

Minutes of the 6th Lead Ammunition Group meeting

11 April 2012

Sport and Recreation Alliance offices – London

Attendees

Mr John Batley - (Gun Trade Association)

Mr Ian Coghill - (Game and Wildlife Conservation Trust)

Dr James Kirkwood - (Universities Federation for Animal Welfare)

Mr Jeff Knott - (Royal Society for the Protection of Birds)

Prof Len Levy - (Institute of Environment and Health)

Dr Debbie Pain - (Wildfowl & Wetlands Trust)

Mr John Swift - (Chairman)

Secretariat

Dr Matt Ellis - (British Association for Shooting and Conservation)

Observing

Dr Kevin Hargin - (Food Standards Agency)

1. Welcome and introductions

1.1. Apologies were received from Lord Mancroft and Mr Stephen Crouch.

1.2. Martin Jamieson is in the process of leaving the CLA and a replacement is being sought to cover the landowner/farming stakeholder interest.

New Action Point 6.1. Chairman to inform Group of outcome of discussion with CLA

1.3. Mr Ian Coghill, Chairman of the Game and Wildlife Conservation Trust (GWCT) has replaced Dr Alastair Leake/Dr Stephen Tapper.

1.4. Lord Mancroft, Vice Chairman of the Countryside Alliance (CA), is now representing the shooting stakeholder interest.

1.5. Mr Jeff Knott from RSPB has officially replaced Dr Mark Avery representing the conservation interest.

1.6. Dr Matt Ellis from BASC has taken on the role of minutes' secretary.

2. Discuss the status of meetings and arrangements

2.1. It was pointed out that the proceedings were being recorded solely for the purposes of minute taking. The meeting was taking place in the offices of the Sport and Recreation Alliance of which BASC is a longstanding member. There is a charge for the use of the meeting room and refreshments which BASC offered to cover and thanks were expressed.

2.2. The Chair reviewed the status of the meeting and all agreed to the working arrangements.

2.3. The minutes' process was outlined and agreed:

- The minutes are to be produced in a manner consistent with the Chatham House Rule (substantive issues recorded in a non-attributable way).
- So long as the Chatham House Rule is observed as to the discussions that take place in the meetings, members of the Group are free to discuss and comment on the issues on the basis of 'business as usual' outside meetings.
- The secretariat will produce a set of draft minutes, which will be proofed by the Chair prior to circulation to the rest of the Group for comment.
- Members of the Group will have the opportunity to suggest changes.
- Amended minutes will then be circulated for final comment, prior to being signed off by the Chair and posted on the website.
- Deadlines for reply will be given at each step.

2.4. The Chair reminded the Group of the importance of open discussion so long as the Group's established logic is respected – gathering evidence, conducting risk assessment; to be followed by looking at management and mitigation options for any significant risks identified. It was not appropriate to enter into discussion of 'solutions' before the Group has established the extent and degree of the problem.

2.5. The importance was emphasised of maintaining clear distinction between the strategic and decisions of this main committee, as opposed to the distinct scientific and technical work that the Primary Evidence and Risk Assessment Subgroup (PERA) is tasked to undertake.

2.6. It was agreed that timelines and next steps would be discussed later in the agenda under item 11. It was a matter of regret that there had been such a delay since the last meeting.

3. Approve the agenda

3.1. The agenda was approved with one point noted:

- It was noted that future agendas will include a standing item to allow for review/approval of literature to be included on the Primary Evidence List (PEL)

4. Receive the Chairman's report (November 2010 to present)

4.1. In view of the Group's new members, the Group was encouraged to review the history of the Group on the Lead Ammunition Group website (www.leadammunitiongroup.co.uk).

4.2. The importance of the Group had been reassessed following the change in government at the last election. Jim Paice had given his support for the Group's continuation, with the expectation of a progress report after one year. It was agreed that the report will be submitted April 2013.

New Action Point 6.2. Progress report after one year will be submitted April 2013.

4.3. The Chair stressed that the intention, in response to publication of the Peregrine Fund Conference in 2008, was to keep the main Group small, and that its focus was to gather evidence, produce risk assessments based on that evidence and then address the need for risk management if appropriate. The Group was reminded that the geographical scope of the Group was limited to England and Wales, though the FSA has a whole UK remit. The Group's objective is to give advice to DEFRA and FSA on significant risks as set out in the Terms of Reference and what might be done about them.

4.4. The Group was reminded of the need to bear in mind legislative and public policy work on-going outside the Group; including those through the European Food Standards Authority (EFSA) and the Registration, Evaluation, Authorisation and restriction of Chemicals (REACH) process.

4.5. The Chairman recorded thanks to the members of the Group, and reiterated that none of the members of the Group is paid for their contribution.

4.6. The Group was reminded that the Interim Report had been submitted in June 2011 but that it had taken some time for a formal response to emerge. It was stressed that the delay in receiving ministerial sign off for the continuation of the Group, the withdrawal of Defra's secretariat function and the time taken to recruit and obtain approval for new members of the Group did not signify any lessening in interest in the issue of lead and ammunition.

4.7 It was recalled that the Africa Eurasian Waterbird Agreement (AEWA) efforts towards removal of lead shot use in wetlands had continued. The European Commission had continued with the Water Framework, REACH and EFSA (food safety processes).

4.8. In discussion it was noted that the Directorate-General for Health and Consumer Affairs (DG SANCO) was originally expected to comment on the EFSA (April 2010) risk assessment of lead in food^[1] by December 2011. This process has been held up by other risk assessments but is due to finish soon. (See 9.3.)

4.9. In summary, the fact that there has been a long gap between meetings does not mean that nothing has been happening or lessening of interest in the topic area.

5. Review the Group's Terms of Reference and approach

5.1. The Group reviewed the Terms of Reference[2], and all agreed with the processes and methods involved.

5.2. The Group was reminded of the spread of stakeholder interests involved.

5.3. It was stressed that all Group members commit to respect the confidentiality of the Group and the Chair will act as a single point of contact for formal disclosure of advice and outputs from the Group, but that the Group was not seeking to prevent organisations from pursuing their normal business.

5.4. The Group agreed that the published Terms of Reference are appropriate.

6. Review matters arising/outstanding from the minutes of the Group's meeting in November 2010

6.1. **Action point 5.1** Introduction to Dr Benford's presentation to be placed on the website.

Complete

6.2. **Action point 5.2** An item on new references is to be added to the agenda of future meetings.

The Chair reiterated that this will become an automatic agenda item for future meetings. New references are to be collated and categorised using the existing classification system (see earlier minutes).

The view was expressed that the PEL should be viewed as a collation of key references rather than an exhaustive list of all pertinent references.

A concern was raised over the possible lack of consistency of approaches with regard to the use of references not on the PEL. However, it was viewed as a relatively small difference in approach.

A further concern was raised once again over the use of grey literature; but the Group reiterated that only grey literature which was of sufficient quality that it could be peer-reviewed will be used. This point has been previously discussed by the Group and the Chair referred to previous minutes[3] for a fuller explanation of the Group's approach.

The Chair summarised that the Group is obliged to base any advice to DEFRA or FSA on evidence that is capable of peer review. Those who are looking in on the Group's work must be able to see the quality of the evidence on which decisions and advice are based. Science and the published literature do not stand still so new references and evidence must be processed by PERA and published on the website list having been notified to the Group.

New Action Point 6.3. The Primary Evidence and Risk Assessment Subgroup will list all new papers for inclusion on the PEL. These papers will be categorised according to geographical scope and relevance and tabled at the next meeting of the Lead Ammunition Group for approval prior to posting on the website.

6.3. **Action point 5.3** JB to request of the Chair of AFEMS the background on the risk assessment so that a note can be presented at the next meeting.

The Group was reminded that information was being sought from AFEMS on the risk Chemical Safety Report submitted to ECHA under REACH and was advised that this had been available since 2010 (to whom?).

It was agreed to return to this later on the agenda on item 10.

6.4. **Action point 5.4** The PERA SG Chairman to formally invite Prof. Rhys Green and Dr Peter Green to join the subgroup.

Complete

6.5. **Action point 5.5** All members of the subgroup to provide their brief biographies so that these can be posted on the website.

Complete

6.6. **Action point 5.6** The Group agreed that the PERA SG was now in the position to start work on risk assessment and report back to the next meeting.

Complete

6.7. **Action point 5.7** PERA SG to add this report to the list of references for publication.

Complete

6.8. **Action 2.12** TA to amend Gantt chart for sign off at next meeting.

This action has not been completed and will not be carried forward.

6.9. **Action point 5.8** Secretariat to amend the Gantt chart for sign off at the next meeting.

This action has not been completed and will not be carried forward.

6.10. **Action point 2.7** Defra to pull together all the regulations, guidelines and Directives which are relevant to the Lead Ammunition Group. A draft has been circulated for comment to be discussed at the [this] meeting. Group members have been invited to comment on the draft in the meantime.

The Group has not received this draft, but the Group felt that it was no longer pertinent. However, a view was expressed that this may become relevant in the future if the risk assessments identify a need to discuss risk management options.

New Action Point 6.4. The Chairman will speak to TA to get an update on the progress of Defra's attempt to pull together all the regulations, guidelines and Directives which are relevant to the Lead Ammunition Group.

6.11. **Action point 5.9** Secretariat to circulate an amended version of the document which pulls together all the regulations, guidelines and Directives which are relevant to the Lead Ammunition Group.

See 6.10 above. It was agreed that lists of regulations could become relevant at the risk management stage.

7. Review any matters arising from the Group's Progress Report[4] to Ministers dated June 2011

7.1. The Chair reviewed the conclusions of the Progress Report which were felt in hindsight to be reasonable in so far as they could go. The Group were content with the report, but one minor rephrasing was mooted as follows:

The first paragraph on page 6 of the report (beginning end of page 5) reads:

The Group noted that the European Food Safety Authority (EFSA) had published a scientific opinion on possible health risks related to the presence of lead in food. <http://www.efsa.europa.eu/en/scdocs/scdoc/1570.htm>. The Group noted that the report mentioned that high consumers of game meat could have a higher than average exposure to lead. Risk assessments had however so far indicated that due to the relatively small quantities of game eaten and the relatively low levels of lead present, it was unlikely that eating game would increase exposure to lead over the long-term for the majority of the population.

It was suggested that this could have been written:

The Group noted that the European Food Safety Authority (EFSA) had published a scientific opinion on possible health risks related to the presence of lead in food. <http://www.efsa.europa.eu/en/scdocs/scdoc/1570.htm>. The Group noted that the report mentioned it's unlikely that the level of increased exposure to lead through occasional game consumption would result in negative health impacts in adults. However, EFSA found that in some children in the population at large there are already risks of health impacts without eating any game, regularly or irregularly, and EFSA didn't evaluate the impacts of game consumption on children.

It was accepted that this alternative raised useful points but could not be included retrospectively and should be minuted.

7.2. The requirement to identify knowledge gaps was noted and it was agreed that this falls naturally to the PERA subgroup.

New Action Point 6.5. LL to compile a list of knowledge gaps identified by the risk assessments being conducted by the PERA SG.

8. Receive a report from the Chairman of the Primary Evidence and Risk Assessment Subgroup (PERA) (55 mins)

8.1. The Chairman of the subgroup presented a written report, attached as an addition to these minutes.

New Action Point 6.6. The risk assessment guidelines used in the production of the environmental risk assessment[5] should be posted on the website.

8.2. The Group discussed the approach needed with regard to risks to wildfowl and wetlands from lead from ammunition. A view was expressed that this risk had already been assessed and mitigation measures had been put in place. However, given apparent levels of non-compliance there may be a need to assess the level of continued risk.

8.3. It was agreed that summarising recent scientific reviews on this subject could be sufficient. It was further agreed that the judgment on how best to proceed will be left with the PERA SG. However, the Group advised against a full risk assessment of all existing literature and that the Subgroup should aim for a short (few paragraphs) summary.

New Action Point 6.7. PERA SG to provide a summary evaluating any remaining risk to wildfowl and wetlands for inclusion in the relevant risk assessments.

New Action Point 6.8. LL to provide his report for inclusion in the minutes

9. Receive a report from FSA on research in Scotland

9.1. The Group was updated on the progress of the Food Standards Agency Scotland (FSA(S)) risk assessment (see earlier minutes). The survey looking at game consumption habits amongst game consumers across Scotland has been completed and a risk assessment based on these consumption levels will be finalised within "several weeks"; at which point it will be published on the FSA website. This risk assessment, where possible, will attempt to generalise the results across Britain.

9.2. No data is yet available from this study.

9.3. It was noted that, although FSA strive, when appropriate, to publish their results in peer-reviewed journals, that it was not likely that this research would be published through peer-review due to it being published on the FSA website. This usually precludes research from being published in scientific journals.

New Action Point 6.9. KH to update the Chair when the FSA(S) risk assessment is likely to be published.

9.3. The Group was updated on the progress of DG SANCO reviewing lead in food following EFSA's review of the subject. The view was expressed that DG SANCO's contaminants working group will likely begin reviewing lead in food from late summer 2012.

9.4. It was noted that one possible output from this review might be maximum acceptable limits of lead in different food stuffs, which would likely vary depending on consumption habits. The Group was informed that the European Commission (DG SANCO) is aware of the work of the Lead Ammunition Group and of work on the risk assessments being produced by the PERA SG which would be complementary to this process.

9.5. The applicability of the Scottish risk assessment to English and Welsh consumers was questioned. The feeling was that there is not currently sufficiently robust data on game consumption habits in England and Wales to assess the comparability of habits across Britain.

10. Discuss other matters raised by stakeholder representatives (relevant to the Group and its objects)

10.1. The Chair updated the Group on recent developments within the REACH process. The European Chemicals Agency (ECHA) had contracted a consultancy, AMEC, to study the use of lead shot across Europe from trade, clay target and hunting perspectives. There was a very strict timescale, with outputs expected by June. ECHA is then expected to make any recommendations they feel are appropriate based on the results.

10.2. The view was expressed that the initiation of these proceedings suggested that ECHA were basing their actions on a risk assessment, but it was not known if any such assessment had been made. The Chair stressed that initiation of an economic impact assessment of this kind does not necessarily lead to any particular outcome.

11. Decide next steps and future work

The Chair summarised the steps the Group now needs to take:

- The PERA Subgroup needs time to complete the draft risk assessments
- The main committee then requires time to consider the risk assessments

- By which time:
 - DG SANCO should be reviewing lead in food
 - FSA(S) should be publishing their results
 - ECHA should have finalised their economic impacts study

11.2. Concern was raised that the majority of the work for the risk assessments was being conducted by a small number of people who were undertaking these tasks in their own time. It was also noted that the Chair of the Subgroup has no authority to line manage those involved in the process. The view was expressed that those involved are aware of the urgency of the task and that the relevant organisations will support their continued contributions as best they can. The Chair asked for recognition of the constraints on those involved and implications for predicting future timetable.

11.3. It was noted that the Group's progress had slowed and it was suggested that it may be appropriate to outline a more rigorous timeline with deadlines for the risk assessments. However, the Group, recognising the difficulties, decided that it remained vital that the proper steps were followed, and that until such time as the risk assessments were completed and any significant risks were identified and evaluated, the Group could not get ahead of itself and start discussing mitigation or solutions to problems that were not yet demonstrated to exist.

New Action Point 6.9. PERA SG to attempt to complete draft risk assessments by July 2012

12. Any other business by leave of the Chairman

12.1. None raised.

13. Date of next meeting

13.1. This was agreed as Friday 12 October, at the Sport and Recreation Alliance offices. It was agreed that the authors of the risk assessments should be invited to attend so long as the risk assessments were completed and ready in draft for the Group to consider.

New Action Point 6.11. Chair to invite Risk Assessment Authors in due course.

14. Summary of action points

New Action Point 6.1. Chairman to inform Group of outcome of discussion with CLA

New Action Point 6.2. Progress report after one year will be submitted April 2013.

New Action Point 6.3. The Primary Evidence and Risk Assessment Subgroup will compile a list of all new papers for inclusion on the PEL. These papers will be categorised according to

geographical scope and relevance and tabled at the next meeting of the Lead Ammunition Group for approval prior to posting on the website.

New Action Point 6.4. The Chairman will speak to TA to get an update on the progress of Defra's attempt to pull together all the regulations, guidelines and Directives which are relevant to the Lead Ammunition Group.

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New Action Point 6.6. The risk assessment guidelines used in the production of the environmental risk assessment[5] should be posted on the website.

New Action Point 6.7. PERA SG to provide a summary evaluating any remaining risk to wildfowl and wetlands for inclusion in the relevant risk assessments.

New Action Point 6.8. LL to provide his report for inclusion in the minutes.

New Action Point 6.9. KH to update the Group when the FSA(S) risk assessment is published.

New Action Point 6.10. PERA SG to attempt to complete draft risk assessments by July 2012.

New Action Point 6.11. Chair to invite Risk Assessment authors to next meeting.

Report to the Lead Ammunition Group by the Chairman of the Primary Evidence and Risk Assessment Subgroup

Following the decision of the LAG, the PERA SG was set up comprising Professor Rhys Green (Department of Zoology, University of Cambridge), Dr John Harradine (Director of Research, British Association for Shooting & Conservation), Dr Alastair Leake (Director of Policy, Game and Wildlife Conservation Trust), Dr Debbie Pain (Director of Conservation, Wildfowl & Wetlands Trust) and Dr Peter Green (Honorary Veterinary Adviser to the British Deer Society). The SG was, as agreed by LAG, to be chaired by Professor Len Levy (Institute of Environment and Health, Cranfield University).

The PERA SG met in London on the 26th November 2010 to discuss the term of reference for the work of the SG and to allocate the risk assessment tasks in line with the decisions of the LAG. Dr Green was unable to attend in person but was able to join the meeting by telephone.

A number of points arose in these initial discussions including the use of a reliability scale for evaluating publications (Klimisch scale), UK food consumption data for game meals and allocation

of tasks and timescales for the production of draft RAs. It was also reiterated that SG was to deal with identification and evaluation of risks, and not the management of any risks identified.

Again, adhering to the instructions from LAG, it was agreed that the following three RAs would be produced.

a) Risks to human health from the ingestion of lead from ammunition: Prof Rhys Green (RG) supported by Dr Debbie Pain (DP) will undertake this RA. Included in the RA would be a repeat of the EFSA risk analyses using UK relevant data, where available, and a draft of the first assessment. Prof Levy (LL) would provide some assistance, if required, and assist in obtaining additional data from EFSA and FSA contacts if required. It was estimated that the draft RA could possibly be produced by February 2011.

b) Risks to wildlife from ingested lead from ammunition: Dr John Harradine (JH) and Dr Alastair Leake (AL) agreed to assess the primary and other evidence and attempt to produce a first draft of the wildlife risk assessment by February 2011.

c) Risks to human health through livestock feeding in areas of lead shot deposition: Dr Peter Green (PG) kindly agreed to assess the primary and other evidence and produce a first draft also by a targeted date of early 2011.

It was agreed that the three draft RAs, when produced, would be circulated to Professor Levy who would provide general comments on the structure of the RAs and pass back these to the authors so that they could provide second drafts that could be circulated discussed within the PERA SG, refined, as appropriate, then passed over to the LAG for discussion and review. Hopefully, these were intended to be consensus RA reports but, any areas of disagreement would be made clear in the RAs when presented to the LAG

Due to a number of health problems, workloads and other personal circumstances, the SG has fallen somewhat short of the target dates. However, progress is now being made and we still intend to produce the three RAs, albeit later rather than intended. For the three RAs the progress to date is:

a) Risks to human health from the ingestion of lead from ammunition: The draft report was produced by RG and DP and passed to LL for comments. These were provided by LL and in addition at the request of Rhys and DP, LL contacted the Chair of the EFSA report to obtain some clarification about some of the data appearing in the EFSA report. This was obtained and passed over to RG and DP who revised their report and then circulated it to the rest of the SG. Since that time, written comments on this report have been supplied by JH and most recently, from AL.

b) Risks to wildlife from ingested lead from ammunition: This draft has also been produced and was passed to LL for initial general comments which were provided, and a second draft was

produced and passed to all members of the SG for comment. The format used by JH and AL for this risk RA was the appropriate sections of the Defra 2000 document entitled, "Guidelines for Environmental Risk Assessment and Management". Some general comments have been received on this draft from RG and DP to the effect that the well-described and reported effects of lead shot ammunition to wildfowl and wetlands had not been thoroughly addressed. It seems that JH and AL felt that because this particularly risk had already been the subject of risk assessment and as results, there had been regulatory action taken (risk management), this fell outside the scope of the present work of the PERA SG. However, the fact, as has been pointed out by DP during a number of LAG meetings, we have previously agreed to include an overview of the situation and, that there are continuing breaches of these regulations is an arguable reason for the inclusion of this aspect of the continuing risk within the draft RA. This is a matter which needs discussion and clarification at the LAG meeting (11th April 2012).

c) Risks to human health through livestock feeding in areas of lead shot deposition: PG had made a start on this RA, but due to large work commitments and uncertainty of funding for his time spent on this activity by the British Deer Society (BDS). However, PG has recently heard that the BDS agreed to resource his efforts and he will be working of this RA during April 2012.

Although we have fallen behind our target timescales by approximately one year, we are now making good progress and should be able to collate written comments on two of the three RAs and arrange a PERA SG meeting so that agreed versions of two RAs (with any areas of disagreement made clear) presented to the LAG for discussion. At the same time, the third RA will be being produced and can be presented to a later LAG meeting.

Len Levy 9th April 2012

[1] EFSA. (2010). EFSA Panel on Contaminants in the Food Chain (CONTAM); Scientific Opinion on Lead in Food. EFSA Journal, 8(4). doi:10.2903/j.efsa.2010.1570

[2] <http://www.leadammunitiongroup.co.uk/reference.html>

[3] <http://www.leadammunitiongroup.co.uk/LAG%20-%20minutes%20-%2028%20May%202010.html>

[4] <http://www.leadammunitiongroup.co.uk/interimreport.html>

[5] Department of the Environment Transport and the Regions (2000) Guidelines for environmental risk assessment and management. HMSO, Norwich