

PROCEDURES FOR MANAGING CRISIS

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1. Introduction – scope – aims

Management of these alerts and crises calls for effective coordination between everybody involved in order to meet essential safety requirements and legitimate consumer demands by circumscribing the adverse or prejudicial effects on a given sector as far as possible. How such coordination should be organised is the subject of this document.

Starting from this document, each country should prepare his specific document of coordination between the various players affected by an alert or crisis (Cf. french document in annexe).

It is intended not as a substitute for the crisis-management structure or arrangements of individual firms but simply to improve coordination between the various players affected by an alert or crisis: manufacturers, importers, processors of raw materials used in the end product, distributors, central and local government.

There are three stages:

- The first consists of risk or hazard reporting, involving an assessment and an exchange of information on the hazard between those concerned; this is the alert stage.
- The second stage consists of actual management of the non-conformity or crisis. It takes the form of an exchange of information on measures to be taken, monitoring of these measures, and their outcome.
- The third stage is the end of the alert or crisis.

2. Definitions

In order to avoid any misinterpretation our terminology must be clearly defined, in particular the following terms:

- **ALERT:** Information which, if not acted on, may prejudice consumer health or safety.
- **CRISIS:** Situation of real or supposed risk (to health, safety or the economy) which may create collective anxiety; such a situation is aggravated by sensitive circumstances; it requires urgent action. The media dimension is sometimes an essential element of a crisis.
- **WITHDRAWAL:** Suspension of the marketing or distribution of a product.
- **RECALL:** Suspension of the consumption or use of a product or service by consumers.

3. Risk assessment.

Current legislation, in particular the Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, requires firms, including distributors, to ensure the safety of their products. It is therefore their responsibility to establish an effective self-monitoring mechanism for detecting any failures in their production systems or the safety of products placed on the market, for receiving and handling complaints, etc.

These mechanisms may lead to identification of hazards which must be assessed in order to ascertain whether mutual alert-notification procedures should be used, depending on which of the two following situations obtains:

- The reported risk is not obviously connected with the product, arising rather from abnormal use of the product with little likelihood of affecting many consumers, or the failing reported is relatively minor and a simple remedy can be found. It is clearly in a firm's interest to keep documentary evidence of improvements

made after such risks have been reported. This is a matter for internal company management. The authorities, when carrying out inspections, can note the improvements made and thus verify the relevance and effectiveness of the management mechanisms which the firms have introduced.

- The reported risk is of a manifestly serious nature or arises from a non-conformity likely to constitute a risk to human or animal health; a solution should therefore be found as soon as possible. In this case, notification must be systematic and immediate. In order to gather all the relevant information for the parties concerned and facilitate communication, use should be made of the progress sheet described in annexe 6.3. below, which brings together all the information required to grasp the problem fully. The speed and relevance of decisions almost always depends on the ability to analyse the situation and the accuracy of the information thus collected. It is thus possible to avoid the risk of rumours which may damage a firm or the implementation of successive measures which may give a bad impression of crisis management and foster consumer suspicion.

4. Responsibilities

4.2 Industrial responsibilities

As laying down by Regulation (EC) No 178/2002 or Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs and animal or animal origin foodstuff directives, food business operators have responsibilities in traceability of food, recall and/or withdrawal procedures, reporting to the competent authorities, internal (self) control, etc. They also shall collaborate with the competent authorities on action taken to avoid or reduce risks posed by a food which they supply or have supplied.

4.2.1 Traceability – Identification – labelling

Professionals of the food sector shall have set up a good traceability of their products in order to be able constantly to locate a product starting from its characteristics of manufacture or from information coming from its providers. This system should include information available on the product (labelling) so that these products are easily identifiable by the supervising authorities and the consumers.

4.2.2 Recall / Withdraw procedures.

Professionals should have worked out procedures of recall and/or withdrawal of the market of products in order to be able to react quickly in the event of problem. Periodic exercises should be carried out in order to check the good knowledge of the procedures by the employees and their efficiency. These exercises should also make take part the supervising authorities in order to check the efficiency of the procedures of coordination.

4.2.3 Internal (self) control

Professionals should have set up procedures of internal audits of the products for which they have the responsibility. These procedures, founded on the principles of HACCP system, should allow quickly identify any product presenting risks for the consumers.

4.2.4 Reporting

As of self-checking highlights a risk for the consumer, an evaluation of this risk should be realized (cf 3.).

When the assessment of the situation or occurrence demands, the alert is sent to the parties concerned through a reporting framework in the form of a “progress sheet” (Cf. example in annexe.)

4.2.5 Solutions

The information sent in the progress sheet must be analysed in order to determine what action should be taken to control the hazard in question.

The progress sheet may contain guidance on measures to be taken in order to control the hazard identified. However, in the most serious cases, decision-making must be based on the following procedure.

4.2.5.1 Choice of measures

The choice of measures to be implemented, such as withdrawal, recall or other action (closer monitoring, etc.), is made after consultation between the authorities and the businesses concerned. In a real emergency, a firm may of course undertake a withdrawal or a recall before this stage, in which case it must notify the authorities as soon as possible, whatever the circumstances, using the fields for this purpose in the progress sheet.

Once the necessary measures have been decided upon, they are communicated to all concerned, accompanied by an updated version of the initial progress sheet.

4.2.5.2 Product withdrawal

Withdrawal of products from the market (apart from the question of recall) is a frequently used procedure, even in the absence of a definite serious and immediate danger, since firms tend to adopt an attitude of caution. It very seldom causes problems between business and government in the course of managing alerts and crises.

Withdrawal may concern either raw materials or semi-finished products.

4.2.5.3 Product recall

The object of a recall is:

- To reduce to acceptable levels the risk to persons holding dangerous products.
- Depending on the nature of the hazard, to alert persons who have been at risk in order that they may watch for the appearance of certain disorders and then report them to their doctors in order to facilitate diagnosis and a prompt start to appropriate treatment.

4.2.6 Verifying efficacy of advertising (% of recall)

The conditions for return of goods to the distributors should also be checked (actual quantity and transport conditions, especially when traded food products share space with risk products).

4.2.7 Communication / Consumer information

Information is one of the key elements of crisis management. When a recall has been decided, once there is agreement between the authorities and the businesses concerned as to the nature of the risk, the products concerned, etc., it is essential that the information destined for the public should be published as soon as possible by the businesses themselves in coordination with the authorities. This information may take various forms: it may be displayed at the point of sale on posters, for example, or published in the local, regional or national press.

The announcement is left in the first instance to the business, whether manufacturer or distributor, in collaboration with the authorities at local level. It is made by the relevant authorities if the business does not provide the information within a given period.

The first information provided for the media is the most important, since it determines the level of the consumer alert and, consequently, the level of consumer reaction. The force of the announcement must be in proportion to the risk.

The announcement must be concise and differ in form from advertisements.

It must clearly state the brand name, the trade description, the precise references for the product concerned (batch, date of manufacture, etc.), and, if appropriate, like products not concerned. The content must be selected with a view to ensuring that the announcement is easily understood.

It must provide information on the exact nature of the risk to the consumer.

It must specify simply but clearly the forms of procedure for the recall.

Lastly, depending on the firm's degree of involvement in managing the crisis, some positive information may be added relating to the firm's concern for safety.

The public announcement, to be satisfactory and effective, must therefore observe certain obvious rules. It is recommended that the standard press release below be used. The headings, which may be completed in varying degrees of detail, provide the minimum of information for a proper announcement. Of course the firm will add to this announcement where appropriate, depending on the circumstances of the crisis. If the product concerned cannot be easily recognised by the consumer, because of the way it is presented for sale for example, the information must be adjusted to identify the product as clearly as possible, in particular by stating the period and points of sale. In such cases, display of information directly at the points of sale must be envisaged.

Distributors should be informed when announcements include arrangements for refunds or return of goods which involve them in the procedure.

4.3 Gouvernement

4.3.1 National

4.3.1.1 Procedures for managing crisis

The controlling authorities should have worked out procedures for managing crisis in agreement with present document and collaboration with the various parts concerned. These procedures should be public. These documents should in particular clearly identify the points of contacts.

4.3.1.2 assessment of the alert (pas alert assessment plutôt?)

As of reception of information relating to a danger, the controlling authorities should carry out an evaluation of the risk for the consumer. This evaluation should be carried out in collaboration with the parts concerned, in particular with the professional having transmitted information.

4.3.1.3 Communication

The controlling authorities should carry out the transmission of information to all actors who could be concerned with possible development of the alert: professionals, other controlling authorities.

4.3.1.4 Record keeping

4.3.1.5 Supervision

The controlling authorities should set up actions of control in order to check that measurements decided to put an end to the danger are realized efficiently.

4.3.1.6 Enforcement

When the facts require it, the controlling authorities should realized necessary actions in terms of preventive measures to avoid that the facts in question are not renewed.

4.3.1.7 International cooperation (reporting)

When the products concerned have international distribution, the authorities should as soon as possible collect information on the countries concerned and transmit information available to them on the identified danger and the national measures taken.

4.3.2 Local

According to characteristics' of alert, in particular zone of distribution of the products concerned, management may be carried out at the local level. In this case, the procedures used are similar to those described above for the national level.

4.3.3 Coordination between national and local

Procedures should be established in order to attach the respective responsibilities at the national level and the local level. They should describe the procedures of information and of coordination between these levels.

5. End of alert

The essential point here is that the information circulated at this juncture must reach all partners concerned by the alert or crisis who have already received information relating to its management.

There are two aspects to the end of an alert or crisis:

- The end of the alert or crisis for the firm itself or for the sector (if this is the case).
- Restoring the image of a group of businesses or a sector which, although not directly involved, may have been seriously affected owing to unjustified association. The international aspect of this question, with "export certificates", is particularly important here. Systems for making downloadable model certificates available on websites should be considered. This could be supplemented with information on the relevant requirements of various countries abroad.

The end of an alert or crisis must signal the time for a review in order to identify improvements required for managing the situation, both in the firm and among the authorities.

6. Annexes

6.1 French document