

Draft, 20 June 2002

REPORT OF THE SEVENTEENTH MEETING OF THE FLEP-FORUM HELD IN LONDON ON 11 AND 12 JUNE 2001

1. Participants

Organizations from the following nations (see list of participants):

Belgium, Czech Republic, Germany, Hungary, Ireland, Lithuania, the Netherlands, Norway, Spain, Sweden, Switzerland, United Kingdom

Observer: Joerg Stroka (Joint Research Center European Commission, Ispra)

Speakers:

Mr. Allan Asher, Consumer International Global Policy and Campaigns Director)

Sir John Krebs Chairman FSU Board UK

2. Introduction

The Chairman, Mr. Wolfs welcomed delegates and observers. The secretary informed the Forum that the original Agenda had been changed and a new Agenda was proposed. The new Agenda was, with a few changes fixed.

3. Welcome by Mr. Gary Ince, Managing Director Chadwick House Group Ltd

Mr. Ince welcomed the delegates. He informed the Forum about the tasks of the Chartered Institute, which are:

- A professional body for the Environmental Health Inspectors
- An examinations body
- Organizing symposia
- Publishing professional information

They have hygiene courses for 3 different levels in the food industry and 3 different certificates. About 500.000 workers in the food industry are certified. At last he thanked the FLEP Forum that the Chartered Institute was invited to organize the meeting.

4. Introduction by Mr. Graham Jukes, Chief Executive, Chartered Institute of Environmental Health

Mr. Jukes said that he was pleased to host the FLEP meeting. He informed the Forum about Issues, which the Chartered Institute was dealing with.

- The next week was nominated as the food safety week.
- The new administrative arrangements (new government)
- Other subjects than food dealing with health
- The lack of border focus in the EU food law
- The contamination of the surrounding of places where cows were burned with foot and mouth diseases with dioxins.

He wished the FLEP Forum a good meeting.

5. Minutes of the FLEP Forum held in Rotterdam on 20 and 21 November 2000 and the Steering Group meeting in Brussels on 5 April 2001.

Concerning point 24 of the FLEP Forum meeting, Mr. Jeuring noted that first a document on e-commerce would be prepared by him, which should be discussed in the Steering Group.

Referring to point 1 of the Steering Group meeting, Mr. Gondrosen informed the Forum that Mr. Race would retire. It was agreed that Norway would nominate a new Member of the Steering Group within 2 months.

6. General Information

Mr. Petersen (DK) informed the Forum that since 1½ year the new structure was in force. The national food authority consists of one headquarter and 11 regions. All regions have a microbiological laboratory, but only 3 regions have a chemical laboratory. Just a month ago the first budget was received. Although there are still some difficulties in streamlining the organizational structures and that computer systems are still not working perfectly, most problems goes in the right directions and most co-operators have positive feelings that problems are solved within the next years.

Mr. Binnemann (D) explained that because of the BSE crises ministers were fired and that all competencies, related to food were transformed to the former Ministry of Agriculture, which is now calling: Ministry of Consumer protection, Nutrition and

Agriculture. Also in the State of Bavaria a ministry of consumer protection was established.

Mr. Honig (D) told that until now out of 500.000 examinations 77 cases of BSE were detective.

Mr. Peters (NL) informed the Forum about the creation of a National Food Authority in the Netherlands. This Authority should deal with Science, Information and enforcement. Discussions are still going on about what structure there should be and how the responsibilities between the different participants should be regulated.

Mr. Van Havere (B) informed the Forum about the State of the Art of the National Food Agency in Belgium.

This Agency falls under the direct responsibility of the Minister of Health and include the Food Inspection Service and the Meat Institute and some Agricultural services. The policy department will not be included in the Agency. The aims of the Agency are:

- To guarantee the safety of food by means of an efficient food control system all over the food chain
- To guarantee the quality of food at a high level in order to protect the consumers.

Furthermore Mr. Van Havere informed the Forum that under the Presidency of Belgium the EVA and the Feed and Food Control directives would be subject of further developing.

7. Working Party “Operational criteria for Food Control Organizations”

Mr. Verburg presented the report of the Working Party. Mr. Jeuring (NL) asked why identical enforcement procedures were not desirable, while in the case of Import control identical procedures should be used. Mr. Verburg said that generally speaking enforcement organizations must be flexible, and harmonizing inspection procedures may cause an in flexible system. Otherwise he agreed that on special issues harmonized procedures could be necessary. Also Mr. Honig (D) also said that some standardization of inspection is necessary.

Mr. Dahm (DK) asked if the producers did sampling and testing of samples the food inspection should still take samples or should the food inspection rely on the results of the producers. Mr. Verburg said that sampling by the food inspections would be necessary to verify the results of the producers.

Mr. Van Havere (B) asked if the Working Party could look to the consistence of this report in regard to earlier reports (import). He suggested using this document just as a guideline for other working parties and it should not be used as an official FLEP document.

Mr. Verburg agreed with the comments of Mr. Van Havere . Concerning the question of Mr. Fitzpatrick (Ire) if food inspection services should communicate about risks, Mr. Verburg answered that in his opinion the food inspection organizations should communicate about the results of the inspections.

It was agreed that the document should be used as an internal FLEP document, which can be used by other Working Parties.

8. Working Party “Functional Foods”

Mr. Wheale (UK) informed the Forum about the activities of his Working Party. He attended the Forum on a Commission Paper on Nutritional Claims and Functional claims. Reactions on this document should be done before 20 July 2001. Because of the existence of this document the Working Party members concluded that functional foods should be considered as normal foodstuff. He suggested refocusing the work of the Working Party on national measures on claims. The Forum agreed this proposal. Mr. Wheale said that he will organize a next meeting of the Working Party in October 2001 and a report on claims will be presented to the Forum.

9. Working Party “Measuring Compliance”

Mr. Duval (UK) offered hid apologies for the delay in the activities of this Working Party, because of his activities in the Foot and Mouth disease in the UK. He said that he will organize a next meeting of the Working Party in autumn 2001 and a next report will be presented to the Forum in March 2002.

10. Working Party “Emerging Pathogens”

Mr. Statham (UK) informed the Forum about the progress of his Working Party. The Working Party had identified 9 important pathogens. The Working Part will send a questionnaire on Campylobacter to all FLEP members and he asked to Forum members to answer this questionnaire as soon as possible. The Working Party will meet in Autumn 2001 a next time. He expected to present a further report on the next meeting and will finish the Work at the end of 2002.

Mr. Peters (NL) asked to incorporate a report of the Nordic countries on this Issue.
Mr. Gondrosen (N) will bring in this Report.

11. Working Part “QUID”

Mr. Braxton Reynolds (UK) the Thematic Network on Quid, financed by the European Commission started this year with the activities. To prevent duplication of the work he had waited to undertake any activity of his Working Party. Now it is known what the activities of this Working Party are and he suggested focusing the activities of the Working Party on the qualifications of the scientists. He suggested preparing a questionnaire on this issue Prepared by the Working Party, which will be sent to the FLEP contact points. Later on during the meeting he suggested also to incorporate the Item “How to deal with uncertainty of the test methods”. The Forum agreed to go in with his work in these directions and asked for a first report during the next FLEP-Forum meeting.

12. Working Party “National Food Authorities”

Mr. Statham (UK) explained that because of lack of time no activities were undertaken. Many countries are or had created National Food Authorities and it is important to know how these organizations are structured and what their tasks are. He said he would take initiatives in he coming period to progress this work. The FLEP-Forum stimulated him to go on, because a lot may be learned from this investigation.

13. Working Party “Quality management of Food Inspections”

Mr. Van Kooij (NL) informed the Forum that Mr. Jenewein, Chairman of the Working party, had to stay in Austria, because of new Governmental arrangements in the Food Control in Austria. Mr. Van Kooij will contact Mr. Jenewein to ask for the activities, which he will undertake in the coming months.

14. Working Party “Coordinated Programme 2002”

The proposals of FLEP in the past were used for the Coordinated programme of the Commission. For this reason the FLEP members agreed to go on with this activity. The next countries will participate in the Working Party: Finland, Denmark, Germany,

the Netherlands, United Kingdom and Norway and will be chaired by Belgium (Mr. Van Havere).

Some proposals, which came up during the meeting, were: GMO, heavy metals, Don and zearalone and residues of pesticides in baby foods, ochratoxin in raisins.

Because of the fact that proposals have to be presented to the Commission before October 2001, it was agreed that proposals would be sent to the Chairman of the Working party before 1 September 2001.

15. Working Party “Procedures for Managing crises”

Ms. Goodwin (UK) presented the paper of the Working Party, which consisted of a draft table of contents of the final document. The Forum asked for adding evaluation of a crisis and to take into account the obligation of the premises to inform the authorities in case of serious risks in products for health (New feed and food directive). The Forum agreed that the Working Party would present a draft report during the next FLEP meeting.

16. Working Party “Mycotoxins”

Mr. Jeuring (NL) informed the Forum about the results of a questionnaire which was sent by the Working Party. He received reactions from 12 countries and he urgently asked Portugal, Italy and Luxemburg to send the answers of the questionnaire to him.

Some first observations were:

- All countries enforce the new legislations; however the number of samples differ very much between the countries
- There is still a lack in harmonizing the import of non-veterinarian products.
- There is a need for an information system on refused consignments
- Enforcement actions are taken at different levels in the member state, caused by a different interpretation of the results (uncertainty)
- There are differences in what happened with lots that exceed the level fixed in the legislation.

Mr. Jeuring concluded that the Working Party will come forward with recommendations, taking into account the remarks which were given during the meeting

17. Working Party “Audit”

Mr. Ellard (Irl) said that he had difficulties in organizing a meeting of the Working Party. For this reason he made a first report, which could be discussed during the meeting. In his report gave an overview on: the purpose of an audit, the role of the lead auditor and the role of the auditor. Furthermore he described current experiences of members of the Working Party. He suggested that members of the FLEP-Forum should react to him. He will bring in a final report to the next meeting. The Forum agreed with his suggestion and all FLEP Forum members were asked to react to this document.

18. Round table

Mr. Fitzpatrick (Ire) informed the Forum that the next FLEP meeting would be held in the beginning of March (the period 4 – 12 march). No exact could be fixed, because arrangements for hosting the meeting had to be done. As soon as the new dates are fixed the FLEP Forum members will be informed (within 6 weeks after this meeting).

19. Any other business

Mr. Van Kooij informed the Forum that at the end of June a new draft of the Feed and Food control the Commission would present directive. It was agreed that FLEP Members should gave their reactions to the secretariat and that a 1-day meeting will be organized in September. FLEP members will be invited to send a delegate to this meeting.

The FVO is auditing the controls in the Member States concerning their activities in the field of the controls in catering. The Netherlands will send out a questionnaire to the contact points about their experience with these visits and special in what way formal reactions of the Member States are taken into account in the final report.

Mr. Duval proposed a Working Party on “Import smuggled products”. The Netherlands supported this idea. It was agreed that the UK and the Netherlands would send a questionnaire to the contact points to make an inventory of the situation in the Member States.

Mr. Van Havere suggested underpinning more activities in strengthening the contact of FLEP with organizations of the European Union (European Parliament, European Commission, Food and Veterinary Office). It was agreed that Mr. Van Havere in cooperation with Mr. Peters (NL) would make a proposal for the Steering Group.

20. Funding research for E. Coli

Mr. Statham (UK) informed the Forum that he had examined the possibilities to make a proposal for funding a research project on E. Coli. However, he concluded that within FLEP he could not find a research organization we could take the lead. Because of the financial risks he proposed to delete this subject from the activities of FLEP. The FLEP-Forum agreed with his proposal.

21. Speech of Mr. Allen Asher, Consumer International

Consumer International (CI) is a federation of 256 consumer groups in 11 countries. Included are some governmental consumer protecting agencies. CI doesn't deal only with food issues but also with environmental and product safety issues. CI started 40 years ago as a federation of product testing organizations. And had offices throughout the whole world. The total number of staff is about 80.

During his speech he raised the next issues:

- ? CI had received a consultative status for the Codex Alimentarius. He stated that since the WTO agreement more and more standards are produced by the Code Alimentarius. An important issue during discussions at this moment is the precautionary principle. A point of concern is that countries are sending representatives from trade to the Codex meetings. According to CI Food the trade should not determine safety Standards.
- ? The activities of CI concern training programmes for members how to represent the consumer, giving full factual information about the content of labeling, including GMO.
- ? Subject for enforcement actions are: misleading and deceptive labeling, safety of the products, border control, and the enforcement of frauds (i.e. the selling of spoiled chickens in the UK)

- ? The privatization of the export certification is of great concern for CI, special in those situations where the government does not undertake any activity in monitoring the export products.

CI underpins the next 8 rights of the consumer:

1. Access to basic needs
2. The right to be protected against marketing of deceived goods
3. The right to be protected against misleading and dishonest products
4. The right to have choices
5. The right to be represented (consumer voice)
6. The right to be compensated for misrepresentation and misleading
7. The right to acquire consumer education
8. The right to a healthy environment.

Mr. Asher said that more information could be get from the Website

www.consumersinternational.org

Ms. Lanz (SW) asked Mr. Asher how consumer could be encourages the information on the labels. Mr. Asher said that this was a point of great concern of CI. In his opinion consumers don't read the labels because of the overwhelming information about the product and the incomprehensible text.

The UK asked how CI was funded. Mr. Asher informed the Forum that CI was partly funded by an annual turnover of the members (50%) and the rest by projects, which they undertake. There is no funding from the industry.

Regarding to the question of Belgium concerning the own responsibility (i.e. e-commerce) of the consumers Mr. Asher said that he is critical about the guidelines of the OECD. In his opinion there is a need of voluntary codes prepared in partnership by the industry, consumer and governments. The lack of international standards (i.e. for "green" products there are 10 different standards) is necessary

Concerning the question of the Netherlands how consumer confidence could be measured Mr. Asher said that looking at the consumer behavior is one of the major methods. The confidence of the consumers in e-commerce is low and selling of

products through e-commerce is not rising. Another consumer behavior is that in the UK the selling of beef is still half of the selling in the past.

Mr. Wolfs thanked Mr. Asher for his excellent presentation.

22. Evaluation of the FLEP Website

Mr. Van Kooij introduced the FLEP website. Most members had visited the FLEP website and agreed with the content. The address is: www.flep.org/demo

All members were asked to inform the Secretary about links that should be made on the Website to the Website of national, regional or local authorities. When he received the addresses he will take care of putting those addresses on the Website.

23. Financing of FLEP

The Secretariat explained the proposals of the Steering Group. The next decisions were made:

Accompanying persons

The FLEP-Forum agreed that the accompanying persons have to pay a fee for participating in the social programme. The level should cover the real costs.

Translation

The Spanish delegates agreed in stopping the translation from Spanish to English and French. There was also a lot of doubt that translation from English to French and visa versa should stay. Because of the absence of French speaking delegates, this issue will be discussed in the Steering Group.

Forum fee

Different members made objections in raising the fee, because this could limit the participations and especially from the Eastern European countries. The Forum agreed to keep the fee at the present level.

24. e-commerce

Mr. Jeuring presented his document on e-commerce. It was agreed that the Working Party established during the former meeting would prepare a report for the next

meeting. After some hesitation the Netherlands will chair this Working Party. Finland would also like to participate in this Working Party.

25. Keynote speech by Sir John Krebs, Chairman FSA board

Sir John Krebs informed the Forum about the history of the UK Food Standard Agency (FSA). The policy decided to create a FSA after the breakdown of the consumer trust caused by the several incidents at the end of the last decade, which were reflected in a report from Mr. Phillips. On 1 April 2000 the new Agency started, including 600 staff and 1600 meat inspectors. To prevent conflict of interest it was decided that the FSA should be a non-ministerial department accountable through the Minister of Health. The roles 'from farm to fork' covers:

- Protection of the consumers (enforcement)
- Support choice (labelling, information, advice and nutrition)
- Policy development and advice (including EU)
- Research and surveys to underpin all functions

A board makes the strategic decisions. The members of the board are appointed by open competition. All policy is made in public by 7-8 public open public meetings a year. During the meetings, which are held in different places in the UK the number of attendance is between 50 and 100 and are open questions and answer sessions. All the information is published on the Website.

Expert advisory committees are nominated to advise the FSA on specific issues. An always-raising question is "What do we mean by "safe"?" Sir John Krebs stated that he doesn't answer the question of the kind "is food x safe", because it is his belief there is no such thing as absolute safe food. The FSA approach to risk follows the following principles:

- Government does not set out to eliminate risk
- Scientific knowledge is often incomplete; there is uncertainty
- Managing risk when there is uncertainty by using the precautionary principle
- Give people full information and acknowledge uncertainty

The enforcement of Food law is executed by the meat inspection (part of the FSA) and by 499 local authorities (600.000 premises). The FSA sets standards for the Local Authorities and the Local Authorities are audited by the FSA.

He ended his speech with the remarks that in the near future import, ships and aircrafts and the FSA food safety campaign are the main issues to work on. The Chairman thanked Sir John Krebs for his clear speech.

26. Chairman's closing remarks

The Chairman thanked the organisers and the secretariat for their wonderful job and the participants for their contribution. He stressed the importance of having regular meetings of the Working Parties to ensure progress. He hoped to see everybody the next time somewhere in Ireland in the beginning of March 2002

Jan van Kooij, 20 June 2001