Review of the Animal By-Products Regulation (EC) No. 1774/2002

Thank you for the opportunity to respond to the above consultation. 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.

Our current remit includes the provision of advice on both wild deer and feral wild boar and we have viewed this consultation in the light of our experience in dealing with the management of these species.

This subject has been debated extensively within the Partnership and with your Department and the Environment Agency. We believe our response reflects the views of both the staff and other Partners in relation to wild deer and feral wild boar but many of our partner organisations have a wider remit and may well submit their own responses separately.

We generally support the proposed revisions to the Animal By-products Regulation (ABPR), especially where this brings legislation into line with better regulation practice, clarifies the scope of the Regulation and removes some of the duplication of requirements for the approval of certain premises.

There are a number of interfaces between this and other legislation including the revised Waste Framework Directive (WFD) and the Waste Incineration Directive (WID), and any move to clarify, rationalise and avoid unnecessary duplication with these is welcome.

Our detailed response the consultation is attached to the relevant questions is attached, but in summary, we believe that all wild animal by-products' **should be included** in ABPR legislation but with exemptions for no/low risk activities. In particular:

- Approved premises should be within the ABP with no reservations.
- Registered premises should also be included but subject to an exemption for healthy wild animals and birds (i.e. game meat producing sources).
- Products of the evisceration (of healthy wild animals) in the field should be subject to an exemption.
- Primary production for private domestic use should be subject to an exemption.
- The domestic preparation, handling or storage of food for private domestic consumption should be subject to an exemption.

A handwritten signature in black ink that reads "Peter Watson". The signature is written in a cursive, flowing style with a large initial 'P'.

Peter Watson
Executive Director

DETAILED COMMENTS IN RESPONSE TO CONSULTATION QUESTIONS

Q2: The Commission has proposed that where wild game is processed in approved game establishments, the disposal of ABPs should be controlled under the regulation.

To avoid confusion and overlap between the ABPR and the WFD we believe that ABPR is the right place to legislate for wild game. It needs to provide the same level of protection for the environment as WFD making sure the controls are proportionate but not excluding ABPs completely such that they fall out of ABPR and under WFD.

We support the Environment Agency (EA) view that the proposal in draft Recital 13 and the definitions in Article 2 which excludes entire bodies or parts of wild animals that are not collected after killing, in accordance with good hunting practices, from the scope of the Regulation is not helpful.

We agree with the EA that low risk activities that are part of 'good hunting practice' should not be regulated. If they believe that the effect of the excluding them from the Regulation means they will be subject to WFD (as they believe is currently the case) we would prefer that the practice should be subject to the Regulation, but then lay down rules to ensure adequate protection of the environment thus avoiding the need for regulation under the WFD.

Q9: Extension of derogation on burial of fallen stock.

We agree with these proposals to allow burial of animal by-products in the cases identified in the proposed European Regulations, e.g. where access is impractical, or there are health and safety risks of collection. We note that in all cases authorisation by the member state is required. In the case of healthy wild animals a minimal or light touch regulatory approach is warranted. We fully accept that in all cases the minimum standard applied to burial should be as set out in the Code of Good Agricultural Practice ("The Water Code", revised 1998. MAFF/Welsh Office).