

# Minutes of the 5th Lead Ammunition Group meeting

5 November 2010

Birmingham Proof House, Main Court Room

## Attendees

Mr John Swift - British Association of Shooting and Conservation

Dr Deborah Pain - Wildfowl & Wetlands Trust

Dr Stephen Tapper - Game and Wildlife Conservation Trust

Mr John Batley - The Gun Trade Association Ltd

Prof Len Levy - Institute of Environment and Health

Dr James Kirkwood - Universities Federation for Animal Welfare

Mr Adrian Gane - Country Land and Business Association

Mr Robert Gray - The Countryside Alliance

Ms Lucy Munro - Defra

## Guest Attendees:

Mr Jeff Knott - Royal Society for the Protection of Birds

Dr Alastair Leake - Game and Wildlife Conservation Trust

## Pre-meeting announcement

Before the meeting got underway it was announced that Defra will be unable, for the time being, to provide the secretariat support for the Group. FSA had been approached to see whether they could temporarily provide the required support but due to a tightening of their resources also, they are unable to do so. The Chair then opened the issue up to the Group.

- It was confirmed that there was still support for this Group from Ministers.
- All agreed that given the challenge presented by this development, the work of the Group should proceed.
- It was stated that withdrawal of the secretariat, even on a temporary basis, will be perceived by onlookers that Ministers are withdrawing their support. - This was recognised but re-iterated that this is not the case.

There was a discussion on the possible options for providing cover for the secretariat.

- The replacing secretariat will need to be as neutral as possible;
- It is important that whoever is taking the minutes is not contributing to the Group. Various suggestions were put forward such as having this a rotational role between organisations. However, the best suggestion, at this stage of the process, was to invite the Chair's secretary to provide the support. Logistically, it was agreed to be the best course. If some

members of the Group were to find that this presented problems for them, then arrangements could be revisited along with the processes for publishing the minutes. The current arrangements for processing the minutes should continue. That is, that draft minutes are circulated giving all members the opportunity to comment. The Chair would have the final say on the recollection of the discussion and the Group were reminded that meetings were recorded for this purpose. If there are particular areas of contention, these can be flagged for discussion at the next meeting and the published minutes should reflect this as being entitled the provisional minutes.

It was also asked whether this meant that Defra would not be able to provide a venue for meetings. It was explained that, this would be difficult for the London location as Defra personnel would be required to escort visitors and make the arrangements, but there is room for negotiation. The Chair explained though that meeting location was not a main concern as between the Group there are various options for providing venues.

## 1. Apologies, welcome and introductions.

### 1.1 Apologies were received from Mark Avery and Stephen Crouch.

- It was asked as to whether Jeff Knott had officially replaced Mark Avery. It was explained that this was not the case.
- It was announced that Stephen Tapper is due to retire at the end of this year. Alastair Leake will be taking on his policy position at GWCT and discussions have been held with the Chair and the current secretariat, with endorsement from FSA, on the proposal for replacing Dr Tapper on the Group. This is in the context of how each member of the Group independently represents their sector rather than the organisation from which they are from. The proposal has been accepted and Dr Leake was welcomed to the Group. Len Levy as Chair of the PESG has also accepted his replacing Dr Tapper on the PESG.

## 2. Review of the published minutes of the 29 September. (All)

2.1 The Chair and secretariat reported that there was no further feedback on the minutes of the last meeting.

## 3. Review of the Action Points from the last meeting. (All)

3.1 **Action point 4.1** Dr Benford to provide a short introduction to her presentation for publication on the website. – complete. Text has been provided by Dr Benford.

This is to be posted on the website to accompany the presentation.

New action point 5.1 Introduction to Dr Benford's presentation to be placed on the website.

3.2 **Action point 4.2** Publish Dr Benford's presentation on the website and if there are questions received via the website they will be passed to the most appropriate member(s) of the Group for a concise response. The Chair confirmed that there have been no comments or queries received on the presentation.

3.3 **Action point 4.3** Publish the PESG ToR on the website – complete

3.4 **Action point 4.4:** Reference list to be amended and published on the website – complete. The Chair made the point that new references arising during the course of the work should be brought before future meetings allowing all members to be kept informed. Given that the main Group meets quite regularly, the PESG should bring any new reference before future meetings before it is included in the published evidence base on the website.

New action point 5.2 an item on new references is to be added to the agenda of future meetings.

3.5 **Action point 4.5** FSA to consider how the PESG may contribute the research protocol of FSA Scotland's game consumption research.

FSA report that the work is at an extremely advanced stage of commissioning and therefore it is not possible for the PESG to input into the scope or procedures. Colleagues in Scotland have agreed that they will produce a short document outlining the scope and procedures which they will happily submit to the PESG for info and comment.

3.6 **Action point 4.6** The current PESG is to consider suggestions (for expansion) and as a starting point ask those suggested if they might be prepared to do this work – especially from the deer and gamebird sectors. If so they are requested to provide the PESG with their technical backgrounds. The PESG have been asked to weigh up the suggestions on persons put forward to present to the main Group. [This will be reported on later in the meeting.]

3.7 **Action 4.7** Once the PESG has reached its conclusions on how to expand the PESG this should be shared with the main Group through correspondence including brief biographies and technical skills. The final decision would be considered by the main Group at the next meeting. [This will be reported on later in the meeting]

3.8 Three action points had been carried over. The first of these was: Action 2.6 John Batley to circulate a proposal with draft terms of reference for his proposed subgroup.

- This work is still ongoing. John Batley continues to work with the cartridge manufacturers and proof authorities. Once all the information is gathered he will be happy to present this to the Group. In gathering the data so far it seems that it is not yet necessary to start a subgroup as the clear requirement for it has not yet been established. Statistics on how many cartridges are used, what they are used for, what the various different types of cartridge are, the ballistics involved etc. is the type of information being collected. It

was agreed at this stage of the process that it is sufficient for the group to know this work underway.

- The Chair raised here that there is second process being undertaken in parallel to the Group's work (the first being the work of FSA Scotland) that the ammunition trade are required to be actively engaged in; this is compliance with the REACH regulation. The requirement is for the trade to register their products and substances with the competent authority. Within the process the industry have to undertake a risk assessment which involves assessing risks to wildlife and human health. AFEMS is the European gun and ammunition trade group conducting the risk assessment for the ammunitions industry.

It is understood that the deadline for submissions from any legal entity using more than a thousand tonnes/30 million cartridges would be fairly imminent. However noone was aware of any entity producing or using in this quantity in Europe so therefore 2013 would be the timescale for reporting, this being the timescale for producers of less than a thousand tonnes.

- There was agreement in the Group that a request for information should be made to enable the Group to be more informed on this process so that this can be factored in to the Group's work.

**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.

**3.9 Action 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. As there has been no feedback yet this item was not discussed. One member indicated that they would like the opportunity to provide this. The Chair is aware that there are constraints on Defra's time so if they cannot complete the job of finalizing this document for publication the Group will find a way of completing this action.

**3.10 Action 2.12** TA to amend Gantt chart for sign off at next meeting. Apologies were given that this has not been completed. The Chair agreed to undertake this action to ensure that key targets and milestones could be recorded properly.

#### 4. Progress report of the PE subgroup. (LL etc.)

4.1 The Chair suggested to the Chair of the PESG that the subgroup should amend its name to encompass all that it is now tasked with. The suggestion is to change the name to the Primary Evidence and Risk Assessment subgroup. This amendment was agreed, it was recognised that this presented a more accurate description of the subgroup as it has evolved. The PERA SG Chair

took the opportunity here to re-iterate that the work of the subgroup is concerned with establishing the facts and not about making decisions on what should be done etc.

4.2 It was asked how far the subgroup had got with assessing potential candidates for its expansion. It was reported that a few names had been suggested to cover the two main areas of the gamebird and deer sector. Two that had been suggested at the previous meeting had been followed up namely:

1. Rhys Green was nominated. His background is that he is a professor at Cambridge University and is also affiliated with the RSPB. He is also on the Scientific Advisory Board of GWCT and in terms of expertise he is an extremely experienced statistician and also well experienced in critically evaluating scientific evidence. His recent publications include some on toxins/contaminants in the environment. As well as the coverage of the gamebird sector, he is considered to have the background to assist with all aspects of the risk assessment process.
2. Peter Green was nominated and is the Chair's suggestion for covering the deer sector. He is a veterinary scientist who is well respected in his field. The Chair has approached both the British Deer society and the Board of the Deer Initiative/partnership. The BDS have sounded out Peter Green and he has indicated that he would be happy to be approached.

4.3 The subgroup Chair thanked the Group for these suggestions and a small number of others that had been suggested to him. He made it clear that subgroup members would need to be fully engaged with the process and prepared to take on report writing. At an early stage the PERA SG is going to be addressing the toxic risks from lead to humans and wildlife: To humans from eating contaminated food, to wildlife through eating spent lead gunshot, contaminated animals and possible environmental contamination. Decisions would need to be made through identifying who might be able to contribute.

4.4 It was confirmed that there will need to be at least three scribes for three separate sections who will need to pull together the vast array of evidence which is out there.

4.5 An area of contention is whether this process should have stakeholder engagement or whether this process should be carried out by those with the scientific expertise. There were strong arguments on each side. On one side it was said that it would add a lot more credibility to the subgroup to have someone from the interest groups on the subgroup. On the other, that risk assessment will be a purely factual critical analysis of the information which is out there so should only be conducted by those with the specific experience. It was further argued that it appears that two things are being confused – critical analysis of the science and then putting things into context.

4.6 The Chair decided to close the discussion as the argument could continue and pushed to establish what could be agreed upon. It was recognised that there is benefit in keeping this

subgroup small. It should be made clear that whoever is on the subgroup will be acting in an independent capacity rather than a representative of their organisation.

It was concluded that there have been strong proposals for Rhys Green and Peter Green of whom the whole Group had had prior knowledge since the last meeting that their names were under consideration. They should be now formally invited. The Chair made it clear that this can be revisited and further names could be added in future.

4.7 The proposed subgroup will be as follows:

Prof. Len Levy (Chair)

Dr Peter Green.

Prof. Rhys Green

Dr John Harradine

Dr Alastair Leake

Dr Debbie Pain

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

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

**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.

## 5. Discussion on the imminent publication of the Compliance with the Environmental Protection (Restriction on use of Lead Shot) (England) Regulations 1999

5.1 It was announced to the Group that this report is due to be published on 9 November. It was explained that this is a Defra commissioned study contracted to WWT. The Study on compliance was undertaken in two parts: A game dealer survey which examined the carcasses of ducks from English game dealers to determine what type of shot was used and a survey by questionnaire of practitioners (BASC members) and shoot providers (CLA members). It was confirmed that WWT will be issuing a press-release.

[Post meeting note: The report can be viewed at the following link: :

<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=16075> ]

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

## 6. Communications.

6.1 Communications were reported to be quiet since the last meeting.

6.2 The Chair explained how he was called to a meeting with Almut Bittehoff at DG SANCO (the Commission DG Health and Consumer Protection). This followed from WWT and Birdlife having written to DG Environment and DG SANCO about the wildlife and public/human health issues. In this meeting the Chair explained about the Group's work and this was met with interest and encouragement.

6.3 It was explained that in due course DG SANCO will need to be addressing the issues concerning human health arising from lead. Proposals will come forward on tackling the issue but as yet no timescale or forms of action have been identified. There would Member State consultation on proposed actions which would go to the FSA. It is important to note that the Commission does not have specific timescales to operate under. But it is established that lead in food is a substantive issue which needs to be addressed. The issue gets raised through a number of different sources and in context; lead in ammunition is just one user of lead.

6.4 It was further explained that the EU Commission asked EFSA to produce a scientific opinion on lead and so this then obliges the Commission to address the issues the opinion raises. WWT and BirdLife wrote to DG SANCO to find out how this will be evaluated and implemented. Also important to note is that this is the beginning of the process.

## 7. Any other Business.

7.1 It was again asked when the BASC research committee are going to meet (this is in relation to an ongoing issue recorded in previous minutes). The Chair said that this information was not to hand and the answers on the subject have not changed since the last meeting.

## 8. Date of the next meeting.

8.1 This was agreed to be the 10 February 2011. The venue is to be agreed.

## Summary of Action Points

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

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

**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.

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

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

**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.

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

### Actions re-assigned

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

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

**Action 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.

**New 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.