

Draft 27 March 2002

**REPORT OF THE EIGHTEENTH MEETING
OF THE FLEP-FORUM
HELD IN CORK ON 4 AND 5 MARCH 2002**

1. Participants

Organisations from the following nations (see list of participants)

Austria, Belgium, Czech republic, Denmark, Estonia, Finland, France, Germany, Ireland, Latvia, Malta, the Netherlands, Norway, Sweden, Switzerland, United Kingdom

Observers: European Commission (Ispra)

Special quest: Mr. Flueh (Food and Veterinary Office Dublin)

2. Introduction

The Chairman, Mr. Wolfs welcomed delegates and observers. The Agenda was fixed.

3. Welcome by Mr. Gary Kearney, Vice Director of the Food and Safety Promotion Board.

Mr. Kearney informed the Forum about the establishment of the Food Safety Board in Ireland. This organisation is a co-operation between Ireland and Northern Ireland. The task of this organisation is to promote food safety in the both countries and to harmonise facilities on laboratories. This institution was a result of an agreement between Belfast and Dublin and promotes the peace process in Northern Ireland.

4. Minutes of the last meetings

The report of FLEP Forum meeting on 11 and 12 June 2001 in London and the Steering Group meeting on 28 September 2001 in Brussels were endorsed.

5. Any other business

The next points were announced to be addressed on the second day:

- suggestions for improvement of the functioning of the Working Parties (United Kingdom)
- possible effect of the general principals of Food Law and the establishing of the EFSA (Belgium)
- Information concerning the Codex Committee on Im- and Export (Netherlands)
- Control of gluten free foods (Ireland)

6. Presentation of Mr. Flueh, Head Department Food of Plant Origin and Plant Health, FVO Dublin

Mr. Flueh informed the Forum about the structure of the Food and Veterinary Office (FVO). The FVO is an institution falling

under DG Sanco from the European Commission. The FVO consists of 4 sectoral units (3 veterinary and 1 food of plant origin) and 1 general sector. The mission statement of the FVO is to evaluate the national food control safety systems (including guaranteeing of plant Import) in the European Union as well in third countries.

Auditing of the Food Safety Systems of the countries does the evaluation.

A general audit consists of the next steps:

- preparing a program on the basis of a risk assessment
- planning the visit in agreement with the country to be audited
- preparing a permission questionnaire
- visiting the country
- preparing the report
- circulating the draft report within the FVO
- sending the report to the member state, including asking for an action plan to improve the food control
- analysing the action plan of the country
- advising the relevant services of the European Commission

The Food Unit had executed about 60 inspections since 1999. The main inspections were dealing with contaminants, pesticides, food hygiene and organic farming. 40 Inspections were done in the Member States and 20 in third countries.

Some conclusions after the general hygiene inspections were:

- there is a great variety in structures
- the implementation of the HACCP systems are not so good as the commission wishes

The inspections related to pesticides notified the next problems:

- accreditation of the laboratories
- limited capacity in the services
- deficiencies in sampling

The inspections dealing with contaminants were focussed on mycotoxins, 3-MCPD, PAH and the Import control.

Furthermore 4 exploratory inspections were carried out concerning GMO.

The future activities will be focussed on:

- the enlargement of the European Union
- official controls and food hygiene
- contaminants
- pesticides

Furthermore desk studies will be made to estimate the exposure to pesticides and the comparison between the intake of organic and conventional food.

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6. General information

Czech Republic informed the Forum that the FVO-Dublin had evaluated the Czech Food Control system. One of the conclusions was that a better co-ordination in Food Control was necessary. This conclusion had resulted in the establishment of a Food Safety Strategy Co-ordination Group (12 members) to strengthen the co-ordination of the food control. The first actions of this group were setting priorities and the establishment of scientific committees.

The Netherlands informed the Forum about the establishment of the National Food and Commodities Authority. This Authority falls under the responsibility of the Ministry of Health, but task, falling under the responsibility of other ministries, will also be included. The Inspectorate for health Protection and Veterinary Public Affairs (Ministry of health) and the national Inspection Service for Livestock and Meat (Ministry of Agriculture) are included in the Authority as two separate organisations, keeping their own identity. The main tasks of the authority are:

- communication
- risk assessment
- food and feed control
- commodities control
- animal health control

Germany informed the Forum about the establishment of a National Food Authority, which is dealing with risk assessment.

Finland informed the Forum that workers in the Food enterprises have to possess a food hygiene passport, in which their education in food hygiene is registered. The level of education depends on the kind of activities in the premises. Since March 2002 all workers, who started to work in Food Premises should have an education in food hygiene. Furthermore the Forum was informed that a monitoring project concerning allergies caused by bakery products started.

Austria informed the Forum of the establishment of a food agency, falling under the responsibilities of the Ministry of Social security and the Ministry of Agriculture. In June 2 directors will start. The first task will be to merge the 19 laboratories to 4 laboratories in the main cities. The present number of 1100 employees will be reduced. The inspection is excluded from the Authority and will stay a responsibility of the "länder". The Ministers do have the possibility to order the "länder" to execute specific actions.

In Norway all the Food Control, excluding the control of fish products, will be centralised under the National Food authority starting at 1 January 2003.

In Denmark all food control falls under the responsibility of the Ministry of Food. At present discussions are started to diminish the number of regional laboratories.

7. Working Party "Audit"

The report of the Working Party "Audit" was discussed in a separate group of the Forum. The remarks of this group were:

- to publish the report on the FLEP Website
- the agreement that there is a difference between audit and inspection.
- some countries (among others the Netherlands, Ireland and Norway) had educated part or all inspectors in the auditing technique
- bigger premises should be inspected (audited) by a team of inspectors.

The discussion group suggested preparing a document concerning the base line level of an inspector.

The Forum agreed to publish the report on the Website and that Ireland (Mr. Ellard) will prepare a document concerning a template for educational level of food inspectors.

8. Working Party "Mycotoxins"

The report of the Working Party "Mycotoxins" was discussed in a second separate group of the FLEP Forum meeting. Mr. Jeuring reported to the FLEP Forum the results of this discussion. All recommendations, with some small changes, were endorsed in the discussion group. It was agreed that the report would be finished, including the remarks. The report will be sent to DG Sanco and the VVO. Furthermore it will be published on the FLEP Website.

9. Working Party "Co-ordinated Programme"

A third group discussed the document concerning the co-ordinated programme prepared by France (Ms. Biolley-Coornaert). The Working Party identified some criticism about the co-ordinated programme in the past. Those critics were:

- criteria for taking up proposals in the programme are unclear
- the proposals were not based on risk assessment
- the programme should be based on public health risks or frauds in order to obtain results with statistical significance for risk management.
- follow up actions from the EU-commission resulting from the reports by Member States are missing, which undermines the willingness of Member States to participate in the programme.

The Working Party suggested that before discussing new proposals for the programme, to set up criteria and to inventarize the 10 main food issues related to health as well as to frauds, in each Member State. Dependant on the criteria and the reaction on the questionnaire new proposals could be formulated. The FLEP Forum agreed in principle with this proposal, but encouraged the Working Party to prepare proposals for the recommended programme 2003.

10. Working Party “Emerging Pathogens”

The Working Party had prepared information documents concerning *Escherichia coli*, *mycobacterium avium* subspecies *paratuberculosis*, *Listeria* and *Vibrio cholera*.

The recommendation to publish these documents on the FLEP Web site was endorsed. Furthermore the Working Party will prepare some new documents for the next Forum meeting on other emerging pathogens.

11. Co-operation with the European Commission

Mr. Van Havere had had contact with Mr. Vanhoorde about realising a better contact between the European Commission and FLEP. Mr. Vanhoorde informed Mr. Van Havere about the different organisations within the EU institutions. Important contacts are FVO, DG Sanco, DG Research, EFSA and the European Parliament.

Activities, which could be undertaken to promote FLEP within the European Commission, are:

- promoting the FLEP web site
- offering expertise in relation to food control to EFSA
- actively offering FLEP reports to the responsible persons of DG Sanco by sending or by the national expert in Working Groups (f.e. the report on import)
- seeking actively contact with the FVO in Dublin
- seeking informal contact with the European Parliament.

Mr. Statham reacted on this proposal by saying that he had contact with the FVO and that FVO had invited FLEP to contact the FVO.

It was agreed that the Steering Group would discuss these proposed activities during the next Steering Group meeting.

12. Working Party “National Food Authorities”

Mr. Statham introduced the interim report. The Working Party had sent a questionnaire to the FLEP members. 9 FLEP members replied the questionnaire.

The questionnaire was focussed on the reporting lines (which ministry is responsible), a description of the agency (non ministerial department, risk assessment, a directorate, a governmental agency, a veterinary and food administration, governmental department)), the characteristics of the agency (reporting to boards, transparency, public meetings, and independence to government) and the role in risk assessment, risk communication and risk management).

Because of the fact changes in structures had been realised in other countries, the questionnaire will be sent to all countries, who had not yet replied. It was agreed that on the next meeting a further report would be presented.

13. Working party “Functional Food (Claims)”

Ms Marcroft informed the Forum that the name of the Working Party had been changed into “Claims”. She informed the Forum that a

first meeting was held in October 2001. The task of the Working Party was to develop a template about to gather information from FLEP members about:

- existing regulations on claims
- the existence of guidelines on claims
- difficulties in Enforcement.
- the existence of approval systems

The Working party received only from some countries information. The Steering Group stimulated the Working party to go on with their task and the FLEP Forum members were urgently requested to answer the questionnaire of the Working party. Furthermore information concerning the development of EU regulations should be taken into account.

14. Working Party "Measurement of Compliance"

Ms. Marcroft presented the results of a questionnaire, which was sent to the FLEP members by the working party Measuring Compliance in December 2001. She noticed that it was a pity that only 12 of the 24 contact persons responded the questionnaire. The overall view of the 12 received questionnaires was that activities related to the subject "measurement of compliance" were very scarce.

After the presentation a discussion took place about the publication of inspection-results (with name and address of the business) by the practitioners. Some countries publish some of the results on Internet (Ireland; closed premises); Denmark developed and uses a system of "Smileys" wich categorise the inspected business in 4 classes (from good to bad); in the Netherlands a discussion is going on about this issue with the ministry of health and a big newspaper (wich asked for the information about inspections). In most countries there is only a responsibility to inform the public in case that a product is on he market with a health risk. The conclusion was that in most countries discussions are going on this interesting item, although they pay attention to the laws about the privacy of the business.

Another point of discussion was the policy of the intended-compliance-level of the Member States. Non of the members were able to formulate such a level, although this should be the base for the existence of the Enforcement-Practitioners. At least it could help to make the Enforcement more effective as an important tool goal of the governmental policy for safe food and feed.

The chairman asked the Working Party to add their scope with the subject's "publication of results " and "intended compliance level".

Mrs. Macroft asked the members who didn't send in the questionnaire to respond within a few weeks.

15. Other business

Mr. Burke (Ireland) introduced a proposal for a questionnaire on official control of "gluten-free" market foodstuffs. He informed the Forum that the presented questionnaire still has to be changed on several points, but he asked if the FLEP members were willing to react on the questionnaire. The Netherlands supported the proposal and was willing to react. Also Germany, United Kingdom, Czech Republic, Finland, Latvia and Austria agreed to react after receiving a revised questionnaire.

Mr. Stroika (ISPRA) informed the Forum that a workshop with the accessing countries was held in December 2001. During this workshop the needs for support were identified and reported in a booklet. This booklet will be sent by ISPRA to all participants. Mr. Stroika also promised to send the booklet concerning the list of EU organisations involved in food control.

Enhancing the effectiveness of FLEP

The UK noted that, although FLEP is a high priority for many of the FLEP members, the willingness of colleagues to support working groups or to return questionnaires is limited. For this reason a general discussion was held to improve the effectiveness of FLEP.

During the discussion the next suggestions were raised:

- improve the status of FLEP by an active approach of the EU commission
- communicating to European organisation that FLEP is a European Food Law Enforcement Organisation
- asking for financial support of the commission for a broader participation in FLEP meetings
- improve the quality of the website and promote the address
- inviting key persons of the European commission
- hosting of the meeting in the country who is the EU presidency at that moment
- ask FLEP members for short discussion papers on specific issues
- promote FLEP as a pan European organisation
- learn from the activities of prosafe
- put more manpower in FLEP by activating the national contact points and in a more active role (and capacity) of the secretariat

It was agreed that the Steering Group would produce a discussion document.

Germany informed the Forum about results of the examination of pesticides green/sweet pepper. 20 out of 24 samples originating from Spain, Greece, Israel, the Netherlands and turkey contained to high levels of different pesticides.

Finland informed the Forum about their monitoring of Allergy causing ingredients in bakery products.

Mr. Jeuring informed the Forum about the last meeting of the Codex Committee on Im- and export. The main issues were:

- guidelines for a food Import Control system
- a drafting group will produce a document on traceability
- a drafting group for a document on exchange of information in case of crisis.

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16. Working Party "Quality of Inspections"

Mr. Jenewein informed the Forum that no meeting was held. He said he is planning to organise a meeting of the Working Party in the next months. His request to incorporate the taking of samples by inspectors in his report was endorsed.

It was agreed that a report would be presented at the next meeting.

17. Working Party "Management of crisis"

Mr. Statham introduced the report of Mr. Olivier Pierre. The document is a general description of the management of a crisis. The Forum asked the Working Party to finish the document for the next meeting taking special attention to incorporate obligations of the General Food Law and the management of crisis to the local levels.

18. Working Party "E-Commerce"

Mr. Jeuring informed the Forum about the results of the first discussions in the Working Party. The Working Party identified 3 different situations which may lead to a different enforcement approach.

- a consumer orders a product from a company in it's own country
- a consumer orders a product from a company in another EU Member State
- a consumer orders a product from a company in a third country

It was agreed that the Working Party will prepare a document for the next meeting, which will include an internetsweep on products with a health claim.

19. Round Table

It was agreed that the next FLEP Forum meeting would be held on 11 and 12 November 2002. Mr. Jenewein will inform the secretary within a month if the meeting could take place in Austria (which had been confirmed).

19. Smuggled products of Animal Origin (POAO)

Ms. Marcroft introduced her proposal for a Working Party on smuggled products. She suggested that the terms of reference of the new Working Party should be:

- To identify and consider the scale of the problem through the collation of figures of known seizures, including origins and type of products.
- To assess the current measures that are employed by member states to detect and control illegal (smuggled) products.
- To consider and propose control measures, including legal powers and facilities that should be adopted to minimise the problem.

The Forum endorsed the proposal to create a Working Party. The Netherlands, United Kingdom, Norway and Latvia are the members of the Working Party.

20. Closing Remarks of Mr. Tom O'dwyer, deputy chief Executive Officer of the Southern Health Board.

Mr. O'dwyer informed the Forum that more than 70% of the Irish food production goes overseas. For that reason high food quality standards are important.

To promote consumer confidence and building an effective food control system 2 authorities were created in 1999. In the first place the FSAI (Food Safety Authority of Ireland), whose role is to oversee the activities of government departments and other state agencies that historically comprised the nation's food control and enforcement system. The second institution is the Food Safety Promotion Board, which plays an important role in promotion of safety, ensuring that food alerts are communicated, surveillance of food-borne disease, promote scientific co-operation and linkages between laboratories on the Island (Ireland as well as Northern Ireland).

Also, he stressed the importance of the co-operation between food enforcement practitioners. FLEP, acting as a capacity builder can allow the dissemination, promotion and the adoption of good practice in food control across Europe.

21. Chairman's closing remarks

The Chairman thanked the organisers and the secretariat for their wonderful job and the participants for their contribution. He hoped to see everybody in Austria in November 2002.

Jan van Kooij
8 May 2002

