

8 Martin Rd
Centennial Park
Sydney N.S.W. 2021
21/3/2011

The Members of the Committee
Participating Members, Senators Chris Beck and Senator Richard Colbeck
The Senate Rural and Regional Affairs and Transport Committee
C/- The Secretariat, Ms Janette Radcliffe and Ms Trish Carling
The Senate, Parliament House, Canberra ACT 2600.

Dear Senators,

Please find enclosed a submission to the Committee, following email and personal contacts with DAFF's veterinary colleagues, including the Principal Scientist, Bio-security Australia, Dr. Michael Nunn, a veterinary colleague who has respect, both within and outside DAFF.

The most important purely scientific matter that was referred to Dr. M. Nunn, in a meeting at the 7th March 2011, Sydney University's Veterinary Public Health Forum, is the existing contrasting opinions between two world authorities on prion diseases.

One authority is no longer involved in research, the other is the world leading prion diseases' researcher.

Professor Michael Alpers, with American help, was the first to prove the transmissible nature of TSE diseases, recognised, as such, in the human TSE-Kuru.

Professor Alpers is a member of the Transmissible Spongiform Encephalopathies Advisory Committee to our Government.

Michael has advised, in a personal letter, that he believes that the results of transgenic mice transmission experiments should not necessarily be taken as a major index of possible future inter-species transmission, despite emerging research finding of the last 4 years.

This contrasts strongly with opinions of Professor Stanley Prusiner, of the University of California, the researcher who identified the anuclear proteins, which are the actual agents of transmission in TSE diseases, which he called "prions".

He is now very actively working, via transgenic mice transmission experiments with evolutionary molecular biologists and geneticists, on two of the most highly infective of all TSEs, occurring naturally to date - Chronic Wasting Disease (CWD) in deer and the ubiquitous Scrapie.

These differences of scientific opinions are brought to your attention.

These differences in scientific opinions are considered as important as is the flawed nature of and the alarming lack of knowledge of the epidemiology of TSEs, shown in the Scientific Report by the Consultant to the Government, Professor John Matthews.

Professor John Matthews 2009 Scientific Report was regarded by the Commonwealth Government as the scientific basis for changing Australia's BSE policy, to allow 22 Category 2 countries, as defined by the OIE to be considered by BA and FSANZ, to be granted permission to import their beef and beef products into Australia. This 2009 Report was presented to Government and accepted by all the Government's statutory human health advisory bodies, without dissent.

This flawed 2009 Scientific Report by Professor Matthews and the differing opinions on the relevance of transgenic mice transmission experiments between two world renown scientists is brought to the Committee's attention.

Please find below, unanswered enquires asked of Dr. M. Nunn, Dr. Andy Carroll, the Chief Veterinary Officer of Australia, Dr. Colin Grant, Chief Executive of Bio-security Australia and senior veterinary colleagues in DAFF. These officers may not be able to answer the questions asked, for reasons of confidentiality or may not be answered within the time before your deliberations end in April 2011.

These enquires relate, in part, to publications and correspondences in the Australian Veterinary Journal (AVJ):-

- (1) About the existing states of dis-hygiene and negligent bio-security at the Eastern Creek Quarantine Station(ECQS) in 1999 and 2000, which are considered to be directly related to the escape, from the ECQS, of the EI A horse virus,, the subject of the Callinan Inquiry in 2007.
- (2) **About the urgent bio-security need to have clearly definite leadership from the Federal Government, to develop and enforce uniform mandated Legislations, to override the divers and often unintelligible State and Territory legislations, which individually deal with the varied degrees of prohibition of illegal swill feeding of pigs. This was first reported in the AVJ in October 2006, for N.S.W. and the port of Sydney, and then again reported in the AVJ but this time for all States and Territories in August 2010.**

Please refer to **Attachment(A)- 24thNovember 2010 letter to Animal Health Australia.**

Please note the delay taken by Animal Health Australia in examining this issue. The advice provided by the Chief Veterinary Officer of Australia, Dr .Andy Carroll, is that Animal Health Australia has, only in November 2010, commenced their examinations of this issue.

(3) About the reasons why DAFF since 1995 has failed, to safeguard pet animals' health from unsafe pet foods-particularly fresh and frozen pet meats sourced from indigenous ,feral and domestic animals.

Please refer to **Attachment (A) and to Attachment (B)-17th February 2011 letter to Dr. Andy Carroll, Chief Veterinary Officer of Australia.**

(4)About why DAFF and FSANZ, only in late 2010, have realised the National bio-security importance of having in place **vital bio-security measures of “from origin trace-back to all movements trace- forward traceability” for pet and domestic animal foods sourced from indigenous, feral and domestic animals.**

These products include processed meat meals and pet foods and fresh and frozen pet meats sold to consumers in Australia and exported.

Australia is the world's largest exporter of frozen meats for pet foods. The export trade is under DAFF's supervision but delegation to States' Health Departments occurs, to ensure parochial hygiene quality control . **The National bio-security responsibilities of this huge export market still exists and remains with DAFF.**

These “origin- trace –back, and movement trace forwards traceability systems” must start from and include field sites of slaughter and travel arrangements to and from slaughter facilities of all kinds, in all States and Territories.

These. animal sourced protein food stocks and all derived products, including residues from human abattoirs and knackeries in Australia, are used in manufactured and in unprocessed foods for domestic animal and pet animals consumption.

Particularly you are referred to the very dangerous practice in Australia of the feeding of ruminant sourced processed meat meals to pigs.

Spontaneously occurring TSEs such as Scrapie or even atypical spontaneous BSE in cows must be expected in our flocks and herds.

Transgenic mice transmission experiments indicate that when BSE rogue prions BSE(PrPres) were transmitted experimentally to mice expressing porcine PrPres, increased prion amplification of porcine PrPres occurs in these mice after prior passage through sheep.

These mice had become more susceptible to BSE after the rogue prions had passed through one sheep generation.

Thus one animal species may covertly increase the possible chances of spreading a spontaneous occurring TSE back to the original host species.

Australia has no declared evidence of TSEs in their domestic ,indigenous or feral animals and is unique in the world in this freedom from these diseases. Spontaneous TSE cases must occur in our huge populations of sheep and cattle and if the TSE had a similar oral transmission to BSE ,the present practice of feeding ruminant derived meat meals to pigs would complete the transmission cycle.

(5) Why the existing the 2006 “Australian Standard for the Hygienic Production of Pet Meat” AS 48412006 has no legal mandate or legal compulsion to require fresh and frozen pet meat providers to conform to this Standard.

Pet animals have been diseased and died as result of this for years, despite DAFF having been fully informed by the Veterinary Profession in the AVJ and by direct contacts..

(6)Why the proposed “Australian Standard Manufacturing and Marketing of Pet Food”, to be AS5812-2XXX will again not be mandated. or have any legal status to compel providers to sell safe pet foods,.

Serious faults are seen to exist in the Draft document of this proposed Standard.

The Committee is referred to Attachment A about these faults.

Please find concerns about the following bio-security issues, including the 2010 USDA website issue, discussed with Dr. M Nunn.

(1) Bio-security Australia’s stakeholders’ involvement in consultations with B.A.

For registered stakeholders, the degree of involvement with BA is minimal. The Committee should be aware that BA policy decisions and their changes, are made with little reference to stakeholders.

There is little consultation and the process may not be a safeguard at all against unwise decisions taken by BA.

It seems to be more of a political process for business self-interest expression than a bio-security safeguard system for quarantine against exotic animal diseases. DAFF has suggested at Government Inquires that it a bio-security consultative process to seek informed opinions, to support policy decisions to be taken .

(2) I have asked Dr. M Nunn, Chief Scientist BA, to review the following questions.

(a) What did and when did B.A. actually do anything, following the Japanese public internet notification, on the 31st March 2010, of the Japanese outbreak of F&M Disease in pigs?

Japan notified this event to the OIE on the 20th April 2010. Please not the 3 week delay.

(b) Why did B.A. announce on the 8th April 2010, that it was conducting a BSE IRA for Japan, **8 days after the Japanese public internet announcement of F&M disease in pigs on the 31st March 2010?** BA announced that it has commenced an IRA on Japan and other Category 2 countries, as defined by the OIE (,such as Canada and the US) wishing to import beef and beef products in Australia on the 8 April 2010.

(c) Why was the “stop the clock” provision for the BSE IRA for Japan only invoked on the 10th May 2010, 6 weeks after the initial public notification of the F&M disease ?

(d) When was the “ stop the clock” provision invoked for the BSE IRAs for Canada , the US and were all the Category 2 countries, as defined by the OIE ,who may wish to import beef and beef products into Australia also included, in these invocations by BA?

(e) Did Dr. Nunn consider that the Japanese delay (20th April 2010), in notification of its F&M outbreak, to the OIE, is a indication of **the purely voluntary nature of animal disease notifications to the OIE by Governments ?**

Governments may decide to report an outbreak or an occurrence of a disease, or they may not, even if they are signatories to the WTO Charter in Fair Trade.

(f) Dr. Nunn was asked when the “stop the clock” on the BSE IRAs for Canada and the US ,for Argentina, Uruguay Brazil and the 22 Category 2 countries were invoked?

(g) He was asked why stakeholders had not been notified of the IRAs “ stop the clock” provisions, for Canada until November 2010 for the US, January 2011 ? Was this delay for the US due to the revelation to the Australian public in August 2010, of the false USDA website advertisement for the 2003-2008 importation into Australia of US live cattle and US beef and beef products ?

(h) Dr. Nunn has been asked repeatedly to supply the date of commencement of country wide, federally legislated “country of origin” and “ individual animal from birth to slaughter identification” systems that may or may not exist in Brazil, Uruguay, Argentina, Canada, and the US since 2003.

(i) He has been asked why this information requested in (h) is not readily available, as these are basic bio-security requirements for BA to be aware of, with the nature of borders of South American countries, many of which are un-manned, uncontrolled, existing in many cases only on maps or with road-side markers or unmanned road stations in unfenced terrains.

(j) Dr. Nunn is again asked to indicate how BA could possibly know where beef and beef products came from, in the hundreds of tonnes of canned beef imported into Australia annually from the US, between 2003-2008, when there were no federally legislated US "country of origin" or "individual animal from birth to slaughter" identification systems existing?

He has been advised that Mexico and Canada are now challenging this US Federal Legislation on country of origin, in the WTO and of the US Government's problem in controlling illegal human traffic from Mexico.

There is still no federal legislation in the US on individual animal from birth to slaughter traceability.

The Committee has been advised by BA that the meat and meat products contained within a SINGLE line of product, that was examined at the *in camera* Senate Hearing, was Australian beef and beef products that had been imported into the US, PROCESSED there, then imported into Australia.

The Committee is aware that thousands of tonnes of US PROCESSED canned beef have been imported into Australia from 2003 to September 2008, which have unknown origins.

How can BA know where these thousands of tonnes of beef in imported canned beef products, came from.
Was it Mexico ?

How can there be credence in the USDA's integrity and honesty after their corrupt advertisements, aimed at misleading Asian Governments into importing US beef and beef products, because the USDA misleading statements on its website that Australia does allow live animal and carcasses imports, so it must be safe?

How can any Australian accept as correct, the written explanations provided to this writer in letters received from BA's Dr. M. Nunn and Dr. Colin Grant?

I cannot accept these written explanations. In my opinion, from the evidence provided, they need to be examined forensically by a suitably qualified person.

(k) Dr. M Nunn is referred to the granting of permission by BA, for AQIS to issue import permits for Brazilian beef in 2004 and then, in 2005, to the evidence of BA's profession negligence that was exposed on public T.V..

Dr. Nunn is asked to provide all details of communications between BA's stakeholders and DAFF and BA, which preceded this policy and which may have supported this policy's implementation.

Dr. Nunn is asked why the then Principal Scientist of BA and other veterinary officers in BA, provided false and misleading information to the first 2005 Senate Inquiry into this Brazilian Beef Scandal.

He was asked to explain why there was no co-ordination of responsibilities between BA and AQIS on this policy.

(L) Dr.Nunn is asked to advise what communications occurred between DAFF and stakeholders before the EIA virus escape from the Eastern Creek Quarantine Station (E.C.Q.S.), in EIA vaccine usage choice and other bio-security measures which were purported to exist.

He is asked to explain why false and misleading information about the hygiene and bio-security, existing at ECQS in 1999 and 2000, was given by DAFF to the Veterinary Profession in the Australian Veterinary Journal., even in a deceptive and misleading Correction (Correction Aust. Vet. J 2000,78, 98)?

Dr. Nunn is asked why DAFF and later BA, never considered that it was necessary to correct this written false and misleading information to the Veterinary Profession that was revealed in Aust Vet. J(Vol 78, No. 7 July 2000) ?

He is asked why DAFF and BA's then Chief Executive Officer Mr. John Cahill , falsely stated that DAFF and BA, had replied to the author of the above article in the AVJ , and by so doing, was misleading the then Minister of Agriculture? DAFF and BA have they never corrected this misleading information, other than to state in 2007, that "it was not considered necessary at that time. Why was this not corrected in a professional manner ?

Dr Nunn is asked **what were the supporting "measures" as mentioned in the Callinan Inquiry by Council assisting the Commissioner, as per SUBS.INQ.001.0036 in the sections below and which have never been answered by BA?:-**

6.30 "Notwithstanding that this was apparently the view within Bio-security Australia, it did not recommend or require by any import conditions or otherwise that vaccines containing out to date strains not to be used{138} or that vaccines which were regarded as less than efficacious than others which were available not be used (127)".

6.31----"-The second (reason for not using the best available EIA vaccine) was that vaccination was only one of a number of measures taken to minimise the risk of horses with equine influenza being introduced into the general Australian horse population"

What were the number of measures?

(m) Dr. Nunn was asked why ,in 2006-7, without reference to stakeholders or anybody in the field, BA approved the policy, by which AQIS issued export permits for dairy cattle to be exported to New Caledonia?.

These Australian cattle infected New Caledonian cattle with a new tick vectored disease for which they had no acquired resistance at all. Australian cattle born and living in coastal areas acquire resistance progressively, initially from their mothers' milk, but many farmers find it necessary to vaccinate as well.

(n) Dr. Carroll has been asked to reveal the present cost to Australian taxpayers of this professional negligence, which any QLD dairy farmer would have warned BA against, had he known that New Caledonia did not have tick fevers in their cattle. Farmers would have known that New Caledonia would have been expected to have an even greater tick infestations than coastal Qld dairy cattle.

Advice received suggests costs for chemicals, veterinary and non-professional staff travel, salaries, accommodation etc and compensation claims, now stand at over 150 million dollars.

Dr. Carroll is asked to confirm or deny this figure and provide the amount to date.

(o) Dr. Nunn has stated that the circumstances surrounding the USDA website scandal cannot be revealed because of reasons of confidentiality.

This has little credence because of false and misleading information supplied to the veterinary profession in 2000, to Government Inquires in 2005 and 2007 and by the concealment of the costs for the New Caledonian scandal.

(p) Professional officers in DAFF and BA have no accountability to States' and Territories' Veterinary Surgeons Boards, that register all other veterinary surgeons to allow them to practice veterinary science lawfully.

Conclusion

It is suggested that the Committee could examine the efficacy to animal bio-security, of registered stakeholders' present levels of consultation with BA.

It is suggested that the Committee could examine the urgent bio-security need to have clearly definite leadership from the Commonwealth Government, to develop and enforce uniform mandated Commonwealth Legislations, to override the divers and often unintelligible State and Territory legislations, which individually deal with the varied degrees of prohibition of illegal swill feeding to pigs.

The feeding of ruminant sourced meat meals to pigs should be examined by the Committee, as the practice may be a future link in the oral transmission of future spontaneously occurring TSEs, that must be recognised as occurring in our cattle and sheep populations.

Transgenic mice experiments show increased susceptibility (ie, amplification of rogue prions occur) to TSE infection, following a SINGLE

generation passage through sheep, let alone, very possibly, even greater prion amplifications from passage through many generations.

It is suggested that the Committee could examine if the Commonwealth Government needs to formulate mandated legislations, as vital bio-security measures, for animal foods' traceability, from "from origin trace-back to all movements trace- forward traceability" for pet and domestic animal foods sourced from all indigenous, feral and domestic animals.

It is suggested to the Committee that it could examine if the Commonwealth Government could introduce Federal mandated country- wide legislation , to over-ride States' and Territories' legislations, to ensure pet food safety, for the first time in the history of this Nation.

At the moment, States control hygiene etc at their parochial State registered facilities but the Commonwealth Government states that it is only responsible for export products and quarantine and for Australian consumers, pet food safety is the State and Territory responsibility.

This is not accepted, as it is bad governance by both State and Federal Governments.

A private company, Standards Australia, has submitted to Government and Industry, 21st September 2010, a draft document, which may deal with this traceability and also may deal with pet food safety.

If the Standard Australia's draft, 21st September 2010 , "Manufacturing and Marketing of Pet Food" is accepted , the Committee should be aware it will have no legal requirements for producers to comply in traceability or safe pet food.

Non-compliance by producers has been evident to the Veterinary Profession since the Australian Standard for the "Hygienic Production of Pet Meat" was introduced in 2006.

This non-compliance has resulted in disease and deaths of pet animals since 2006 ,from the uncontrolled ,unregulated and often undeclared addition of sulphite additives to pet foods.

Consumers have only recourse to Federal and States' Fair Trading Laws. Most consumers do not have the resources to pursue producers or suppliers.

It is suggested that the academic member of the veterinary profession, such as those at Australian University Veterinary Faculties, should have an increasing role in the responsibility of advising and in monitoring BA and DAFF in their policy decision processes.

ATTACHMENT

A

8 Martin Rd
Centennial Park
Sydney N.S.W. 2021
24/11/2010

Animal Health Australia
Suite 15 26-28 Napier Close
Deakin Act 2600

Dear Animal Health Australia,

Please find the enclosed submission to Animal Health Australia for your consideration, comment to and referral to the Commonwealth Department of Health and Ageing (including FSANZ), the Commonwealth Department of Agriculture, Fisheries and Forestry (DAFF) and all State and Territory Governments' Department of Primary Industries.

Also included is a letter to Dr. Stanley Prusiner but importantly please supply Animal Health Australia's answers to the questions asked of him, for comparison.

“ Raw and processed meat materials in pet and domestic animal processed foods, with reference to existing and expected bio-security hazards and pet food safety.

Please find reference to 3 articles from the Australian Veterinary Journal (AVJ) which relate to the feeding of raw meat materials, the protein seed stock for processed animal foods, both being routinely fed to Australian domestic and pet animals.

(1) “ Feeding of prohibited substances (swill) to pigs in Australia”, AVJ, Vol.38 No. 8 August 2010.

Please review this important article which indicates that there is no consistency in the definition of “swill”, between the States and Territories of Australia, that all States approve the feeding of meat meals from all ruminants, (refer below to future risks from F&M Disease and BSE), domestic, feral and indigenous animals, that the article's authors were unable to define swill for themselves or readers, following their careful examination of Victorian, Northern Territory's, South Australian and Tasmanian Legislations (Table 2), that half of the States approve the feeding of meats from non-placental animals, that most States give discretionary powers to relevant State Officers (usually a Chief Veterinary Officer), for the feeding of prohibited substances that have been rendered by “approved” rendering processes.

Please note that in N.S.W., processed dry pet foods and their waste products, both containing ruminant sourced processed meats, are permitted to be fed to pigs.

Please be aware that 58% of pork sold in Australia is imported, while most States (SA, WA, TAS, NT) permit, after approval, the feeding of prohibited substances to pigs of waste products from restaurant and supermarket trading, including meat wastes after “processing” by rendering.

You are referred to the 2001 Foot and Mouth Disease (F&M Disease) outbreak in the United Kingdom, due to the feeding of viral containing, imported and “properly processed”(**RENDERED**) waste materials, containing meat and meat products, to pigs. F&M virus is still infective after 5 months after meats have been partially cooked, for example as in Japanese cuisine etc, or even cooked at normal home or restaurant stir-frying temperatures.

The feeding of any waste materials is now prohibited in the UK, not just because of F&M Disease risk but other exotic diseases listed in this article

In addition to those exotic diseases listed in the article, you are referred to transgenic mice experiments which reveal when BSE PrPres were transmitted experimentally to mice expressing porcine PrPres, these mice were infected with BSE and that more amplification of BSE prions occurred (they were more susceptible to BSE), after prior passage through sheep.

Federal Government intervention is urgently needed to address these bio-security risks from swill definition anomalies existing between States, because of exotic diseases, including F&M Disease and BSE,(even if the new BSE policy is never approved,) by prohibiting pig feeding with ruminant containing meat meals and “properly processed” renderings and meat meals sourced from fallen ruminant stock.

Please act now to co-ordinate States and Territories in a Federal Government definition of “swill” and initiate and enforce uniform Federal compulsory legislation for each State Food Authority, (which will over-ride each State official regulatory Law) .This legislation should explicitly define what are prohibited raw animal ,fish and bird materials and waste materials from their processing, for fresh and frozen pet food processors, for pet food manufacturers ,for waste materials from fresh or frozen human food processors and manufacturers and for distributors ,such as take-away shops and supermarkets, which may have food waste unsuitable for human consumption.

You are also referred to presently existing direct bio-security risks to Australian human health, the most obvious, revealed by the loss of the Russian export market for kangaroo meat for human consumption. You are referred to Barbara Wilson of Queensland Health.

Bacterial counts were confirmatory and it is incorrect to suggest otherwise.

(1) “Progress in improving pet food safety” AVJ Volume 88, No.10, October 2010, Dr. Mark Lawrie, Past President of the AVA.

(3) Pet food safety AVJ Vol 75, No.10 October 1997, Robert Steel, AVA.

This sampling initially involved 63 pet meats from 4 States (beef ,lamb, rabbit, poultry, pig, venison ,fish kangaroo) sold to the Australian public as fresh ,frozen and processed pet meats. Of these 63 samples, 54 meats were found to contain preservatives at levels which were damaging to the health of pets.

Follow up in-house testing for sulphites in 2008 and 2009 has revealed that **the practice of adding dangerous levels of sulphites to pet foods continues despite the introduction of AS48412006, the Australian Standard for the Hygienic Production of Pet Meat in 2006.**

It is obvious that self-regulation by the pet food industries has not succeeded in regulating the use of preservative additives, although great improvements in the manufacturing processes have occurred.

The Australian Standard for the Hygienic Production of Pet Meat, AS48412006, defines "additive" as "any substance added to pet meat and includes chemical applied to pet meat to enhance presentation and shelf life, e.g. sulphur dioxide and sodium meta-sulphite."

This Standard also states:-

"When used , additives (including preservatives) shall be applied at such levels that they do not cause adverse impact or undue risk to the well being of pets"

Included in Standard AS 48412006 are responsibilities for dealing with "fallen stock", during ARMCANZ's existence, (before FSANZ), the cause of disagreements between States.

These definitions in Standard AS 48412006 infer responsibilities for the food safety of these pet meats. The veterinary profession has, until now, been unable to have its voice heard in an environment of vacuous ineptitude and industry self-interest. It is unknown why necessary HACCP based programs were not enacted to help the profession and safeguard the health of pet animals since 2006?

Standard AS 48412006 has not brought food safety as hoped, because of non-compliance in a self-regulated environment. Governments have been unable to address problems because of various State regulations, agendas and the varied populations of animals between States, for example NT's buffalo and camel.

Please be aware that self-regulation by the pet food industry and control by the various State Food Health "Controlling Authorities", in the past, have failed to ensure food safety for pets fed fresh, frozen and packaged pet meats, because of the undeclared, unregulated and uncontrolled addition of sulphite preservatives.

In September 2010, a Draft for a proposed Standard, from the private company, Standards Australia, has been referred to the veterinary profession, following hard work in meetings between the Pet Food Industry Association of Australia Incorporated, the Commonwealth's DAFF and AQIS, the AVA, the RSPCA but with only one State Department, -the Victorian Department of Primary Industries.

It is disappointing that all State Governments, as "Controlling Authorities" of their parochial knackeries and non-export abattoirs were not involved in this Draft's deliberations.

Draft of "Australian Standard --Manufacturing and Marketing of Pet Food"

Please be aware that this Draft for Australia, the world's largest producer of fresh and frozen pet meats, sourced from domestic, feral and indigenous animals offers new consciousness to Australian animal bio-security and also a new era for pet food safety. The huge trade in raw meat and meat products provides the seed protein stock for and forms the basis of, manufactured pet and domestic animal foods.

Please note that the Draft suggests that raw materials purchased "shall be documented" to verify that suppliers have "suitable product tracing procedures" and are "approved". These statements infer pleasing bio-security initiatives but one is unable to relate these to FSANZ or any Code, as it is, once again, of self-regulation, which has failed in the past.

Please note that the Draft circumvents the requirement for specific legislative regulation of amounts of sulphites that can be added to pet meats, by suggesting that self-regulatory qualifications of, "use by date" and even "best before", with the act of addition of sufficient thiamine at the time of production, that "must ensure that sufficient thiamine shall be present at these times and throughout the shelf life of a pet food product" and that these qualifications will provide suitable alternative safeguards to legislative regulation for pet food safety.

This circumvention of necessary regulation of amounts of sulphites that may be added to pet food, means that the Draft has added nothing to food safety for pet foods from the Standard AS48412006, in this area of additives, as both state that levels of preservatives should not be harmful to pet health. This has been ignored by all except by the veterinary profession.

Please note that pet meat may be supplemented with thiamine ad lib but when the levels of sulphites are high, as has been found, thiamine is very quickly inactivated. For example, high levels of sulphites in a single meal inactivate thiamine given orally in tablet form, within the normal gastric emptying times of cats.

One must ask who will regulate the labelling of "use by date" and test regularly for thiamine in, say, bulk raw pet meats, to confirm that sufficient thiamine is present at the "use by" expiry date, as the Draft suggests will occur?

Thiamine assays are very expensive biological tests, too expensive for this writer, even in 2008 and 2009. Sulphite assay is very efficient, quick, cheap, can be done on-site or later and can be supported by Governmental analysis, cheaply. BUT if low levels of sulphites were found to exist in a meat sample at the time of "use by date", this low level means little, unless a thiamine assay is performed. Thiamine assays are thus obligatory for the Draft to be credible. This is a concerning area of self-regulation as it is seen to be sensitive to abuse.

The evocation of the provisions of the FSANZ Food Standards Code is irrelevant. It is relevant only in the numeration of preservatives, and only, by analogy, to such nominations as "use by date" and "best before"; as in human food safety, the use of sulphite preservatives is legally regulated for human health.

Because of the unbelievable lack of hygiene of meats presented to State knackery and similar institutions, it can be argued that sulphites are necessary for microbiological safety to control Salmonella infections etc in pet animals. These may spread directly to other pets and humans or mutate, in time, to become serious human pathogens. It is true that Salmonellae are exquisitely sensitive to sulphites.

Dr. Lawrie in the AVJ , reviews the progress made via a Primary Industries Ministerial Council (PIMC) Inquiry. This has been a great achievement but there is still no binding legal compulsion for the pet food industry to comply and self-regulation of past years, remains. The only recourse for pet owners in the past has been State and Federal Laws of Fair Trading and Consumer Affairs.

It is suggested that unless there is a legally binding FSANZ Code in place, similar to that for human foods, that the Draft Standard document, as it is now, will not progress pet food safety in this one area of control of additives and may not assist greatly with future bio-security risks for Australian animals and humans, unless trace back systems for raw meats are regulated legally.. The situation is similar to that seen in the disorganised, disparate approach between States in swill definition with all it's bio-security dangers.


Federal Government leadership is needed in both areas.

Please advise if a Hazard Analysis and Critical Control Point (HACCP) based program has ever been enacted by Food Regulation Ministerial Council (FRMC) after the PIMC advised the FRMC of the veterinary profession's pet food safety concerns, documented in the AVJ for years and following AVA members direct approaches to DAFF, about the unregulated, uncontrolled and undeclared use of sulphites in pet foods. If so, when were any HACCP programs initiated ?

It is believed that Federal Government legislative controls are necessary for uniform " swill" definition. Regulation of the use of preservatives in pet foods should be similarly addressed by the Federal Government's FSANZ , the body which legislatively controls human foods safety.

You are referred to the present animal-human food safety issue of endogenous Salmonellosis of hens in the US's hyper- intensive poultry industry, as yet another reason for FSANZ to be responsible for pet food safety in Australia.

Yours Sincerely


Robert Steel B.V.Sc. M.R.C.V.S.
Honorary Veterinary Surgeon N.S.W.

ATTACHMENT

B

8 Martin Rd
Centennial Park
Sydney N.S.W. 2021
18/2/2011

The Hon. Nicola Rixon M.P. The Minister for Health and Ageing.
Mr. Stephen McCutcheon, Chief Executive Officer, FSANZ.
The Hon. Joe Ludwig M.P. The Minister for Agriculture, Fisheries and Forestry (DAFF)
Dr. Andy Carroll, Chief Veterinary Officer of Australia.

Dear Ministers and Colleagues,

Dr. Carroll has responded to my letters to you of the 8th November 2010 and of the 13th December 2010, with his replies, **written on your behalf**, of the 8th December 2010 and of the 4th February 2011, which was received yesterday.

Dr. Carroll has unfortunately not answered the questions asked of him in my letter to you of the 13th December 2010.

These are important questions which involve the MSC, the FRMC and the PIMC. These three statutory bodies share responsibilities for the initiation and implementation of HACCP based programs for food safety of human and animal foods.

In Dr. Carroll's letter of the 4th February 2011, he states at the end of his second paragraph:-

"Pet food is considered beyond the scope of FRMC".

Dr. Carroll must be unaware of the Primary Industries Ministerial Council's (PIMC) overlapping responsibilities with those of the Food Regulation Ministerial Council (FRMC).
They work together to ensure and guard human and animal food safety.

Dr. Carroll must be unaware that the Meat Standards Committee (MSC) is required to report to the Food Regulation Ministerial Council on foods for human consumption issues and to the Primary Industries Ministerial Council on non-food issues such as pet meat.

The Meat Standards Committee (MSC) is composed of chief executives of all State and Territorial meat hygiene authorities, (as "legally defined Controlling Authorities" for both meats suitable for humans and meats for pet and domestic animals' consumption), meat industry groups, FSANZ itself, food hygiene experts and the Australian Quarantine and Inspection Service (AQIS).

Please be advised that a HACCP based program is specifically defined in human food safety standards and in the pet food safety standard (AS484120060 is the Australian Standard for the Hygienic Production of Pet Meat) as a system which identifies, evaluates and controls hazards which are significant for food safety in Australia.

Ministers, please explain why no Hazard Analysis and Control Point (HACCP) based program has ever been initiated or implemented, either by the PIMC from written or any advice from the MSC or from any liaisons with the FRMC, to protect animals from harmful addition of additives in their foods.

Advice from within Government indicates that this is the true situation.

Please clarify the position as Dr. Carroll has not answered any of the questions asked of him.

With such beneficial Governmental food safety organisations as the MSC, the FRMC, the PIMC and FSANZ itself and with the HACCP safeguarding system in place, why was nothing done to protect pets from the hazardous misuse of additives in pet foods since 1995?

Of course, sections in industry will stare down Governments to protect their self interests, as has been so patently obvious since 1995, in this additive food scandal.

Of course, the diverse interests of various States and Territories will complete the difficulties for change.

Mr. McCutcheon, why did FSANZ, with its membership of the Meat Standards Committee not initiate any HACCP based program on the additive misuse in pet foods?

Mr. McCutcheon please state specifically which Governmental bodies are responsible for failing to notify those statutory food safety bodies, such as FRMC or PIMC (previously ARMCANZ), that sickness, disease and death in pets was occurring for 20 years, because of the uncontrolled, unregulated misuse of additives in pet foods.

Mr. McCutcheon do you realise that the PIMC was totally unaware of the concerns of the veterinary profession about the misuse of additives.

Why was this so?

Please refer again to my letter of the 13th December 2010 and the unanswered important questions there-in.

Dr. Carroll and Mr. McCutcheon, please confirm that no Hazard Analysis and Control Point (HACCP) based program has ever been enacted, either by the FRMC or by the Primary Industries Ministerial Council or both, and that no written requests for such a program were ever sent to them by the Meat Standards Committee, whose membership includes public officers from FSANZ and from AQIS.

If you do state that a HACCP based program has ever been initiated, please advise the date of this program, which relates ,in any way, to the misuse of additives(including sulphites) in the last 20 years or even since 2006, when these additives were defined in AS4841200?

Dr. Carroll and Mr. McCutcheon, please advise why the Primary Industries Ministerial Council (PIMC) was totally ignorant of the concerns of the veterinary profession and why FSANZ staff and DAFF staff, as MSC sitting members, did not notify the PIMC of this hazard to pet health from additives' misuse.

Why did Government Departments ignore the profession's concerns about the unregulated, uncontrolled and too often undeclared (before and since 2006) addition of sulphites to pet foods?

These concerns were documented in the Australian Veterinary Journal for years and also followed direct approaches made in writing to DAFF by veterinary surgeons in clinical practice in Australia and by vis- a- vis contacts with senior staff at DAFF.

You are referred again to my letter of the 8th November 2010 and the perceived value, as seen in its Draft Form, of the AS 5812 , with its present limitations and even the fact of huge diagnostic expenses of having thiamine assays performed.

Ministers ,please supply the true and correct answers to the questions asked in the letter to you of the 13th December 2010 and asked of you in this letter.

Yours Sincerely



Robert Steel

Honorary Veterinary Surgeon N.S.W.