

Minutes of the 19th Lead Ammunition Group meeting/teleconference – 15th August 2016

2pm-4pm

Attendees

Mr John Swift (JS)(Chair)
Prof. Rhys Green (RG) (RSPB)
Prof. Len Levy (LL) (Institute of Environment and Health)
Dr James Kirkwood (JK) (Universities Federation for Animal Welfare) (retired)
Dr Debbie Pain (DP) (WWT)

Secretariat

Dr Ruth Cromie (RC) (WWT)

1. Welcome and apologies

The Chair thanked the members for their participation and there were no apologies.

It was agreed that Prof. Ian Newton OBE FRS FRSE DPhil DSc, be confirmed as a fully participating member the Group.

Ian's experience comes from having been Senior Ornithologist at the UK's Natural Environment Research Council. Amongst other roles, he has also been Head of the Avian Biology Section at the Monks Wood Research Station (1989–2000) working extensively on the effects of pesticides and pollutants on birds, Chairman of the Board of The Peregrine Fund, Chairman of the Council of the Royal Society for the Protection of Birds and visiting professor of ornithology at the University of Oxford.

2. Minutes of the 18th meeting on 27th April 2016

2.1 There were no comments made on the published minutes of the 18th meeting/teleconference.

2.2 Matters arising from those minutes:

- a. Actions Points 15.3 & 18.2 Defra progress on consideration and Defra response to the LAG report (see agenda item 3.1 below).
- b. Action Point 16.1/18.3 Submission of LAG report to ECHA (see agenda item 5.1 below).
- c. Action Points 16.2/18.10 Posting of new evidence on website (see agenda item 6 below).
- d. Action Points 17.3 & 18.1 Establishing who in FSA & Defra are handling REACH process for UK.

It was noted that Defra is the lead organisation for dealing with REACH and Kate Fouracre had confirmed that this contact was Duncan Egerton.

- e. Action Point 18.4 Posting ministerial correspondence on website.

Completed.

- f. Action Point 18.5 Keeping FSA up to date on shot pheasant tomography and publication intentions.

RG reported that, the next stage of lab work was awaited but it was expected that the work would be due for publication towards the end of the year. Current findings indicate significant particulate lead some 7cm from the main pellet. The implication being that meat preparation/game handling of a bird carcass to reduce lead exposures to consumers would be very challenging.

Action Point 19.1 RG would, when appropriate, provide LAG members with an updated PowerPoint presentation on the pheasant tomography work and keep FSA informed of findings and publication intentions.

- g. Action Point 18.6 Proposal for revision of current advice to be sent to FSA. Completed. It was not clear if the previous Secretary of State's final letter (see agenda item 3.1) had been written before or after that proposal was submitted to the FSA and whether there had been awareness of it.

Action Point 19.2 JS to follow up with FSA, inform them that LAG members will continue communication, and indicate that there is an intention to post that proposal on the LAG website.

- h. Action Point 18.7 Consideration of the COT minutes concerning the LAG report.

Although it was noted that it would have been helpful to follow up some points with COT, as there was such broad agreement with LAG's Human Health Risk Assessment conclusions, it was felt further action was unnecessary.

- i. Action Point 18.8 LAG and FSA to continue to communicate. See (g) above.

- j. Action Point 18.9 FSA meeting notes to go to Kate Fouracre (Defra).

Completed – noting Kate Fouracre has now left Defra and a new contact provided.

- k. Action Points 18.11 & 18.12 Pre-publication Ibis paper to be made available in confidence.

Completed. It was noted that the full open access paper was to be published imminently. **Action Point 19.3** Once published, RC to circulate Ibis population paper to interested parties – as determined by LAG members.

3. To receive Chairman's report

The Chair reported as follows:

3.1 The LAG report had been submitted for Defra consideration in June 2015. On the 13th July 2016 Defra had informed the Chair and published on their website a letter from the extant (at the time) Secretary of State Elizabeth Truss indicating that Defra did not intend to take further actions to reduce risks from lead ammunition. The timing of the announcement (i.e. coinciding with the

departure of David Cameron and inauguration of Theresa May), coincident with Ms. Truss' imminent change of job, was noted to be unconvincing.

The Secretary of State's lack of action appeared to be based upon two key points:

1. She justified her decision on "lack of evidence of causation linking possible impacts of lead ammunition with population sizes of birds in England".

It was noted by the meeting that Defra had been informed at the April LAG meeting of the recent Ibis paper (see above) on population level effects and had received a pre-publication copy immediately thereafter.

There was discomfort with the sense that any scale of (what was felt to be avoidable) mortality and welfare harm is acceptable as long as it is unproven that there is a causal link to population sizes.

2. She maintained that the current FSA advice "to minimize the risk of lead intake, people who frequently eat lead-shot game, particularly small game, should cut down their consumption. This advice is especially important for vulnerable groups such as toddlers and children, pregnant women and women trying for a baby" – was felt to remain unaffected by the report's findings.

The meeting noted that the narrative in the shooting media (in particular of 'more lead in beer' etc.) probably prejudiced the value and efficacy of the FSA advice.

3. She acknowledged the issue of poor compliance with existing Regulations and confirmed that they would look at how existing Regulations on wildfowling can be better implemented. They also understood that FSA would be considering if action was required to raise awareness of their advice amongst the at-risk population.

3.2 On receipt of the Secretary of State's (Defra) response, the LAG Report with its Risk Assessment and Risk Mitigation Register had been published on the LAG website.

<http://www.leadammunitiongroup.org.uk/wp-content/uploads/2015/06/LAG-Report-June-2015-without-Appendices.pdf>

<http://www.leadammunitiongroup.org.uk/wp-content/uploads/2015/06/LAG-Report-June-2015-Appendices-without-Appendix-6.pdf>

<http://www.leadammunitiongroup.org.uk/wp-content/uploads/2016/07/LAG-Report-June-2015-RISK-MITIGATION-REGISTER-Appendix-6.pdf>

3.3 The Countryside Alliance had subsequently published on their website a 13-page 'shooting resigners' report' (entitled 'Agreed Findings and Recommendations of the Lead Ammunition Group' authored by John Batley, Stephen Crouch, Mark Tufnell and Barney White-Spunner with support from Richard Ali of the British Association for Shooting and Conservation). The meeting had been aware that this report had been submitted to Defra shortly after the LAG report's submission in 2015, and its release now allowed LAG to see it for the first time. The Chair had circulated comments on the report to the LAG members and there was general discontent with its lack of

evidence, misuse of a report on human health risks, and misinterpretation of LAG processes. It was not considered further action was needed.

3.4 A discussion followed about the future role of LAG given that the Elizabeth Truss had remarked that her letter “marked the end of the Group which the Government had established in 2010” (i.e. formally to provide a report and advice to Defra and FSA concerning England). It was unanimously felt however that although LAG was “a Government established process”, LAG had from the outset operated as an independent group of stakeholders and experts working at arms length from Government (effectively with the legal status of an association). LAG had moreover not been supported legally or financially by Defra or FSA. The Group was therefore open to remaining active if it so wished. The question was whether the Group saw a continuing constructive role for itself, and wished to remain active and what its role might be.

Since submission of the LAG report in June 2015 an oversight of emerging evidence had been maintained by the Group to ascertain whether or not the LAG Report’s content and recommendations remain valid. It was felt that this role had been valuable and there was a sense that it would be valuable for it to continue – noting that evidence on many aspects of risks from lead ammunition continued to emerge.

It was noted that it was hard to know what the next emerging or most pressing lead ammunition-related issue might be so to keep the Group in place was sensible.

As there were still some outstanding actions for the Group to continue and complete it was acknowledged that it would not be appropriate to stand the Group down at this point.

There was also a sense that such an expert group drawn from the different stakeholder interests still had a role to play in communication with agencies and bodies (including devolved administrations). A constructive role for the Group would lie in information provision, exchange and as a forum for discussion and evidential quality.

A discussion followed about the membership of the Group. The Group continued to enjoy senior representation from four of the original six key sectors i.e. conservation, animal welfare, environment and human food safety, and even though the previous shooting stakeholders had resigned it was noted that there were probably other shooting, deer management, ammunition and gun trade, as well as game and venison food supply experts, who might be interested. It was not considered essential that any such expert necessarily agree with transition to use of non-lead ammunition, but it would be essential that they are in a position to offer evidence, expertise, informed comment and constructive interest in the topic.

Any outputs from such an ongoing Group would continue to be published on the website (on the basis of the Chatham House Rule) and be communicated to interested parties.

In summary, it was agreed that the LAG should:

- Continue to complete existing tasks
- Review emerging evidence and issues, particularly in relation to the LAG report content and conclusions
- Exchange information and discuss issues
- Provide constructive advice/expertise for those stakeholders involved in and affected by lead ammunition use and its risks.

Action 19.4 All to give careful thought to redesigning Terms of Reference and possible experts who may wish to join or contribute to a revised Group, for further discussion at the next meeting.

4. To decide LAG's response to Elizabeth Truss's letter dated 13th July

4.1 It was considered appropriate that the Group respond to Elizabeth Truss' letter not least because the new Secretary of State would need to pick up on the letter's shortcomings and commitments.

A preliminary draft had been circulated and several comments received.

Action Point 19.5 JS to review the comments received and redraft a response to the Secretary of State's letter.

5. To discuss progress and arrangements for ECHA Helsinki meeting on 29th September 2016

5.1 It was noted that the LAG submission of evidence to ECHA was no longer confidential as it had now been considered by Defra and published.

Action Point 19.6 JS to inform ECHA that the evidence submitted to it was no longer confidential (copied to Defra).

5.2 It was understood that the format of the meeting is for ECHA to present their proposals and for the stakeholders present to act as a sounding board.

5.3 The implications of the UK voting to leave the EU were discussed and LL informed the meeting that his various European committees were acting as business as usual.

It was noted that if UK game and venison are exported to continental markets, EU regulations, such as they might be, will still apply. Brexit will mean that UK no longer contributes to future EU standards but will have to demonstrate its compliance with them to the satisfaction of EU bodies.

6. To discuss protocol for posting new research and evidence on website

6.1 Action Point 19.7 RC to post new research and evidence on website as it becomes available.

7. LAG website: to receive visitor data

7.1 The website was continuing to serve its purpose with a spike of activity in July following publication of the LAG report.

7.2 A recent unexpected outage of the website was not considered to be malicious.

8. To exchange information on other related developments and meetings.

8.1 There is a forthcoming IUCN World Congress at which a motion on transition to non-toxic ammunition will be presented (originating from some Birdlife partners). Some shooting stakeholders had sought to limit restrictions on lead ammunition to wetlands only.

9. Any other business

None

10. Date of next meeting

Action Point 19.8 RC to find suitable meeting date in second half of October.

Action points carried forward

Action Point 19.1 RG would, when appropriate, provide LAG members with an updated PowerPoint presentation on pheasant tomography work and keep FSA informed of findings and publication intentions.

Action Point 19.2 JS to follow up with FSA, inform them that LAG members are still happy to continue in communication, and indicate that, in the existing spirit of LAG openness, there is an intention to post its submitted revisions for the FSA advice to consumers on the LAG website.

Action Point 19.3 Once published, RC to circulate Ibis population paper to interested parties – as determined by LAG members.

Action 19.4 All to give careful thought to redesigning the Group's Terms of Reference as well as appropriate experts who may wish to join a revised Group.

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