

PRESENTATION OF GENERAL FOOD LAW REGULATION EC N°178/2002



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Food Law, nutrition and labelling

OVERVIEW OF PRESENTATION

❖ **Setting the scene**

❖ **Overview of EU food legislation**

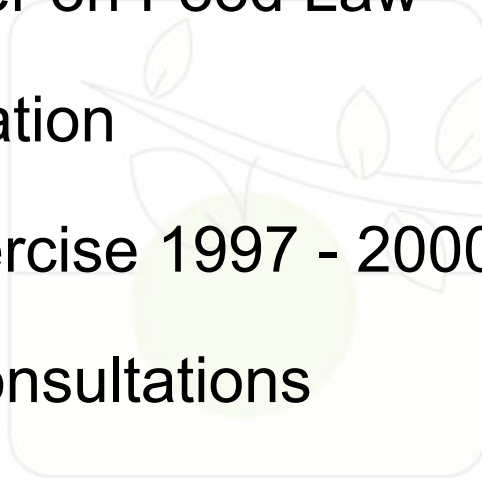
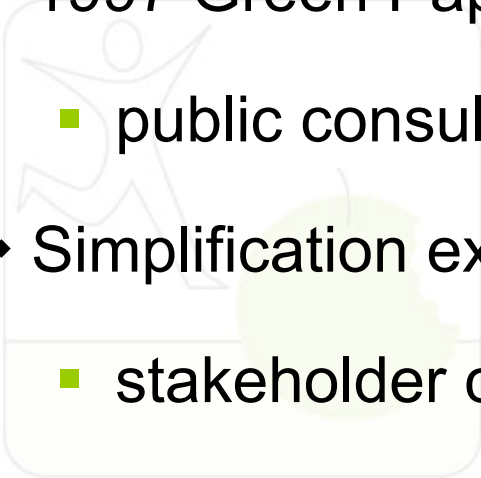
❖ **General Food Law (its contribution, general principles, general requirements of food safety for food business and Member States, procedures)**

SETTING THE SCENE – food crises

- ❖ A series of food scares during last years (BSE, Dioxin, foot and mouth)
- ❖ Food safety crises have shown loopholes in E.U. food safety legislation

SETTING THE SCENE - background

- ❖ 1997 Green Paper on Food Law
 - public consultation
- ❖ Simplification exercise 1997 - 2000
 - stakeholder consultations
- ❖ 2000 White Paper on Food Safety
 - Commission position – Action Plan (84 measures)



SETTING THE SCENE – a radical new approach

- **To ensure EU highest standards of food safety**

- **Food safety “from farm to fork”**

- **To restore and maintain public confidence in our:**

- ▣ food supply
- ▣ food science
- ▣ food legislation
- ▣ food control

- **To involve all interested parties**

- **To promote better enforcement**

- **To provide greater transparency to consumers**



SETTING THE SCENE - **Structural changes**

❖ European Food Safety Authority

- ↗ re-inforce the scientific basis of risk assessment
- ↗ separate risk assessment from risk management
- ↗ develop a new capacity for risk communication
- ↗ strengthen co-operation with and between Member States

❖ Re-organization of Commission Services

OVERVIEW OF EU FOOD SAFETY LEGISLATION

- ❖ A new legislative agenda (January 2000)
 - **General principles of food law**
 - **A new legal framework for animal feed**
 - **A coordinated approach towards hygiene**
 - **Complete and updated sectoral legislation (eg additives, contaminants, pesticides, food contact materials etc.)**
 - **Develop legislation on controls**
 - **Modernize labelling provisions**
 - **Better consideration of nutritional aspects**

GENERAL FOOD LAW REGULATION EC/178/2002

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- **Came into force at different time according to the various parts of the text**
 - **Establishes European Food Safety Authority**
 - **Lays down general principles/requirements of Food law**
 - **Streamlines food safety procedures**

GENERAL FOOD LAW CONTRIBUTION

❖ Legislative coherence through

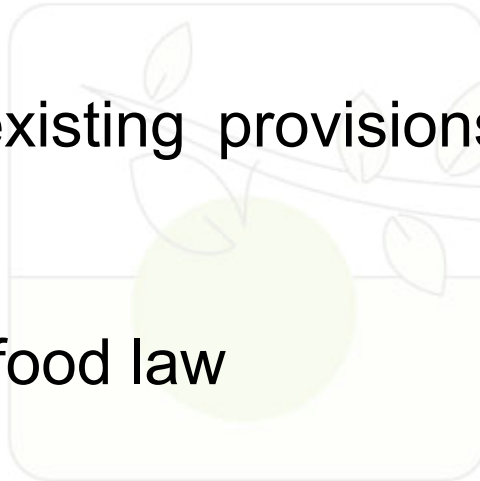
- overarching guiding principles
- legitimate objectives for food law
- common definitions (first time a definition of “foodstuff”)

❖ Broad definition of food law

- covering food of animal and plant origin
- animal feed
- safety and protection of consumers interest

GENERAL PRINCIPLES

- ❖ Basis for all community and national legislation
- ❖ All incompatible existing provisions must be removed by 2007
- ❖ Scientific basis to food law
- ❖ Precautionary Principle
- ❖ Principle of transparency (public consultation and public information except urgency)



GENERAL FOOD LAW REQUIREMENTS

apply from 1 January 2005

- ❖ To put only safe food on the market (Articles 14 and 15)
- ❖ Primary responsibility rests with food business operators (Article 17)
- ❖ To verify at all stages that food safety requirements are met (Article 17)
- ❖ Foodstuffs, animal feed and feed ingredients must be traceable (Article 18)
- ❖ To withdraw and recall unsafe products + inform competent authorities in case of suspected risk (Articles 19 and 20)

OBLIGATIONS OF FOOD TRADE

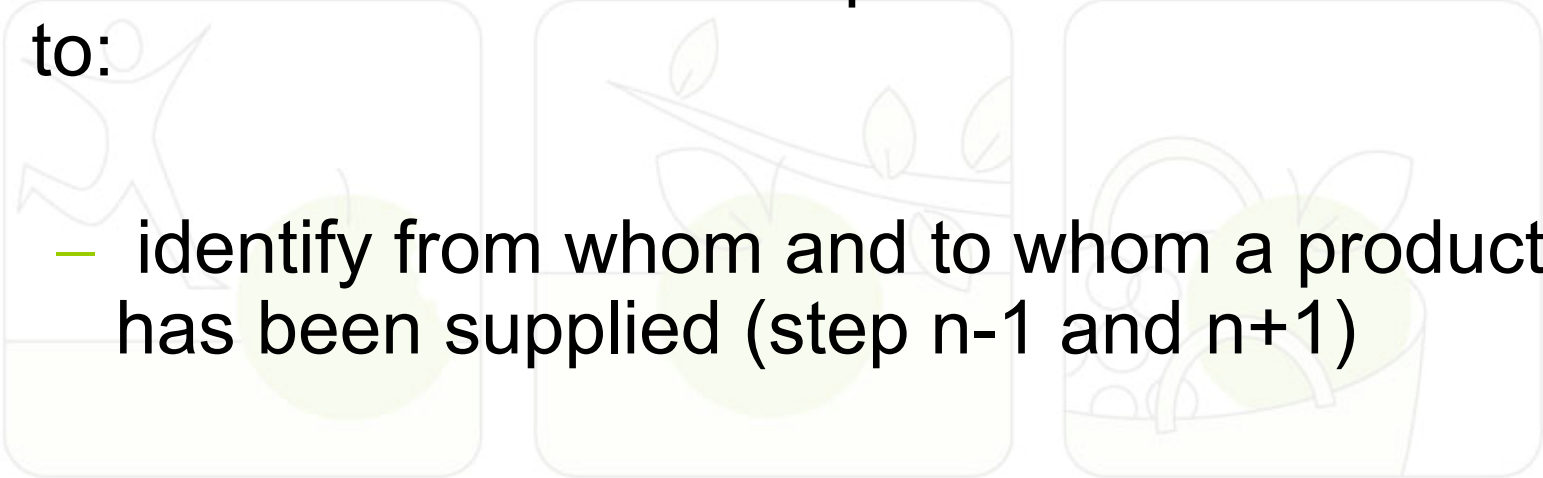
- Imports/exports shall comply with EU or equivalent (recognised) food law provisions (Article 11)
- Relevant provisions of bilateral agreements with third countries for exports (Article 12)

RESPONSIBILITIES

- Define the responsibilities of food business operators and of Member States competent authorities
- Extending to all food areas the primary responsibility of F.B.O. in the context of their own activities
- Not an E.U. regime allocating the liability between food business operators

TRACEABILITY

Food and feed business operators shall be able to:

- 
- identify from whom and to whom a product has been supplied (step $n-1$ and $n+1$)
 - have systems and procedures in place that allows for this information to be made available to the authorities

WITHDRAWAL AND NOTIFICATION

- Obligation for F.B.O. to withdraw / recall a food which:
 - has been placed on the market and has left their immediate control)
 - and does not meet the E.U. or national food safety requirements
- Obligation for F.B.O. to notify a withdrawal / recall to the competent authorities

OBLIGATIONS ON MEMBER STATES

❖ M.S. shall enforce food law:

official controls, public communication on risks, surveillance and other monitoring activities

❖ M.S. shall adopt measures and penalties in case of infringements (effective, proportionate and dissuasive)

PROCEDURES

- ❖ **Rapid Alert System (Commission, MS, EFSA, third countries on request)**
 - **It covers foodstuffs and feedingstuffs**
 - **Notification of any direct or indirect threat to human health, animal health or the environment**
- ❖ **Emergency measures (new powers to the Commission when national authorities are unable to contain an emerging food risk)**
- ❖ **General Plan for crisis management**
- ❖ **Standing Committee on Food Chain and Animal Health**

E.U. IMPLEMENTING GUIDELINES

- ❖ To define common implementing rules for food business operators (not legally binding):
 - ❖ Identification of suppliers and customers
 - ❖ Internal traceability
 - ❖ Types of information to be kept
 - ❖ Time for record keeping
 - ❖ Maximum time for reaction
- ❖ Available on SANCO Website at http://europa.eu.int/comm/food/food/foodlaw/guidance/index_en.htm