POLICY NOTE

THE FEED ADDITIVES (FORM OF PROVISIONAL AUTHORISATIONS) (COBALT(II) COMPOUNDS) (SCOTLAND) REGULATIONS 2023

SSI 2023/170

1. Description

The above instrument was made in exercise of the powers conferred by Article 15 of Regulation (EC) No. 1831/2003 of the European Parliament and of the Council on additives for use in animal nutrition (Regulation (EC) No. 1831/2003). The instrument is subject to negative procedure.

2. Summary Box

The purpose of this instrument is to prescribe the form of provisional authorisations for four cobalt(II) trace compounds as feed additives.

3. Policy Objective

The instrument is required to implement the decision of the Minister for Public Health and Women's Health to provisionally authorise for a period of three years, four feed additives cobalt(II) trace compounds as feed additives in Scotland. The instrument prescribes the form of those provisional authorisations which are set out in schedules 1 to 4 of the instrument.

The provisional authorisations were made administratively Article 15 of Regulation (EC) 1831/2003, which provides Ministers with the power to make an urgent authorisation: "In specific cases where urgent authorisation is needed to ensure the protection of animal welfare, the appropriate authority may provisionally authorise the use of an additive for a maximum period of five years. The authorisation is to be in a form prescribed by the appropriate authority."

4. Policy Background

Cobalt is an essential trace element that is used to meet the nutritional demands for ruminants, horses and to a lesser extent other animal species due to its association with vitamin B_{12}.. The 2009 European Food Safety Authority (EFSA) Scientific Opinion on safety and efficacy (No.1383) is available at:
https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2009.1383
and the EFSA Opinions are available at:
(No.2791) at: https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2012.2791
(No. 2727) at: https://efsa.onlinelibrary.wiley.com/doi/abs/10.2903/j.efsa.2012.2727.
These Opinions state that cobalt supplementation of animal feed should be maintained and considered as effective nutritional additives for ruminants and do not pose safety concerns for consumers.

Due to an oversight by the previous consortium of applicants no renewal applications for specific (liquid) cobalt forms were submitted in time, and as a result the authorisation for these cobalt compounds will expire at the end of 14 July 2023 (if not for the making of these provisional authorisations). There are no alternatives to these cobalt compounds that could meet nutritional requirements. This would result in a serious risk that animal health would be

negatively and severely impacted (almost immediately) if cobalt was to become unavailable in animal feed.

5. Consultation

Within GB

To comply with the requirements of Article 9 of Regulation (EC) No. 178/2002 there has been consultation during the preparation and evaluation of this SSI. Due to the urgent nature and the immediate risks to animal health and welfare, consultation across GB has been focused on engagement with the key feed trade associations throughout April-May 2023. Responses received from the Agricultural Industries Confederation (AIC) and the British Association of Feed Supplements and Additive Manufacturers (BAFSAM) provided strong evidence in support of the four cobalt authorisations. In brief, cobalt deficiency in animals (particularly ruminants) results in loss of appetite, reduced growth rate, severe emaciation, weakness, anaemia and decreased fertility, milk and wool production. The UK feed trade associations mentioned above have indicated that cobalt supplementation is at its height from March to November and, is administered 3-weekly to young animals in spring/summer and sheep/cattle during summer/autumn. As most forages and feedstuffs fed to ruminants do not contain adequate quantities of cobalt to support the ruminant's nutritional requirements industry estimates that without the use of cobalt as an additive this would lead to death of animals within 3-12 months.

Within Scotland

Within Scotland the trade associations AIC Scotland and National Farmers' Union of Scotland (NFUS) have provided robust evidence demonstrating an even greater need for cobalt in Scotland (than the rest of the UK) due the geological composition of the soils which indicate a higher risk of cobalt deficiencies in grassland soils in most of Scotland. Scottish Government officials have provided their support for continued use of the 4 cobalt compounds in order to protect young ruminants (sheep and cattle) grazing animals in Scotland. Scottish Government Vets together with Scottish Rural College (SRUC) technical notes TN664 on the management of cobalt in grassland soils maps the severity of cobalt deficiency in Scotland due to pastures low in cobalt levels. This SRUC technical note is available at:
https://www.fas.scot/downloads/tn664-management-of-cobalt-in-grassland-soils/

6. Other Administrations

Ministers in England and Wales are also considering provisional authorisations for these 4 cobalt compounds in order to have a GB-wide approach to this issue.

7. Impact Assessments

As a result of the urgency of these provisional authorisations a specific Business and Regulatory Impact Assessment (BRIA) has not been carried out.

8. Financial Effects

The Minister for Public Health and Women's Health confirms that given the urgent nature of this provisional authorisation no BRIA has been prepared and the instrument itself has no financial effects on the Scottish Government, local government or on business.

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