

REPORT OF THE 21ST MEETING OF THE FLEP FORUM MEETING IN BASEL ON 8 AND 9 MARCH 2004

1. Participants

Organizations from the following nations (see list of participants)

Austria, Belgium, Czech Republic, Denmark, Finland, Germany, Ireland, Malta, the Netherlands, Norway, Spain, Sweden, Switzerland, United Kingdom

Observer

EC-DG JRC-IRMM-FSQ

Special Guest

Mr Geoffrey Podger: Director of the EFSA

2. Introduction

The Chairman, Mr Wolfs, welcomed the delegations and observers and he especially welcomed Dr Carlo Conti, Minister of the Department of Health in Basel.

3. Welcome by Minister Carlo Ponti

Mr Ponti said that it was a great pleasure to welcome the FLEP delegates to Basel to share the latest news. He referred to the unique position of Basel which connects Germany, France and Switzerland at one point. He was glad that Switzerland could participate in FLEP from the beginning, because contacts between national and regional food control bodies are important. Production and consumption of food are not limited to the borders of the countries. He mentioned the concerns of consumers that food should be controlled effectively and it should be safe.

The Basel region had always had a strong pharmaceutical and chemical industry and because of the fact that the leaders of those industries had a great interest in arts, Basel became a city of art.

Mr Conti wished the FLEP Forum a nice meeting and a good stay in Basel.

4. Dr Urs Klemm, Director Swiss Federal office of Public Health

The aim of the Swiss Federal Office for Public Health is to contribute to high standards of health and consumer protection. The Office is dealing with foodstuffs as well as chemical products for consumers.

Food Safety is separated into two units: Risk Assessment and Risk Management. Under the risk assessment food science and analysis play a major role, while under risk management the legal compliance concerning food, tobacco and cosmetics, coordination of the enforcement authorities, crisis management and nutrition are of major importance.

Mr Klemm informed the Forum about the five most important general principles:

- safe and health food for the consumers
- promotion of self responsibility for the producers as well for the consumers
- transparent and open communication
- creating a fair framework for the industry and retailer
- keeping a high sustainable, credibility based on sound science

Mr Klemm noted that the Office is working in a complex environment. The office has to deal with the following institutions:

- Codex Alimentarius (f.e. leading the working Party on traceability)
- European Commission

With the EU there is a bilateral agreement, Switzerland participate in mixed commissions, informal discussions on a technical level, the advisory board of the EFSA. Switzerland is even leading an EFSA panel and has an informal link with the Rapid Alert System.

The Office has also a coordinating role between the 26 inspection authorities (1000 inspectors) of the regions (Kantons) and the 20 laboratories (300 workers). In total the inspectors take about 100.000 samples and give about 16.000 contestations. The coordination between the 26 Authorities is done by means of regular contacts, guidelines and the law. In Case of criminal findings the Central Office may intervene. In the Swiss food law the local authorities may execute local priorities.

The new upcoming issue for the Office is nutrition. In the parliament discussions are coming up to create a fat tax and a more clear labeling of the energy content of food.

5. Keynote speech by Mr Geoffrey Podger, Director EFSA

Mr Podger started to explain the main changes which have taken place since the creation of EFSA. The changes were:

- the divorce of risk assessment from risk management
- EFSA is not part of the Commission
- the control of EFSA is via a specific Board, with independent Board Members
- a close cooperation between national authorities
- an active consideration and meetings with stakeholders
- a better support and coordination between the Panels

EFSA's work programme comes from a number of areas, legal requirements, the Commission, the European Parliament, Member States and by EFSA itself. Prioritizing of the tasks is the role of the Management Board where Public Health is the most important criteria.

The Communication of the EFSA is independent from the political process, is open and transparent, and will be done in collaboration with the National Authorities. The last has to be done because in communication the cultural sensitivity in the individual Member States plays an important role.

As a practical example Mr Podger referred to the Semicarbozide case. After the conclusion of the EFSA panel in collaboration with the National Authorities an open communication of the results of the Panel discussions were given. At the end Mr Podger said that a successful EFSA will achieve a greater coordination and harmonization, inject a greater element of challenge into risk management, gain a higher stakeholder confidence and be prepared better to tackle unexpected risks.

The budget for the EFSA raised from 12m euro in 2003 to 29m euro in 2004. In answer to a question will national assessment be there in the future, Mr Podger said that there always will be specific national issues of risk assessment.

6. Minutes of the last meetings

Both reports, FLEP Forum meeting in Freiburg and the Steering Group meeting in Madrid, were endorsed by the FLEP Forum.

7. Program of the Joint Research Centrum

Mr Ostermann gave a report on the state of play concerning acrylamide. The data have been evaluated and will be published in a short time on the Website. A first proficiency test showed a large spread in data and a second proficiency test is going on (crisp bread with 3 levels of acrylamide). Concerning the validation of methods, Mr Ostermann said that 2 methods (GCMS with derivatisation and LCMS-MS) will be validated within a short time.

IRMM will produce before the end of 2004 a reference sample of acrylamide in crisp bread.

Furthermore some workshops for pre-accession countries had been held (residues of pharmacologically active substances and proficiency testing). Upcoming Workshops are: feed analysis, proficiency testing in Microbiology, food sampling and comparison of simple versus high-tech methodology). Concerning Semicarbozide, JRC is looking for laboratories with experience in routine analysis, a proficiency testing will be organized. A list of new reports was given.

8. Discussion on the implementation of the Regulation on Food Hygiene and Traceability

The plenary Forum was split in 3 subgroups. The results of the discussions in the subgroup were:

Group 1: Control of HACCP

On the first question if checklists should be used for HACCP control the general opinion was that it was useful to use specific lists, but that for the bigger industry those lists should be less specific.

Concerning the role of the official food control there was a general agreement that the official authority should be convinced that the HACCP system not only complies but is working in practice. This means that an official control authority should have the expertise to judge the systems. Some difference may be present between small and medium sized enterprises and the bigger industry. A general request for guidelines was supported.

Group 2: The use of approved Codes of Hygienic practice

The use of Codes of hygienic practice, which includes HACCP aspects, was strongly supported for the small and medium sized industry. The problem is however how to define a small and medium sized enterprise. Is it small in scale, or small in the number of risks or premises with the same production steps?

A general guideline for such a definition was considered to be necessary. Concerning the question if an official control authority could rely on the documents of a business there is a general feeling that it strongly depends on the business. Only when there is a mutual confidence in a business could one strongly rely on their own documentation. However in most cases verifying of the documents in practice will be an essential task for the food inspector.

Group 3: Traceability

It was generally agreed that traceability is an essential step. However there was a general feeling that more guidelines are needed for industry as well for the official control authority about the operational implementation. A further general feeling was that at the present moment a lot of premises fail to trace back products in an adequate way, and that despite all the crisis this had not yet lead to a broad implementation of traceability. It seems that the power of an official control authority is necessary for implementation.

In Belgium a guideline will be presented on the Website.

The EU had started discussion about guidelines and a meeting will be held on 19 and 20 March in Brussels.

It was generally concluded that the results of Working Groups 1 and 2 will be used for preparing a Symposium of HACCP in small and medium sized premises.

9. Annual plans

Mr Statham listed all the issues the plans should cover according to Article 42, 43 and 44 from the Feed and Food Control Regulation. The general comment of the Working Party to these proposals was that the requirement was comprehensive and some boundaries around the whole process were needed. Also the requirements should fit the Member States needs. Mr Statham concluded that in the regulation several general statements (significant, overall, useful) were used, which require the formulation of specific guidelines. Those guidelines should not lead to a bureaucratic system. It was agreed that a letter will be sent to the Commission to seek some clarification and should be used as input for the discussions for guidelines for the multi annual plan and the annual report, which will commence in a short time.

10. Cooperation between laboratory experts and inspectors

Mr Jaeggi informed the Forum that the Working party had not met, but that all discussion was conducted by e-mail. The conclusion of the Working party was that a close cooperation between inspectors and the official laboratory was essential especially on issues like:

- designing an annual plan
- management of crisis
- judgment if a product is compliant or not taking into account the analytical uncertainties and recovery dates

It was agreed that the report should be published on the FLEP Website.

11. The co-ordinated programme 2005

The FLEP Forum was divided in three groups and were asked to give three proposals for the coordinated programme. To use for information the Secretary had made a selection of the Rapid Alert system of the last year. A number of proposals were suggested:

- a. Heavy metals in mushrooms
- b. Pesticides in organic foods
- c. Streptomycin/sulphonamide in honey
- d. Food contact materials
- e. Nitrate in baby food
- f. Sulphite in different type of products
- g. The microbiological quality of sandwiches
- h. Chemical and microbiological quality of bottled water.

It was agreed that each Member State will make a selection of three items and send this within three weeks to the Secretary.

12. Election of a new Chairman

The Chairman, Martin Wolfs, had accepted another job in another Ministry in the Netherlands. For this reason a new Chairman was elected. The Steering Group had nominated Mr Statham from the United Kingdom. The FLEP Forum members agreed with the nomination of the new Chairman. Mr Statham accepted the election. He chaired the FLEP Forum meeting for the next Agenda Items.

As the Secretariat and the Chairman has to come from the same country, Mr van Kooij stood down as Secretary. It was agreed that he would stay as a Member of the Steering Group.

13. Changes in Food Control

Mr Espeland, Norway informed the Forum about the Norwegian Food Safety Authority which was established on 1 January 2004. This Authority deals with legislation, providing information about legislation, performing risk based inspections, monitoring on chemical and microbiological agents and emergency planning. The Authority is part of the Ministry of Agriculture, but also provides advice to the Ministry of Health and the Ministry of Fisheries. The Authority has 3 administrative levels: a head office in Oslo (120fte), 8 Regional offices (225fte) and 64 district offices (950fte). The laboratories are not part of this organization. Some laboratories are working exclusively for the Authority, other laboratories also carry out private work.

Mr de Lezenne Coulander (the Netherlands), as Acting Director of the Inspectorate for Health Protection and Veterinary Public Health (KvW), (part of the Food and Consumer Product Safety Authority (VWA)) informed the Forum about the present proposals to restructure the present VWA. The present two services (KvW) and the Veterinary Service (RVV) will merge into one organization, which should be realized at 1 January 2006. The 5 Regions of the KvW will be the backbone of the new organization, which also includes the present laboratories. The financing of the VWA is done by the industry the Ministry of Health and the Ministry of Agriculture.

14. Template for training of Food inspectors

Ms Morris informed the Forum the discussions in the Working Party were focused on two main items:

- a. the requirements detailed in Annex 2 of the Regulation on Official Feed and Food control
- b. the skills and competences of inspectors

Concerning the requirements for inspectors some new issues were raised, which were not taken up in Annex 1 of the Regulation.

Further discussion took place concerning the educational level of the Inspectors. A first round during the Forum meeting showed that different levels (from medium professional education to academic education) for the same type of work. It was concluded that the Working group should address a questionnaire to all FLEP Forum members to fix the present situations in the Member States and to ask for comments on the expected level for inspectors.

15. Overview on the situation of Norovirus gastrointestinal infections in Switzerland by Mr Rainer Fretz

Mr Fretz presented a general introduction about the Norovirus and information about the present situation in Switzerland. Norovirus causes a gastrointestinal illness. It has an incubation time between 1 and 2 days may last for 2 – 3 days. However the period of shedding virus may last 2-3 days after ending the symptoms.

The transmission of the Norovirus is possible through faecal-orally (aerosol formation), person – to – person, foodborne, waterborne and environmental contamination.

In the German region of Switzerland, 73 NV outbreaks were studied. In 74% of the cases the transmission modes were found. It seemed that 81% was

caused by a person-to-person route and 13% were possible foodborne and 3 waterborne outbreaks. The foodborne vehicles were contaminated shellfish, fruits/vegetables and foodstuffs contaminated by the food handlers. The waterborne outbreaks were generally due to engineering problems. The Chairman thanked Mr Fretz for his excellent presentation.

16. Authenticity

Mr Statham informed the Forum that the Working Group had started but that no results were ready. During the next Forum meeting a further report will be ready. Mr Jeaggi said that he would not participate in the Working Party, but somebody from his Central Government would. He will inform Ms Hignett of the name.

17. Strategies for pesticides control

Because of the absence of Mr Cuhra, this issue was postponed to the next meeting. Everybody was asked to make comments directly to Mr Cuhra.

18. Management on effects

Mr Ellard presented the results of a meeting of the Working Party. The Working Party had investigated the different approaches of participating Member States, which is written in the report. The Working Party concluded that many enforcement options were available to control authorities. A further study for information of other FLEP Forum members is necessary to have an overview in the EU. Although knowledge about the effectiveness of control methods or complementary actions is necessary. Mr Statham informed the Forum that the UK FSA had made a study about this issue and that in July a symposium will be held about this issue. He suggested to extend this symposium for FLEP Forum members and to prolong the symposium by an extra day. The FLEP Forum supported this suggestion and Mr Statham will inform the FLEP Members if this idea can be realized.

The second suggestion of the Working Party was to organize a workshop in which control authorities could share methods of achieving compliance and consider what particular methods are effective, was generally supported. The Working Party was asked to come with a proposal at the next meeting taking into account the results of the symposium which will be held in July in the UK. The suggestion to organize peer reviews received some support. The Working Party was asked to bring forward to the next meeting a study about the practicality of peer reviews.

The Chairman thanked Mr Ellard and the Working Group for their excellent work and it was agreed that the Working Group will bring further proposals to the next meeting.

19. HACCP symposium for enforcement organizations in the EU

Mr van Kooij introduced the proposal for the symposium. During the Steering Group meeting it was suggested to limit the symposium to small and medium sized industry.

The UK (Ms Morris, Belgium (Mr de Poorter), Ireland (Ms Dornan) were willing to help with the organization of the Symposium. The expected date of the Symposium will be in March 2005.

20. Any other business

Mr Colijn (the Netherlands) said that there is a lot of interest to publish the results of the inspections. Until now in the Netherlands they are not open for the public. In the Regulation on the Official Control of Feed and Food Art. Seven deals with transparency. He asked to start a Working Party to investigate the different approaches in the Member States. This idea was generally recognized and supported. The FLEP Forum agreed that at the next FLEP Forum meeting transparency of inspection results will be a specific theme. A questionnaire will be sent to the Member States (prepared by the Netherlands, UK and Austria). The results of this questionnaire, together with presentation of the present state of the art (Denmark, Canada) will be the input for this theme discussion.

The UK proposed to give attention in the FLEP Forum to the role of enforcement organisations in healthy eating and diet. It was agreed that a specific theme at the next meeting will be held on this issue. As a start Prof Tim Lang will be asked to give an introduction, followed by presentation from the UK, the Netherlands, Denmark and France. After these introductions a general discussion will be held.

Mr Dolezal asked about experience with the control of e-commerce. Mr van Kooij said that there is some experience in the Netherlands. Mr Dolezal will contact Mr van Kooij.

21. Closing remarks

The Chairman, Mr Statham, said the Next FLEP Forum meeting will be held on 25 and 26 October 2004. The place for the meeting will be somewhere in Malta, and if this is not possible the meeting will be held in Amsterdam.

The Chairman asked FLEP Members to look for possibilities to organize a FLEP meeting in the longer term and especially those countries who have not yet hosted a meeting.

The Chairman thanked all the participants for their contributions in the meeting and he specially asked for applause for Switzerland for hosting the meeting, the retired Chairman (Mr Wolfs), the retired Secretary (Mr van Kooij) and Ms Hakkenbrak for the organization and secretarial support for this meeting.

He wished every body a good journey home and hoped to see everybody at the next meeting.

24 March 2004
Jan van Kooij