

**The development of SPS in the EU:
Establishment of a food safety control system**

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Structure of the talk

- Food safety as part of SPS measures
- Background to a food safety control system
- EC Food Legislation: Principles
- Body of Food Law
- Overview of EU food safety legislation
 - [Regulation (EC) 882/2004 on official F&F controls]
(separate presentation)
 - Regulation (EC) 852/2004 on the hygiene of foodstuffs
 - Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin
 - Regulation (EC) 854/2004 on specific rules for the organisation of official controls on products of animal origin intended for human consumption

Food safety as part of SPS measures (1)

The WTO Agreement on the Application of
Sanitary and Phytosanitary Measures
(SPS Agreement)

SPS - a crucial dimension of
health policy and trade policy

Food safety as part of SPS measures (2)

WTO text. Annex A: Definitions

Sanitary or phytosanitary measure — Any measure:

- (a) to protect animal or plant life or health within the territory of the Member from risks arising from the entry, establishment or spread of pests, diseases, disease-carrying organisms or disease-causing organisms;
- (b) to protect human or animal life or health within the territory of the Member from risks arising from additives, contaminants, toxins or disease-causing organisms in foods, beverages or feedstuffs;

Food safety as part of SPS measures (3)

WTO text. Annex A: Definitions

Sanitary or phytosanitary measure — Any measure:

- (c) to protect human life or health within the territory of the Member from risks arising from diseases carried by animals, plants or products thereof, or from the entry, establishment or spread of pests; or
- (d) to prevent or limit other damage within the territory of the Member from the entry, establishment or spread of pests.

Background to a food safety control system (1)

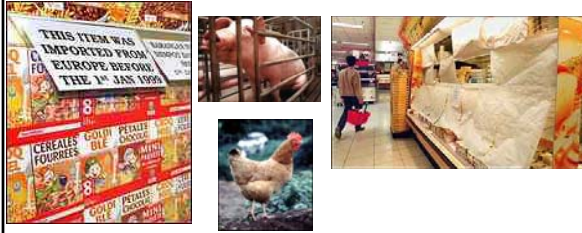
Food crises in the nineties put safety on the top of the agenda in EU food policies, which led to a restructuring of EU food legislation.

- Salmonella in eggs
- E. coli in meat
- Dioxins in feed and food
- BSE and a link with CJD

Background to a food safety control system (2)

1999. Dioxins in feed → eggs, meat and dairy products. [BBC News Online]

2000. New food scare hits Belgium. PCBs in feed → food. [BBC News Online]



Background to a food safety control system (4)

The Independent, 2001 (after a BBC documentary programmes, Jan 2001)



Background to a food safety control system (3)

"Major steps are being taken to improve the handling of health scares, the government has said after admitting a lack of openness over the possible risks of BSE" [BBC News Online]



Background to a food safety control system (5)

We all live in a consumer driven, media driven world. A world of food scares, single issue campaigns and intense public scrutiny.

Consumers in the EU and elsewhere insist on their entitlement to buy products that meet a proper level of safety and quality.

Rules have to be based on sound evidence and scientific analysis.

Background to a food safety control system (6)

WTO text. Article 2
Basic Rights and Obligations

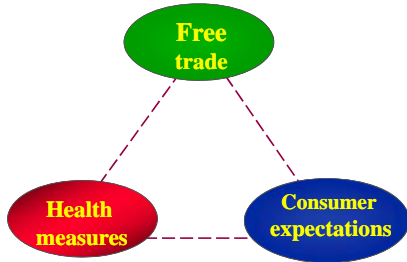
2. Members shall ensure that any sanitary or phytosanitary measure is applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient scientific evidence, except as provided for in paragraph 7 of Article 5.

Background to a food safety control system (8)

WTO text. Article 5
Assessment of Risk and Determination of the Appropriate Level of Sanitary or Phytosanitary Protection

7. In cases where relevant scientific evidence is insufficient, a Member may provisionally adopt SPS measures on the basis of available pertinent information..... In such circumstances, Members shall seek to obtain the additional information necessary for a more objective assessment of risk and review the SPS measure accordingly within a reasonable period of time .

Background to a food safety control system (7)



EC Food Legislation: Principles (1)

White Paper on Food Safety (COM (1999) /719)

- Comprehensive and integrated approach
- Simplified guidance process
- Scientific risk assessment (EFSA)
- Separation of risk management (Commission / Standing Committee on the Food Chain and Animal Health)
- High level of consumer health and protection
- Official control at national and European level (CAs, BIPs)
- Transparency and public participation

EC Food Legislation: Principles (2)

White Paper on Food Safety led to a series of reforms:

- streamlined current legislation on official controls and a more global approach
- more harmonised approach to design and development of national control systems
- Better defined role of Commission's controls services

EC Food Legislation: Principles (3)

- safe food = food compliant and controlled with regard to the relevant community legislation requirements
- food safety based on the control of the food production chain and not only by controls on end-products
- 'farm-to-fork' approach to give SPS traceability (e.g. the integrated computerised veterinary system **TRACES**)
- imported food: same level of consumer protection for food imported or produced in the EU (based on SPS principle)

EC Food Legislation: Principles (4)

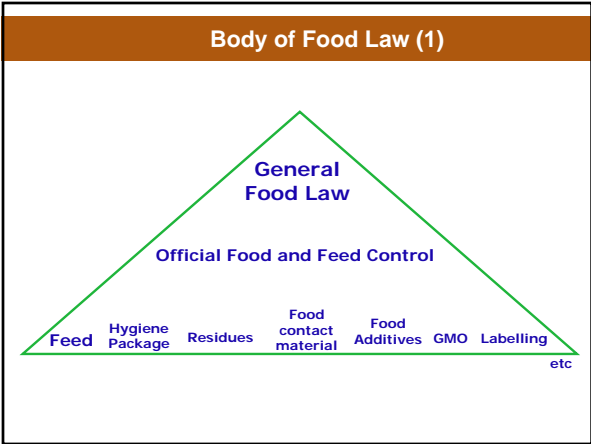
Based on CODEX Alimentarius recommendations

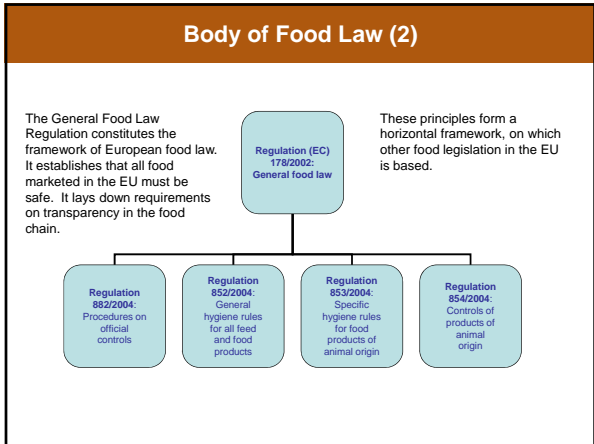
- pre-requisites (structure, organisation, equipment, material)
- good hygiene practices
- HACCP principles/system

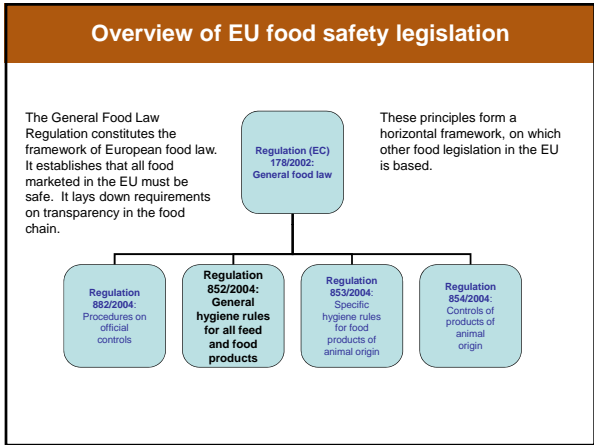
Official Control & Certification

- OIE/CODEX recommendations/guidelines
- ISO standards:
- competent authority control activities
- FVO methods for audits/inspections

WTO text. Article 12. Administration
2.The Committee shall ... encourage the use of international standards, guidelines or recommendations by all Members and, in this regard, shall sponsor technical consultation and study with the objective of increasing coordination and integration between international and national systems and approaches for approving the use of food additives or for establishing tolerances for contaminants in foods, beverages or feedstuffs.







Regulation (EC) 852/2004 on the hygiene of foodstuffs (1)

SUMMARY

Updates food hygiene rules to establish a comprehensive and integrated policy covering all food from the farm to the point of sale to the consumer.

It does not cover issues relating to nutrition or to the composition or quality of foodstuffs.

Regulation (EC) 852/2004 on the hygiene of foodstuffs (2)

Definitions

'Food hygiene': the measures and conditions necessary to control hazards and ensure fitness for human consumption of a foodstuff.

'Food safety': the assurance that food will not cause adverse health effects to the final consumer when it is prepared and eaten.

'Primary production': the production, rearing or growing of primary products up to and including harvesting, hunting, fishing, milking and all stages of animal production prior to slaughter.

Regulation (EC) 852/2004 on the hygiene of foodstuffs (3)

General and specific provisions

All food business operators shall ensure that all stages for which they are responsible, from primary production up to and including the offering for sale or supply of foodstuffs to the final consumer, are carried out in a hygienic way in accordance with this Regulation.

Regulation (EC) 852/2004 on the hygiene of foodstuffs (4)

Features

Guides to good practice and to the application of HACCP

Registration or approval of food businesses

Traceability and withdrawal of food products

Official controls

External dimension

Regulation (EC) 852/2004 on the hygiene of foodstuffs (5)

External dimension

Foodstuffs imported into the Community shall comply with the Community hygiene standards or with equivalent standards.

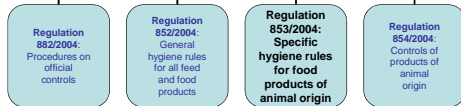
Foodstuffs of animal origin exported out of the Community shall at least comply with the requirements that would apply if they were marketed within the Community, as well as to any requirements that may be imposed by the importing country.

Overview of EU food safety legislation

The General Food Law Regulation constitutes the framework of European food law. It establishes that all food marketed in the EU must be safe. It lays down requirements on transparency in the food chain.



These principles form a horizontal framework, on which other food legislation in the EU is based.



Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin (1)

SUMMARY

Foodstuffs of animal origin listed in Annex I may present microbiological and chemical hazards.

These rules supplement those in 852/2004 on the hygiene of foodstuffs, which concerns mainly the approval of operators.

The provisions of this Regulation apply to unprocessed and processed products of animal origin, but not to foods consisting partly of products of plant origin.

Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin (2)

SECTORAL APPROACH

Meat of domestic ungulates	Meat of poultry and lagomorphs
Meat of farmed game	Wild game meat
Meat products	Live bivalve molluscs
Fishery products	Milk and milk products
Eggs and egg products	Frogs' legs and snails
Gelatin	Collagen
Rendered animal fats & greaves	
Minced meat etc, mech. separated/recovered meat	
Treated stomachs, bladders & intestines	

Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin (3)

Features

Approval. Establishments handling products of animal origin must be approved by the competent authority.

Health marking and identification. Where required, products of animal origin must be given a health mark applied in accordance with Regulation (EC) No 854/2004.

Food chain information. The Regulation provides instructions to ensure that slaughterhouse operators receive food chain information on all animals except wild game.

Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin (4)

Imports from third countries. The Commission draws up lists of third countries from which imports of products of animal origin are permitted, in accordance with the Regulation on official controls.

Regulation (EC) 853/2005 on specific hygiene rules for food of animal origin (5)

Imports from third countries. When drawing up these lists, particular account is taken of (in the third country):

- the existing legislation, the organisation and powers of the competent authority and the inspection services;
- the general animal health situation, hygiene conditions in the production, manufacture, handling, storage and dispatch of products of animal origin;
- experience gained in relation to marketing and collaboration in exchanging information, particularly on animal health risks;
- the results of EU inspections/audits carried out;
- the existence of legislation on animal nutrition and programmes for monitoring zoonoses and residues.

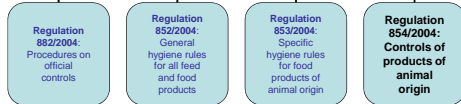
By way of derogation, there are special provisions for imports of fishery products.

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Regulation (EC) 854/2004 on specific rules for the organisation of official controls on products of animal origin intended for human consumption [see amending acts too]

SUMMARY

Community establishments and imports are subject to the controls laid down by this Regulation.

The competent authorities approve establishments that comply with Community regulations concerning official controls on feedingstuffs and foodstuffs.

Food business operators must provide the competent authority with all the assistance needed in carrying out the control, notably as regards access to premises and the presentation of documentation or records.

The official controls include audits of good hygiene practices and HACCP principles and specific controls as determined by sector (fresh meat, bivalve molluscs, fishery products, milk and dairy products).

Regulation (EC) 854/2004 on specific rules for the organisation of official controls on products of animal origin intended for human consumption (2)

SECTORIAL APPROACH: FRESH MEAT (example)

Official veterinarian will audit / inspect:

- good hygiene practice
- the procedures based on the HACCP
- food chain information
- ante-mortem inspections
- animal welfare during transport and during slaughter.
- post-mortem inspections (zoonoses, TSE, other diseases or unauthorised substances)
- health and identification marking

Regulation (EC) 854/2004 on specific rules for the organisation of official controls on products of animal origin intended for human consumption (3)

Example: MEAT (cont)

Responsibilities and frequency of controls

Decisions following controls

Where controls reveal deficiencies or irregularities, appropriate measures must be taken. These include:

.....The animals are not accepted for slaughter intended for human consumption in the following cases.....

.....All meat which may constitute a danger to human health shall be declared unfit for human consumption.....

Regulation (EC) 854/2004 on specific rules for the organisation of official controls on products of animal origin intended for human consumption (4)

IMPORTATION OF PRODUCTS OF ANIMAL ORIGIN FROM NON-EU MEMBER COUNTRIES

List of Non-EU Member Countries

The [Commission](#), assisted by the [Standing Committee on the Food Chain](#), draws up lists of (parts of) Non-EU Member Countries from which the importation of products of animal origin is authorised. It especially takes account of the existing legislation in the third country.

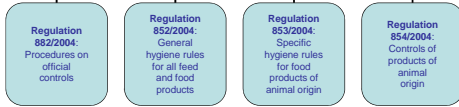
The [competent authorities](#) draw up a lists (updated regularly) of establishments from which products of animal origin may be imported or dispatched.

Overview of EU food safety legislation

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These principles form a horizontal framework, on which other food legislation in the EU is based.



Detailed measures on chemical and microbiological safety, e.g. additives, residues, contaminants, GMO, labelling, hygiene, welfare, etc. etc.

For further information

European Commission
DG Health and Consumer Protection
Directorate website at:

http://ec.europa.eu/food/index_en.htm
