

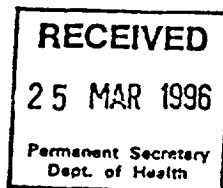
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10 DOWNING STREET
LONDON SW1A 2AA

From the Private Secretary



19 March 1996

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2. Ministers
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Dear Mark

BSE AND CJD

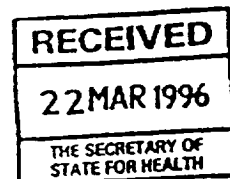
The Prime Minister held a meeting on Tuesday 19 March to discuss the latest scientific information on Bovine Spongiform Encephalopathy (BSE) and Creutzfeldt Jacob Disease (CJD). The Deputy Prime Minister, the Lord President, Chief Secretary, Lord Privy Seal, the Secretary of State for Health, the Secretary of State for Scotland, the Minister for Agriculture, the Financial Secretary, the Attorney General, the Minister for Food, the Chief Whip, Sir Robin Butler, Keith Meldrum (Chief Veterinary Officer), Professor Pattison (Chairman of SEAC), Dr Eileen Rubery (Department of Health), Richard Packer (MAFF), Lord McColl, John Ward, Howell James, Alex Allan, Jonathan Haslam, Robert Culpin (HM Treasury), Kenneth Mackenzie (Cabinet Office), Tim Sutton (HM Treasury) were also present.

The Deputy Prime Minister, the Chief Secretary to the Treasury and the Lord Privy Seal all announced that they had relevant interests in the form of cattle herds.

The Prime Minister began the meeting by commenting that some very difficult decisions needed to be taken to ensure that the correct balance was struck between treating this matter seriously and over-reacting. Colleagues needed to recall that there were many issues which remained unknown.

Professor Pattison said that his committee had considered the new information which had become available very carefully and had examined in detail all the possible options. The situation was that there were now nine cases of CJD which appeared to be different from classical CJD. There were, in addition, three other possible cases. The cases tended to be among the young but varied from those aged 18 to age 41. The new variant CJD showed an atypical clinical picture with an unknown pathology. This had persuaded SEAC

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that the variant was distinct. No cases in the UK or abroad had been seen before which matched to this pattern. The Committee had considered the new methods of monitoring the occurrence of the disease and were aware lab techniques had improved, but they had drawn the conclusion that they could not persuade themselves that it was more careful observation alone which had brought these cases to light.

This implied that there might be a new risk factor and in the view of the Committee the most likely explanation was that BSE was that risk factor. To date however the evidence was not available which proved that BSE could be linked to these cases. It appeared to the Committee to be the most likely explanation but they might be wrong. It might, for example, be that the new form had always been present in a low incidence but had remained unreported or there might be an entirely separate new environmental factor. However, the committee was of the view that the most likely cause was something new in the cattle population in the mid-1980s which was causing something new in the human population in the mid-1990s. This was in their view likely to be exposure to BSE before the introduction of the SBO controls.

Professor Pattison noted that it was impossible to predict how many more cases there might be and it might well be eighteen months before the full extent of the problem could be ascertained. A dozen or so might be the limit or it might remain at a relatively low level as in cats and unlike in the cattle population it had not escalated. The cattle epidemic with escalating numbers was probably due to feeding cattle remains back to cattle. This had not happened with cats nor of course with humans.

The committee believed it was increasingly impossible to keep this information confidential. Members of the Committee had already had to attend two expert meetings where they had not been able to provide colleagues with the full story. Given the increasingly high risk of a leak it was the Committee's view that a controlled statement by the Government would be more appropriate. The Committee had considered whether extra restrictions on human consumption of beef or beef products would be necessary. They had not concluded that immediate measures were necessary other than to stress the importance of implementing existing controls as nearly perfectly as possible. The Committee would consider again at the weekend what more might be done, ranging from a do nothing option to the slaughter of the national herd.

Personally, Professor Pattison did not think that extreme measures would be necessary. In his view the committee was more likely to focus on controls concerning older cattle, together with further controls on mechanically recovered meat.

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The Prime Minister noted that the cases which had now been found were likely to have their roots five to fifteen years ago and there was a maximum of twelve cases so far. The BSE link was not proven and it was possible that twelve was the sum total of the "epidemic". Clearly, since the controls were introduced in 1989 the risk had been greatly reduced if not eliminated. The Prime Minister also asked for clarification as to why we appeared to be the only nation with this problem. The Prime Minister commented that we could not take drastic action in advance of further SEAC advice. To do so would make the Government look silly and would open it to significant legislation if premature action was taken.

The Secretary of State for Health noted that the line that we had taken from SEAC in the past had been that there was no link but that we had put controls in place to control against error. Now however the balance of risk on transferability had changed. There was a case for saying that the controls that had been put in place to prevent transmission should therefore be sufficient.

The Minister for Agriculture took the view that we had to date adopted a belt and braces approach. The belt being that there was no risk of transferability from cattle to humans, the braces being that SBO controls were in place should such an unlikely event occur. Now that there was thought to be the likelihood of a link between cattle and humans, the belt had been removed leaving only the braces. The Minister for Agriculture said that he believed that the panic which would ensue from any statement would destroy the beef industry. He believed it might be possible to save it if a firebreak could be erected and he had offered the best advice he could. He commented that the difficulty was that we knew that SBO controls were not wholly adequate and in the changed circumstances of the new information this made the Government's position untenable.

The Attorney General commented that it was certainly true that any action by the Government could lead to litigation on the basis that the Government response was disproportionate. We needed to be as clear, as far as possible, what the maximum and minimum effect of any epidemic might be, and indeed if we proposed to take measures to act against cattle over two and a half years of age then we needed to be sure that cattle under two and a half years of age were safe.

Professor Pattison said that the main concentration of the BSE agent was in the central nervous system and in the intestine. Appearance in the nervous system was usually late in the course of the disease and was therefore more prevalent in older cattle. He noted that had the offal ban been introduced perfectly then the risk would have been considerably reduced but there had been an uncomfortably large number of occasions when SBOs had contaminated

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meat. The risk might be small but there remained a risk.

One reason why this new form of CJD was prevalent in the UK might be that only a small number of the population was susceptible and so it was only in a country such as the UK where there was a very high incidence of cattle disease that there would be sufficient exposure in order for the disease to be seen.

Professor Pattison commented that the new form of CJD remained a CJD type because it produced spongiform changes in the brain linked with clinical symptoms such as ~~dementia~~ and ataxia. Classical CJD affected older people but the new form of CJD affected younger people and had in addition behavioural symptoms which were not linked with classical CJD. The course of the disease also appeared to be longer in the new form but that might be due to the younger age group affected. Professor Pattison commented that the new tests were indeed better at identifying the new form but equally the changes in pathology shown by the old tests were in any event startling.

Professor Pattison commented that it was impossible at this stage to tell the scale of the epidemic. It might be that there would be no more than the existing nine to twelve cases or perhaps it might be four to five cases a year for a few years and then dropping away. Equally a large number of the population could be susceptible to infection and there could be significant numbers of exposures.

Turning to the age limit, the Professor noted that although there had been cases of BSE in cattle as young as 21 months the majority were older than that. Two and a half years did not give a huge margin of safety, but the younger the cattle were then the more likely it would be that the incubation period was not sufficiently advanced to allow transmission. He noted that it would not be possible in any event to claim there was absolutely no risk from other tissues, but the risk could certainly be described as infinitesimally small.

The Secretary of State for Health noted that the CMO's current view was that the proposals advanced by the Minister for Agriculture to cull cows aged over two and a half years and to prevent their entry into the food chain or their export as beef or beef products was not a proportionate response. The CMO believed that, to date, the Government had relied on a system of controls and it was right that those should remain until SEAC had formed firmer views.

The Chief Secretary noted that maternal transmission would be an issue at an early stage because that would affect large proportions of the industry.

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The cost of the proposals was likely to be in the region of £500 million per annum simply to compensate farmers for slaughter to prevent animals over two and a half years from entering the human and possibly pet food chain. There might well be a further cost of £1 billion in one-off compensation for existing stock on shelves.

Culling the entire national herd was likely to cost in the region of £4 billion. If there were to be a chance that sheep might also be infected, then the cost of culling those flocks would run to hundreds of millions.

The risk of sheep being infected was that scrapie may have been passed as BSE from sheep to cattle. It was possible that by feeding sheep remains of cattle they had become reinfected with BSE. It might be that those cases of BSE were being hidden as sheep scrapie. If this was the case then it was possible that human transmission might be possible via sheep.

There was no doubt that whatever statement the Government chose to make there would be a very severe public reaction. There would be significant reduction in the purchase of British beef. It might be that some public machinery wider than the current SEAC committee might be helpful to act as a focus for public concern.

Since any statement would involve the Government saying that previous advice might have been incomplete, it was difficult to believe that any statement would now carry conviction.

Professor Pattison agreed that maternal transmission was likely to be an issue. There was some evidence that "born after the ban" cases had been caused through maternal transmission. Some analysis of the figures could produce a figure as high as 60 per cent although that was not SEAC's view. It was clearly an issue which would need to be considered carefully.

Turning to milk, there was currently no reason to suppose that transmission could occur via milk. There was one particular case of a type of antelope which could pass BSE via the skin, udder and lung but it was considered that that was unlikely to reflect the position in cattle or indeed humans.

It was agreed that in an ideal world a statement would not be made until SEAC's firm views were available, but the risk of a leak and the Government's duty to protect the public tended towards an early statement. One possible option would be a temporary maximalist control until it was clear how serious the problem was. It would also be important to examine what options there were for improving existing controls to give greater security. It was agreed that

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if a statement were to be made, it would be important to include something of substance. In order to do that further information from SEAC would be necessary. An early meeting of SEAC would therefore be encouraged. The Lord President would convene a meeting of the relevant parties which would report to Cabinet on 20 March.

The Prime Minister concluded the meeting by thanking Professor Pattison for the detail and clarity of his report. He also reminded colleagues that it was essential that detail of the meeting was kept to as small a circle as possible.

A copy of this letter goes to Private Secretaries to Ministers attending.

Yours ever

Rachael

RACHAEL REYNOLDS

Mark Gibson Esq
Deputy Prime Minister's Office