

European Union Food Regulations and Private Standards

Workshop at the US Department of Agriculture
November 3, 2005

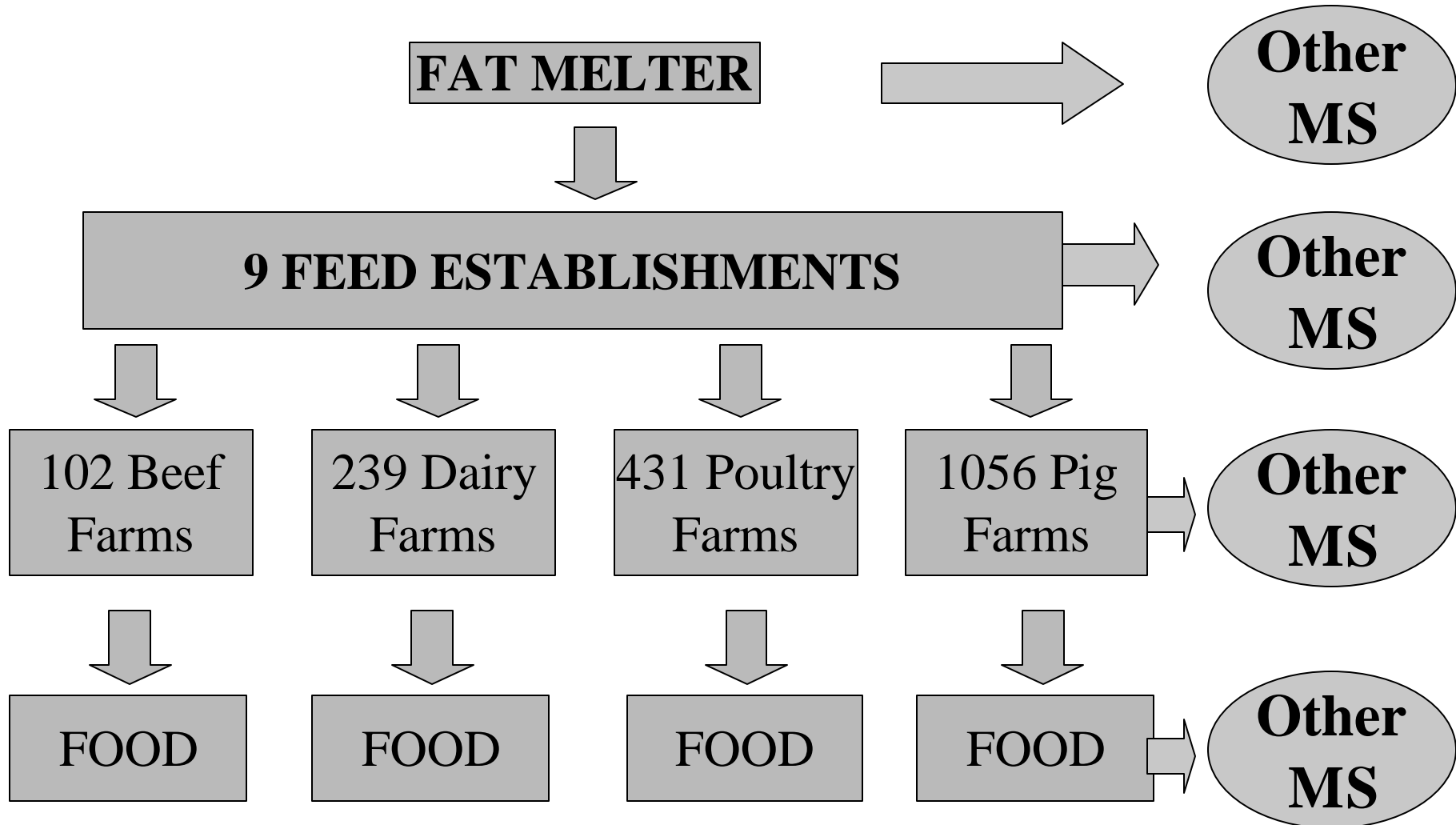


W. Maier,
DG Health and Consumer Protection, International questions

DG Health and Consumer Protection

- Commissioner: Markos Kyprianou
- Director General: Robert Madelin
- Annual Budget: ± € 290 Million (food safety)
- Staff: ± 700
- Sites in Brussels, Luxembourg
Grange (Ireland - FVO).

The dioxine crisis 1999



Lessons learned – White Paper on Food Safety

- Seamless legislation farm to fork
- Traceability
- Organisation/coordination of competent authorities
- Compatible with WTO / SPS Agreement
- Full transparency
- Rapid communication

SANCO - Responsibilities

- Safety of Food Products - "From Farm to the Fork"
- Management of Biological and Chemical Risks;
- Residues, food and feed additives, contact material;
- Plant Health and Plant Protection Products;
- Animal Health and Welfare, Animal Feed Safety;
- Food Labelling;
- Inspections and Controls;
- Rapid Alert System, Crisis Management;
- International Hygiene and Food Safety Issues - SPS, CODEX, OIE, IPPC.

The Standing Committee

- Chaired by the Commission.
- All MSs represented (government experts).
- Votes on draft legislation to be adopted by Commission.
- Several Sections, to deal with animal health, public health, plants.
- Meets 2-3 times per month in Brussels (or more often in crises such as HPAI).
- Rapid procedures. Around 400 legal acts adopted per year in the three sections.

Public Participation

- Explicit element in General Food Law
- Advisory Groups and Consultation Bodies –
Advisory Group on the Food Chain, Animal and Plant Health
- **Example:**
Reflection Paper on residues in food of animal origin
 - Consultation of stakeholders via Internet
 - Balancing user needs and safety concerns
 - Maximum Residue Levels
 - Reference points for controls
 - Procedures for extrapolation and risk assessment

Managing information: The Rapid Alert System

- Web based information system
- All Member States on-line
- Alert Notifications trigger immediate action
- Information Notifications for products which have not reached the market
- Weekly Reports published – private sector alert
- Potential for Export?

Audits and Inspection: Food and Veterinary Office

- Located in Grange / Ireland
- Around 200 inspections per year
 - audit national inspection and control services
 - 75% of inspections are in Member States
 - check on compliance in third countries
 - Transparency – all reports on the web

General Food Law (Reg 178/2002)

■ **Article 17 – Liability**

Operators at all stages shall ensure food and feed is safe

■ **Article 18 – Traceability**

All food, feed and animals: One step up, one step down.

■ **Article 11 - Imports**

Food and feed imported into the Community shall comply with the food law or conditions recognised as equivalent

■ **Article 12 - Exports**

Food and feed exported shall comply with the food law, unless otherwise requested by importing authorities

Re-cast EU food law of 2004

Simplification, coherence, transparency

Replaces 17 Directives

■ Food hygiene:

Regulation 852/2004 on the hygiene of foodstuffs

Regulation 853/2004 specific rules for food of animal origin for human consumption

■ Official controls

Regulation (EC) No 882/2004

The notion “Food”

■ Food of animal origin

- Raw products (meat, fish, etc)
- Processed products (ham, smoked fish etc)

■ Food of non-animal origin

- Fruits, vegetables, cereals, tubers
- Drinks
- Food of mineral origin (e.g. salt) etc.

No loopholes: General Hygiene

- 852/2004: The General Hygiene of Foodstuffs
 - General provisions for all foods, and all food businesses from farm to fork
 - Notification of authorities, documentation, process controls based on HACCP or Good Hygiene Practices
 - Provisions to allow traditional production
 - Implementing rules for composite foods in preparation: Soups, pre-cooked meals, canned food

HACCP

- Procedure based on HACCP principles
- System to identify and control hazards
- Guides to good practice

High level of protection: Food of Animal Origin

- 853/2004: Rules for Food of Animal Origin
 - ***Re-cast of existing rules – no new elements***
 - Covers all food of animal origin, including the relevant components of composite foodstuffs
 - Covers all stages of production, processing and distribution, including primary production
 - Operators need authorisation
 - Authorisation requires inspection
 - Imports only allowed from listed establishments

Overall Effect of “Hygiene Package” For Third Countries

- ☞ Neither for products of animal origin, nor for fruit and vegetables, nor for composite foods the new rules change the situation dramatically
 - General hygiene rules were in place (Dir. 93/43/EC)
 - Specific Hygiene Rules have not changed
 - Inspection and controls have not changed
 - Commission takes more responsibility for coherence
- ☞ The new rules will offer new opportunities for third countries, rather than restrictions

Modernisation and Coherence: Official Food and Feed Control

- Regulation 882/2004 on official controls
 - Operational principles for Competent Authorities and Community Controls
 - Rules for approval of establishments
 - Border inspection, checks and fees
 - Provisions to aid developing countries

Competent authorities

- Food of animal origin: YES
- Food of non-animal origin: Not necessarily

Listing of third countries

- Food of animal origin: YES
- Food businesses must be listed

- Food of non-animal origin: NO
- Importer is liable for safety

Laboratories

- Accreditation

- Transitional period of 4 years

Import controls - 1

- Food of animal origin (article 14):
Border inspection checks Directive 97/78/EC
- Nothing new:
 - entry via border inspection posts (BIP),
 - advance warning,
 - documentary, identity, physical check
(Commission Decision 94/360/EC)

Import controls - 2

- Other food – a harmonised framework
 - New rules offer more flexibility, depending from risk (frequency of checks, entry points, listing)
 - **no disruption of current trade**

Fortress Europe?

Fully harmonised import rules for all food and feed:

- In line with international agreements
- One negotiation – 452 Mio consumers
- EU is by far the biggest importer of food

Regional harmonisation is in our interest

- ASEAN, African regions, Mercosur

Private, unofficial standards

- Independent from official import requirements
- Fruit, vegetables, coffee, oil
 - Quality, environment, social aspects
 - Retailers, importers, processors and pressure groups
 - Due diligence - Liability aspect (Art. 17 Reg. 178/2002)
- Is this compatible with WTO/SPS?

Private, unofficial standards

- Trade needs standards
- Tight legal frameworks give clear orientation and facilitate trade (as in the meat sector)
- Too many private standards?
 - SAI, Carrefour, BRC, EurepGAP, EISA ...
 - Consolidation needed?

Documentation on the web

General Information:

http://europa.eu.int/comm/food/index_en.htm

Food and Feed Law:

http://europa.eu.int/comm/food/food/controls/foodfeed/index_en.htm

Food and Veterinary Office:

http://europa.eu.int/comm/food/fvo/index_en.html

Animal Welfare:

http://europa.eu.int/comm/food/animal/welfare/index_en.htm

Rapid Alert System Publications:

http://europa.eu.int/comm/food/rapidalert/index_en.html