

Operational criteria for Food Inspections

Introduction

The White Paper on Food Safety from the European Commission (COM(1999) 719 def.) describes how the EC aims to guarantee safe food. The White Paper focuses on the need for more effective and harmonised control within the community. However, in this document the EC indicate that they may develop criteria for inspection services. Therefore, at the FLEP meeting of 28th March it was decided to set up a working group to define the operational criteria for food inspection services. The chairman of the working group is Mr. Verburg from the Netherlands. Members of the working group are Ms. Goodwin from England, Ms. Royneberg from Norway, M^a Sagrario Pérez Castellanos from Spain, Mr. Buts from Belgium, Mr. Amboise from France, Mr. Ellard from Ireland and Mr. Jenewein from Austria.

Procedure

- In the middle of June 2000 a discussion paper from the Chairman was sent to the members of the Working group
- On the 21st September 2000 there was a meeting of the Working group in The Hague with a discussion of the paper. This led to a first document with some ideas and questions.
- This document will be sent to all members of FLEP with the request for comments and answers to specific questions.
- Before the next FLEP-meeting the Working group will have a second meeting to incorporate the comments from the FLEP meeting in Rotterdam into the document.
- The final document will be presented at the next meeting of the FLEP, so that the FLEP-forum can decide the future of the report.

The present document is the first paper from the discussions in the Working group.

Scope

According to the White Paper in order to guarantee safe food the criteria for supervision and enforcement have to be fulfilled from the beginning to the end of the whole food chain. In this respect the environment is also included.

No distinction is made between public health and animal health, and between feed and food.

The working group proposes to limit the scope to the mentioned items.

Responsibilities

Government

The government is responsible for appropriate legislation and adequate inspection services.

Product certification is not a task of the inspection services.

Producer

The safety of a product is the responsibility of the producer. Thus the producer has to work in a hygienic way. All businesses concerned should work with a food safety system. This is either their specific system or the business follows a code. In the absence of a system or code, the business complies with the minimum standards set out in the legislation.

Legislation

Enforcers enforce legislation therefore they cannot provide safety if the legislation is inadequate.

There has to be legislation so that the enforcers can perform their tasks, to protect the public health (Ann Goodwin would like to add that there are a lot more issues involved than just the two mentioned and maybe these are not the best two examples to select). In the legislation the aims are defined, but not the means.

Legislation has to be appropriate and clear, and has to define what is adequate for consumer protection.

The legislation has to give a definition of safe. This definition has to be based on hazards and risks and on current knowledge and has to be translated to acceptable norms.

Working with norms in a product gives a number of problems:

- Is it possible to have norms for every ingredient?
- The politicians are inclined to set zero norms (norms that equal the detection limit). In most cases zero tolerance is not wanted or applicable.
- Everybody needs to look at a norm in a product in the same way.

- There has to be constant review of the norms.

With norms one is working with end product control; but it is necessary to inspect earlier in the food chain, (if the production process is under control by the producer).

The enforcers have the task of informing the legislators about problems in any legislation, and the legislators have a duty to address any problems brought to their attention.

Supervision and enforcement

First of all the inspection services need to know where to inspect. Therefore it is necessary for producers to register their premises, with at least the minimum requirement of a registration number, the kind of activities undertaken, and provide information about adequately trained persons responsible for food safety. It is also possible to categorise the premises with a risk rating scheme. The supervision is auditing the producer based on risk.

The goals that should be attained must be set by the EC and the member states offer plans how to achieve those goals.

Inspections should be undertaken throughout the food chain where they are most effective

The working group is of the opinion that identical enforcement procedures are not desirable.

Criteria for services

Whilst criteria for inspection services can be considered in terms of input, output and outcomes, it is easier to establish criteria based on output, i.e. number of inspections carried out/number of formal food samples taken etc., rather than outcomes. In general the European Commission sets up minimum requirements.

The working group concluded that for the time being criteria based on outputs are the most appropriate, because fixing outcome criteria presents many difficulties.

The standard

A standard might cover key strategic issues of the food law enforcement service, setting down important principles but not being too detailed or prescriptive. The standard might bring together the requirements of food law enforcement services arising from existing legislation and combining it with the necessary management arrangements to ensure effective and consistent enforcement service delivery. The Commission could then arrange for the monitoring and auditing of this service delivery.

The standard might contain the following:

- Management arrangements, staff and equipment resources;
- Enforcement policy;
- Inspection and sampling programmes;
- Arrangements for co-operating with other relevant agencies, e.g. inter-member states;
- Inter-member state arrangements for the investigation and control of outbreaks and the handling of national and international food hazards;
- Services to the consumer

The standard may also look at:

- reviewing documented policies and procedures,
- appointing sufficient number of authorised officers and
- ensuring a maintained documented training programme for authorised officers.

Consideration may also be given to the competent authority setting-up and making readily available to the public a documented complaints procedure regarding complaints about the service.

The quality of specific parts of the inspection services could be accredited: e.g. sampling and laboratory services.

Education

There is a relation between the tasks to be carried out and the competence level of the person undertaking the tasks.

The minimum standard of qualification of the persons undertaking the tasks needs to be set. These qualifications are education, training and experience. Competence should be maintained and this should include aspects such as (on going education).

Consumers

Consumers should have access to the results of the inspection services. At the moment they have no access in Europe. In the USA the results are published. If information of this nature is made available to the consumer then the consumer can make an informed decision and has choice. The information system however must be a simple one which can be easily understood by consumers. However, there may be problems with legislation.

Should the consumer expect safe food?

Consumers should be assured of receiving all public information. The public must be informed about risk. Providing consumer information about risks related to certain foods is not the responsibility of the inspection services but rather of the government. Education in schools also has a part to play in the provision of this type of information.

Miscellaneous

Import

The problem of raw materials is in many cases a problem of import controls at the point of entry into the EU. In the past, because of the WTO no barriers were set on the import of goods. Nowadays, products from third countries should have the same specifications as products within the EU.

As well as this, there is a problem of import and final destination.

The working group is of the opinion that inspection of imported food and feed should be carried out in special border posts. This provides for effective inspection. Therefore the legislation needs to be adapted.

HACCP

The code is a minimum requirement and the enforcement of this should be considered.

When deviation from the code occurs, procedures should be undertaken to an equivalent or higher standard than the code e.g. large industries with their own food safety systems.

The government inspector can never be responsible for missing a critical control point.

If a firm misses a critical control point, the safety system is not sound and not properly validated.

Harmonise the codes? (industry guides)

The working group is of the opinion that this is not the way forward.

On the other hand it is important to see how different countries have worked out these items so that we could learn from each other. The EC should therefore consider translating Member States industry guides into the languages of the EU in order to share information in particular for the benefit of the trade.

Other items

In order to assess the effectiveness of the new European Food Authority the EFA should state the criteria necessary to measure the effectiveness of some legislation.

Should we have more co-ordinated programs in the EU?

The working group is of the opinion that the commission should put more effort in the co-ordinated programs, so that the outcomes in the member states will be more equivalent.