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# Final Ministerial Reply



\*FR743\*

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**Case Number**

**Date Scanned**



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Food & Rural Affairs**

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October 2012

**From David Heath CBE MP**  
Minister of State for Agriculture and Food

Thank you for your letter of 11 September to Lord Taylor about problems resulting from the transportation of animal by-product waste sent on behalf of Tony Reeves, Chief Executive of Bradford Metropolitan District Council. I am replying as the Minister responsible for this policy area and am sorry for the delay in doing so.

As you mention, Mr Reeves also wrote directly about his concerns on 17 August and a reply was sent by my predecessor, Jim Paice on 29 August.

You raised in particular the question of whether legislation could be changed to require the material to be transported frozen. The requirements for transportation of Animal by-products are laid down in EU regulations 1069/2009 and 142/2011 which are directly applicable in all Member States. Domestic legislation simply provides powers for local authorities to enforce those regulations and we do not have discretion to go beyond the requirements which they lay down. Those regulations require that material must be transported without undue delay in covered, leak-proof vehicles at an appropriate temperature to avoid risks to public and animal health. Although we cannot, therefore, insist that material is frozen, enforcing local authorities do have powers to take action if the material is transported in such a way that they consider these criteria are not being met and I understand that such action has been successfully pursued through the Courts with this operator where material has been transported in breach of these conditions.

For the future, as was stated in Jim Paice's reply to the Chief Executive, the trade bodies representing the rendering sector, including the Company concerned here, have agreed to draw up a code of practice and officials will be meeting them to discuss progress with such a code on 7 November. It is our understanding that the code will not propose that material should be transported frozen as this would increase the costs of such operations which would be passed on to producers and consumers. Nevertheless, we would expect the code to ensure that material will be transported in accordance with the requirements of the regulations and consequently that odour problems and spillages should not occur.

I have asked Defra officials for a report on progress following that meeting and we will keep the Local Authority informed of developments.



**DAVID HEATH CBE MP**