

**24th Meeting of the Forum of
Food Law Enforcement Practitioners
Draft Minutes
20/21 March 2006**

DAY 1

1. PARTICIPANTS

Organisations from the following countries

Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, Germany, Republic of Ireland, Lithuania, Luxemburg, Malta, The Netherlands, Norway, Romania, Slovak Republic, Switzerland, United Kingdom

Observers

JRC - European Commission, EWFC,

Special Guest

Dr Kazimieras Lukauskas, Director of the State Food and Veterinary Service, Lithuania

Apologies

Spain, Sweden, France

2. WELCOME

The Chairman, David Statham, welcomed the delegates to Lithuania and thanked colleagues from the Lithuanian State Food & Veterinary Service for hosting the meeting. Having welcomed the delegates, the Chairman introduced Dr Kazimieras Lukauskas, Director of the State Food and Veterinary Service in Lithuania.

3. OPENING ADDRESS

Dr Kazimieras Lukauskas, Director of the State Food & Veterinary Service, Lithuania

Dr Lukauskas welcomed delegates to Lithuania and offered apologies from Mr Jonas Jagminas, who was not able to attend.

Dr Lukauskas began by saying that food safety was a top priority for Lithuania and this had been recognised by the European Commission. The implementation of the new hygiene laws however raised new challenges for all Member States and he believed that FLEP provided an excellent mechanism for sharing different views and approaches. Dr Lukauskas then provided an overview of food control within Lithuania

The Chairman thanked Dr Lukauskas for his address and commented on the impressive food control service in Lithuania.

4. UPDATE FROM EUROPEAN FOOD SAFETY AGENCIES GROUP

Jan van Kooij gave apologies from André Kleinmeulman, who had been prevented from attending by a recent accident. He then presented the report, beginning by providing a brief overview of the meeting held in London in November 2005. The meeting had discussed food control across Europe, identifying that there were many organisations, often holding different responsibilities. This however provided opportunities to consider the effectiveness of a range of different approaches and whilst there was already considerable co-operation

and discussion, more could be achieved. The group identified that this objective could greatly be assisted by working closely with FLEP.

Particular consideration had been given to the increasing globalisation of the trade in food which reinforced the need for close co-operation between the European Union border inspection posts to ensure that appropriate consumer protection was applied. This led on to discussion about the potential for a future EU border control service. At present, co-operation at the borders was greatly assisted by the RASFF system and the new national control plans would have a key role in ensuring and assisting with co-ordination and co-operation.

The major topics for food control currently were efficiency and effectiveness, as resources were scarce and needed to be employed in the most appropriate way to improve levels of compliance. It was felt that there might be a need to give up individual responsibilities and work more co-operatively. In the Netherlands, food control was perceived, to some extent, as a burden on entrepreneurs and this view was being reflected across the EU countries. There would be a need to look at how to balance economic success with effective consumer protection. Arising from these considerations four principles for food control were identified:

- Approaches should always be risk based.
- Approaches should always be tailored to the specific audience
- Approaches should always be transparent
- Approaches should always be directed to produce specific outcomes

Discussions suggested that where good compliance was achieved, then reduced inspection and/or a light touch should be employed.

The VWA in the Netherlands was carrying out an inspection review and this would be published in the form of a booklet that later would be circulated to FLEP members. The FLEP working group on “Managing on effects” was identified as a key contributor, as this group was addressing best practice in achieving compliance. The outcomes of this FLEP project should be shared more widely across the European Member States. Currently, the group was considering the issue of peer review as a way forward. It was suggested that the Member States should not wait for Brussels to identify the way forward but should seek to inform Brussels of the views of the Member States. FLEP was identified as a group of practitioner experts who could contribute significantly to this debate. It was suggested that there should be a task force set up to discuss options for closer EU co-operation between the regulators, particularly involving risk assessment, risk management and food control experts.

At the conclusion of the presentation, a number of questions were raised. These related to whether or not there was any proposed time scale for the creation of this “expert” task force and whether or not the membership had been agreed. Jan van Kooij replied that this could be an issue to consider in the FLEP Steering group and might be taken forward through the use of workshops/conferences on effective enforcement. Such a workshop had already been proposed by FLEP but might be run in co-operation with the European CEO group. The Chairman agreed that this matter would be further considered at the next Steering group meeting.

5. MINUTES OF PREVIOUS MEETING

The Minutes were agreed and would be placed on the website.

6. MATTERS ARISING

No matters arising were identified.

7. ANY OTHER BUSINESSES FOR DISCUSSION ON THE SECOND DAY

The items raised for discussion were as follows:

- Avian influenza
- Atypical scrapie - an update on this issue would be provided by the United Kingdom

Proposals for new working groups

New working groups proposed were as follows:

- Official controls programme
- Multi annual National control plans
- Integrated risk based sampling plans
- Organic food and market surveillance
- Provision of training material for food inspectors
- The provision of analytical and surveillance facilities across the European Union
- Payment for re-inspection when non-compliance was identified

Whilst it was not a proposal for a working group Denmark asked the Forum to consider whether or not FLEP would like to be an observer in the EU tracking and tracing programme.

The group then adjourned briefly for the official photograph.

8. COMMUNICATING FOOD SAFETY MESSAGES - FOOD STANDARDS AGENCY HYGIENE CAMPAIGN

The Chairman, David Statham, gave a presentation on behalf of the United Kingdom Food Standards Agency. The campaign had originated as a result of concerns about the incidence of foodborne disease in the United Kingdom. Surveys had suggested that infectious intestinal disease cost in the region of £750 million a year. In 2001, the Food Standards Agency had set targets for the reduction of foodborne disease and aimed to reduce incidence by 20% by April 2006. When figures were assessed in 2005, an 18% reduction had been achieved and it looked likely that the 20% target would be met by April 2006. There were a number of elements to the foodborne disease reduction strategy:

1. Sector specific measures

An example of sector specific measures was vaccination of chickens in order to reduce Salmonella presence. This had been a particularly successful intervention.

2. Promotion of food safety management systems based on HACCP principles

This work was proceeding and the Food Standards Agency had produced a tool to assist small businesses in implementing the requirements of Article 5 of Regulation 852/2004. The tool specifically designed for this purpose in England was Safer Food Better Business and information on this could be found on the Food Standards Agency website www.food.gov.uk

3. The Food Hygiene Campaign

The campaign was targeted at promoting food safety and hygiene messages to business and to members of the public. The aims of the campaign were to:

- Raise awareness

- Promote key messages
- Change attitudes, knowledge and behaviour

The vehicle for promoting the messages was “the 4Cs” of:

- Cleaning
- Cooking
- Chilling
- (Avoiding) cross contamination

The campaign had begun with a “teaser” message, a sick bag, based on those used by airlines, which was sent to every commercial food premise. The message on the bag was that up to 4.5 million people a year may suffer from food poisoning and tag line was “Makes you sick, doesn’t it?” This intervention created reactions - some positive and some negative - but it certainly brought it to the attention of commercial businesses. The campaign also involved a series of television adverts which were aired at various times. The timing was designed to fit with catering work patterns. There was trade press advertising which used special paper that reacted when warm hands were applied to it. This showed where hand contact had been and therefore where bacteria might be present. There was also a survey of chefs and one of the findings from this was that 40% admitted that they did not wash their hands after using the toilet. A follow-up TV advert showed the effects of not washing hands through contamination on surfaces. The contamination was graphically illustrated by the use of ultraviolet light where hands had made contact. A further element of the campaign was the production of a video for catering businesses which was based on a “soap opera” approach to show bad practice leading to food contamination. Different messages were delivered at different times of the year e.g. barbecues were featured in the summer and cooking the turkey at Christmas.

Evaluation

A range of evaluations had been carried out and these had shown that the creative approach had been welcomed and that messages were retained by viewers. The TV adverts were seen as extremely effective, the video was very much welcomed, particularly as a tool for staff training and in general the core messages were received and fully understood by the target audiences. The evaluations found that there was a need for continuing campaigns; a single message was not enough.

A range of video clips were shown to delegates illustrating the TV adverts.

At the conclusion of the presentation a number of questions were posed. Whilst the TV campaign was seen as effective, the cost of such an approach was queried. The group was told that the campaign was targeted over five years and that for each year between £3 and £4 million had been allocated. Whilst this was expensive, the evaluation indicated that the money had been put to effective use. Value for money was a key issue when bidding for funding.

The criteria for judging success were questioned and in particular if only 10% of the target audience was reached whether this was enough. The Chairman put this into the context of the population of the United Kingdom - with a population of 60 million, a 10% reach would be 6 million and that would be seen as being effective.

9. UPDATE FROM THE JOINT RESEARCH CENTRE

An update was provided on the work of the Research Centre. The director of the Research Centre, Elke Anklam, had hoped to be present but was unable to. She hoped to attend future meetings. The JRC provides a focus on food safety and quality control. It is one of the Directorates General of the European Commission and is composed of seven research centres in five European Member States. It contains the Institute for Reference Materials &

Methods (IRMM), based in Belgium. The IRMM develops and validates analytical methods for contaminants in food. At present, a number of projects are on-going. There are projects on allergens, sustainable agriculture, natural toxins, semi carbazide, food contaminants, sweeteners, chocolate and functional foods. The IRMM has been appointed by DG Sanco as the community reference point for heavy metals and mycotoxins, in relation to food safety and quality control. ISO 17025 accreditation is being sought for feed additives. The IRMM has dedicated equipment and laboratories. Separately, discussions are going on with DG Agriculture to determine the scope of work to be undertaken on water in poultry.

Participation in EU projects

The JRC is a partner in a range of EU-wide projects, e.g. EUROFIR which is focused on food composition, BIOCOP focussing on contaminants, TRACE focussing on traceability, EUROPREVAL and HEATOX focussing on acrylamides.

- **Acrylamides**

In this area, two methods have been validated. The JRC is maintaining a database and there are currently 7,000 entries. The health/benefits study on food linked to acrylamide has shown that there is a conflict as whilst acrylamide is bad for health, its presence is linked to increase in antioxidants, which is good.

- **Allergens**

One method has been validated. The ELISA techniques have been consolidated. Peanut reference material has been produced for the detection of allergens. There is currently assessment of PCR (DNA based) methods. An improved method has been developed for protein extraction.

- **Mycotoxins**

Three methods have been validated for baby food and animal feeds. Alternative sampling methods for mycotoxins in grain are being investigated.

- **Safety**

Polycyclic aromatic hydrocarbons (PAHs) are being explored with a database for assessing methods.

- **Semi carbazide**

Two validated methods for baby foods have been produced

- **Smoke flavourings**

Three methods have been validated and assistance is being provided to the EFSA working group

- **Quality**

Methods for the analysis of vegetable fats in chocolate had been produced for plain chocolate and milk chocolate methods are now being established. These are likely to become ISO standards.

- **Intense sweeteners**

Two methods have been developed.

- **Water in poultry**

Discussions are on-going with DG Agriculture for work in this area.

- **Organic foods**

Currently, a study is being carried out with Belgian farmers. JRC is seeking analytical methods to distinguish between organic and conventional products.

Further information on activities can be found on the JRC website, www.irmm.jrc.be.

Delegates raised a number of questions about this presentation. Germany stated that they had been carrying trials on organic versus conventional products. They had analysed more than 1,000 samples and found big differences in pesticide residues. Whilst they believed there were no specific problems related to organic foods in Germany, they did believe that there were bigger problems in relation to production in third countries. Germany would be happy to share findings with JRC.

10. UPDATE FROM THE EUROPEAN WORKING COMMUNITY FOR FOOD INSPECTION AND CONSUMER PROTECTION (EWFC)

The presentation began by welcoming the invitation from FLEP to become a regular contributor to the plenary forums. A brief history of the organisation was provided. It had been founded in France in 1992 and now included national associations from a number of different countries. EWFC delivers a range of activities and produces a range of products, e.g. EU guidelines on sampling for DG Sanco. These guidelines, however, will need to be updated in light of the new EU regulations. The guidelines and other information on the organisation can be downloaded from the website, www.ewfc.org. The organisation holds five yearly congresses and every two years there are seminars. In 2006, there will be a seminar in the United Kingdom on meat safety issues.

For the future, EWFC has identified the need for widespread training of food inspectors. This should not only cover new legislation but also communication skills in order to motivate, influence and deal with any potential aggression. The organisation was seeking to engage with the new Member States and would appreciate assistance from FLEP in this matter. EWFC had a number of specific concerns at present:

- Privatisation of inspection services and the possible consumer protection risks that could arise
- The loss of independent status and the pressure from commercial companies
- The speed of the introduction of new measures, e.g. business self regulation before the whole industry was prepared appropriately
- Inadequate training within private companies who were self regulating

Change of inspection and control methods

There were concerns around the provision of new protocols and the loss of “inspection creativity”. Rigid protocols would prevent flexibility and the application of professional judgement. There was a danger of introducing professional “blindness”.

Financing of inspection authorities

Company fees could produce barriers between inspector and inspection.

A number of comments were made about the presentation and Denmark expressed an interest in being involved in reviewing the guidelines for sampling and inspection.

11. TRANSPARENCY AND CONFIDENTIALITY UPDATE FROM THE NETHERLANDS

The Forum was advised that there had been considerable discussion in the Netherlands on publication of inspection results. In October 2005, a general framework for governmental supervision and enforcement was created and this identified two particular issues. Firstly, that business believes it is able to self-regulate and, secondly, that there needs to be effective consumer protection. From these two issues, six principles had been identified that would contribute to these objectives:

- Independence
- Transparency
- Professional/effective supervision
- Ability to think widely
- Co-operation
- Risk based focus

In January 2006, a consumer survey was carried out asking the public whether or not they thought it a good idea to publish inspection results. 90% agreed that inspection results should be published. The survey went further and asked consumers why they thought publication would be a good idea and the key issue that emerged was that more information would allow informed choice about which companies and products might be trusted. There was little interest in actual standards of compliance, more about information on which they could judge best products. Consumers were also asked what reasons there might be for not publishing. Suggestions were that it might harm the companies involved, that there was little value in information to the consumer or that the information was already available. The third stage of the survey asked about the type of information that consumers would wish to see made available and consumers replied that they would like to know about the safety of products, the safety and reliability of companies and how they might be able to identify unsafe products or companies. The Ministers of Health and Agriculture wrote to the Dutch House of Representatives proposing projects on data publication and these included publication of information on HACCP in slaughter houses, information on pesticide residues and on trans fat content.

It is anticipated that data on these areas will be published on a website, supported by focussed consumer information. Where information is publicised, companies will have the opportunity to make comments on it. The data that is published will be required to relate to safety, to be of reasonable importance and placed in context. In order to publicise this information, it will be necessary to ensure that inspection protocols are harmonised and that inequality is avoided. It will also be necessary to ensure that the rigour of inspection is not compromised by the need to publish results. The first discussions took place in March in the House of Representatives and the views expressed were that information should only be published where there is a real danger to public health. Fears about the implications for trade were expressed and certain members proposed that publication should only be applied in the case of recidivism.

After the presentation, delegates split into work groups to consider questions related to transparency and confidentiality.

12. GROUP REPORT BACK

GROUP 1

There were varying opinions on the need to publicise inspection results. It was felt that there would be consumer interest in product safety and premises hygiene. However, there was considerable debate about whether or not publication should involve sampling data. It was agreed that any information that was produced must be risk based and that there would need to be serious consideration given to rights of appeal. The group felt that there were potential conflicts raised by publicising inspection results. Inspection services were responsible to the consumer and so there was a need to publish but, on the other hand, there could be issues around the timing between inspections and therefore the relevance of the information. It was felt that there would be a need for common criteria as a basis for publication.

GROUP 2

The group expressed different opinions on the way forward. Denmark was already using the Smiley system. The United Kingdom was currently researching the potential for such a

system. Pilots were proposed and these would inform decision making. Publication mechanisms were discussed and the UK suggested that the voluntary approach might be better than regulatory requirements. The group again agreed that there might be potential conflicts which could involve personal issues and so perhaps a legal approach was best. There might be ethical issues also involved. It was felt that the different Member States had different histories and cultures and so it would not be easy to apply a common approach across the whole of the European Union.

GROUP 3

The group felt that there was huge variation between the Member States. Some were moving towards publication systems and others were not considering them at this time. Belgium was looking at shortly introducing a system. The others had in many cases moved to harmonise the approach to inspection but this did not always apply across all sectors. A risk based approach to inspection was generally used. In Belgium, publication would be considered on a sector by sector basis. In Norway, approach to inspection and enforcement was based on five different levels of risk. In Estonia, a different approach was taken and whilst not directly risk based, inspection frequency was determined on the findings of the most recent inspection. In Member States, IT systems were variable. Belgium had recently been seeking to integrate IT systems. In the UK, there were some 500 different local authorities operating with a range of different systems. However, there were mechanisms to gather data from all authorities. The group expressed some concerns about naming inspectors. If this was the case in the situation of non-compliance, there might be pressure placed upon the inspector to re-visit. At present, a number of Member States were considering developing schemes and these were in different states of progress.

GROUP 4

The group felt that harmonisation was a key issue and examples were given of how different Member States addressed this. In the Netherlands and the Czech Republic, this was through the use of protocols. Work on these areas was already taking place in Finland and Ireland. There was considerable debate about what should be published and the question was raised about the need to publish full reports or whether summaries to assist consumers in making informed choices were more appropriate. There had been some moves to avoid inconsistency, however, there were different approaches to this. Sometimes inspections would be published; in other cases, it might be sampling results. Finland publishes analytical results but it does not name the specific businesses unless this is directly requested. The scope of any system was also debated. IT systems were seen as potentially problematic with many members expressing concerns about ability to data share. It was suggested that publicising results might improve standards but it might also create difficulties for inspectors. Methods of publication were also discussed and a range of mechanisms was identified. This might be through newspapers which would be accessible to the local population. It could be through websites or other means. The benefit was particularly seen for consumers, however businesses with good standards should also be able to gain advantage from such schemes. Benefits might also be seen by food control agencies if such schemes motivated businesses to drive up standards. The Chairman summarised the feedback identifying a need to bring together a report or to set up a workshop to consider this more widely.

13. UPDATE FROM MEMBER STATES

DENMARK

Food safety controls were continuing to be re-organised. There were now three official microbiology labs and three food control regions.

THE NETHERLANDS

Re-organisation has been on-going since 2005. The KVV has been renamed as the VVA from 1 January 2006. There has been considerable discussion around the number of

inspections from different inspectorates to the same premises, e.g. a hospital will be inspected for food, health, fire, transport etc. In 2005, all inspection plans will be evaluated and put into one report so that the business will know how it is performing. The politicians would like one single inspectorate and this will drive co-operation between food inspection and workplace inspection. The co-ordinating body for restaurants would be the VWA. Resources for food inspection appear to be reducing with a greater focus now being placed on alcohol, tobacco and product safety controls.

SWITZERLAND

The EU hygiene package has now been translated into Swiss law. Along with many other Member States, there is considerable pressure on resources devoted to food control activities.

BELGIUM

The Foodnet project is up and running. This is an integrated database on samples and inspection results.

14. HACCP CENTRAL TRAINING

A presentation was made on the proposals for centralised HACCP training. The training is Commission funded and would be delivered by Camden & Chorleywood Research Association. There would be two levels of training and these would be made available in a number of countries over 2006. The number of places however would be extremely limited.

There was considerable discussion about this item. FLEP very much welcomed the Commission's initiative to provide centralised training, however, the group was somewhat concerned about the limited number of places available to Member States and the specific focus of the individual training courses. The group believed that the key training need in relation to HACCP was around the issue of the flexibilities. Delegates from all Member States present confirmed that their food inspectors had received training in CODEX HACCP and should be well qualified to apply this tool. However, the real issues were around flexibility especially for small business and the preference would have been for the training to focus on this particular element of HACCP controls. It was agreed that this view should be fed back to Camden & Chorleywood and to the Commission. FLEP would also seek input into any future training initiatives. The Chairman identified that a working group had been set up recently by the Commission to consider training issues and this might be a mechanism through which FLEP could contribute to these discussions.

DAY 2

15. ROUNDTABLE DISCUSSIONS

A presentation was given by the United Kingdom on the boundaries between registration and approval. The information presented had been collected through a survey of Member States which sought to gain understanding of how individual Member States interpreted the terms “marginal”, “localised” and “restricted”. It also sought to identify views on interpretation of the issue of small quantities and what types of exemption had been made in relation to wild game and game meat.

It was concluded that there were elements of commonality across the Member States, however, there were also significant differences. Not all Member States had responded to the survey and those that had not were invited to send in information. Comments were made on the survey with a number of Member States agreeing to provide further information so that a final report could be produced. Of those that had responded, approaches appeared to be quite different, with “local” being defined as a complete country in one Member State and in another, regulations had been introduced to define the terms and exemptions. Discussion ensued about the benefits to be gained from a harmonised interpretation of the terms “marginal”, “localised” and “restricted”. It was felt that this might not be the best way forward and it was agreed that interpretation needed to relate to the particular circumstances of each individual Member State. Some Member States were due to have Food and Veterinary Office inspections to look at implementation of the regulations. It would be interesting to review the reports arising from those visits and reconsider the matter at a future meeting.

16. WORKING GROUP REPORTS

a) Managing on effects

The FLEP Forum had asked the group to consider the potential for a workshop on sharing methods to achieve compliance; to consider the scope for peer review and to consider drawing up a research proposal to submit to the European Commission. The working group had met to consider these issues and findings were as follows:

Workshops

The group believed that workshops were important to share learning. The heads of the European food agencies had also identified that there was a need to look at the way other Member States sought compliance and to learn from each other. The European Commission was also focussed on supervision issues. If workshops were to be organised, the group considered that the HACCP symposium provided a good model. Workshops should be offered free of charge. This might be accomplished by seeking sponsorship from the heads of the food safety authorities. A range of subjects had been considered for the workshops and these were:

- Planning controls
- Practical inspection
- Effective enforcement
- Labelling
- Branch codes and HACCP
- IT
- Transparency
- Compliance assistance
- Micro criteria
- Enforcement communication

- Supervision and enforcement

The Forum was asked whether it agreed about the need to share good practice and whether it felt that a yearly workshop/forum was a good idea. The proposals were debated and agreed. It was felt that any workshop proposals would need to be fitted alongside the standard FLEP Forum meetings. It might be that there could be three events a year if resources were sufficient. These could be one workshop and two FLEP events. Issues around organisation of events were discussed. It was agreed that the HACCP workshop had taken considerable input and there would need to be adequate provision of resources to meet such demands. It was proposed that the programme begin with one workshop in one year and that this be reviewed on a year by year basis. The Netherlands volunteered to host the first workshop and proposed that a working party be set up to organise this event.

The Chairman agreed with this proposal and identified the need to ensure that the workshops were relevant and appropriate.

It was concluded that the first workshop should be on transparency which would include issues such as publication of control results. This workshop would be held in the Netherlands and the working party to organise it would be made up of representatives from the Netherlands, Republic of Ireland, United Kingdom and Belgium. It was agreed that the HACCP conference was a good model for this workshop and that, rather than seek specific budget allocations from heads of the European food safety agencies, contributions would be sought to support the events.

Peer Review

A paper on peer review had been prepared and this was distributed amongst delegates. The working group had come up with a number of recommendations.

- That FLEP encourage development of the peer review process
- That there should be further discussion amongst the working group to define the scope of the review and to identify a model for development
- It was proposed that FLEP seek support from the heads of the European food agencies for this work as it would be beyond the capacity of FLEP to carry out full peer reviews.

There was considerable discussion on this issue and generally the proposal to encourage peer review between food safety authorities was supported. A number of delegates already had material that they used within their Member States to audit standards within and between competent authorities. The Chairman recommended that the working party look at such information and identify potential models for an audit manual. The Chairman would write to the heads of the food safety authorities and seek support for this proposal. The working party would be asked to report on progress at the next meeting and then consideration would be given to the Member States that might participate in the process.

b) Training for the food hygiene industry

A report had been provided at the Stockholm meeting and it had been identified that there were considerable differences across the European Union. As a consequence, further information had been sought to establish commonalities. The questionnaire circulated had been short and asked the questions about how inspectors assessed compliance with training requirements, the level of training deemed necessary and how inspectors evaluated HACCP competence. Once again the survey identified that there were considerable variations amongst Member States. Checks related to records, observation and questioning of staff with, in some cases deeper investigation of the content of training courses. Some States had set legislative requirements for the levels of training; others relied on advice given by industry guides. Compliance with HACCP training requirements followed similar lines.

c) Benchmarking of inspection services

The working group had examined reports made to Brussels since 1990. However, the information was supplied in many different ways so it was almost impossible to compare the data submitted. It was hoped that with the introduction of multi annual national control plans, it would be easier to make comparisons in the future.

d) Import controls

The working group was chaired by the Netherlands and a meeting had been held on 27 February. Representatives from Belgium, United Kingdom, France, Germany and the Netherlands had met and a report was currently being drafted. Particular consideration had been given to control of consignments at the point of entry and whether or not these should be at a border inspection post or some other facility. This related specifically to the new requirement in Article 15.5 of 882/2004. Discussions had concluded that controls should be applied at only designated points of entry for documentation and identification checks. However, the BIPs often did not provide appropriate accommodation and therefore other designated places might be required. There should also be a designated point of release, e.g. at a factory, and there should be approval for analysis.

It was concluded that prior notification should be provided by means of a standard document which might be used for channelling the lot. There was a need for correlation between sampling and lot and country of origin certificates. Other points that the group had identified for consideration were as follows:

- Communication and procedures for despatch to third countries, especially where the point of entry is not the point of release
- The need for a list of authorised facilities for special treatments
- Need for lot splitting procedures
- Discussions on analytical variability and uncertainty
- Consideration of Regulation EC2073/2005 - microbiological criteria for products of non-animal origin

The Commission was setting up a working group to consider a range of these issues and it was suggested that FLEP provide input into this working group. The report would be circulated shortly. There was discussion on the report of the working group and it was proposed that the written report be circulated between members for further discussion. Subsequently it might be appropriate to send it to the Commission.

e) Clarity of labelling

A report was given to the Forum of the work carried out that had specifically considered issues around labelling size. Research had shown that consumers spent a minimal time reading labels. If labels were not clear, then this limited the ability of consumers to make informed choices. A questionnaire had been sent out to FLEP delegates and nine responses had been received. A full breakdown of the responses had been provided in the report that had been circulated. The survey had found that foods might be labelled in multiple languages, that there was no minimum size for labelling details and that few complaints had been registered. However, there appeared to have been no consumer surveys into food labelling in more than one language and there appeared to have been no checks carried out on the label, except for the language of the country in which it was distributed. The Treaty of Rome allows free movement of trade and so there is potential for unchecked labels to move across countries. The investigation came up with a number of recommendations:

- There should be research into labelling in more than one language
- There should be investigation of designated responsibility for labelling checks

The report was debated by delegates and other means of informing consumers were suggested e.g. through pictures and through brands. In Finland, there will be considerable work with consumers next year to identify views on best methods for providing information through labels. Austria identified that the Commission had recently sent out a questionnaire on labelling and this would be a good opportunity to put in the views of FLEP delegates.

It was suggested that the report be sent to the Commission

17. HACCP CONFERENCE REPORT

The FLEP Forum had organised a conference on HACCP implementation in small businesses on 29/30 November 2005 in Brussels. The meeting had been hosted by the Belgium Food Authority and considerable thanks were given to them for organising an extremely effective and successful conference. Support had also been provided by the United Kingdom, Republic of Ireland, the Netherlands and the FLEP working group.

The conference had attracted 83 delegates from 22 Member States. It was opened by Piet Vanthemsche, Chief Executive Officer, Belgian Federal Agency for the Safety of the Food Chain and David Statham, FLEP chairman. An opening presentation had been given by Mr Willem Daelman who talked about the Commission view on HACCP in very small businesses. He had stated that there was a HACCP based system defined in Article 5 but this excluded primary producers. The exclusion of primary producers would be re-visited at a future date. The Article 5 requirement was based around flexibility and the issues of good hygiene practice and the requirement for HACCP based systems was subject to this flexibility. For small, very simple businesses, good hygiene practice alone, made up of pre-requisites and legislative compliance was sufficient to achieve the requirements of the legislation. EC guides and industry guides were to be encouraged. HACCP might be conceived as a continuum with good hygiene practice being appropriate at one end for very small and simple business and full Codex HACCP at the other extreme for complex, large businesses.

Following Mr Daelman's presentation, seven Member States provided overviews on their approach to HACCP in small businesses. Presentations were given by Denmark, Belgium, Spain, the Netherlands, United Kingdom, the Czech Republic and Republic of Ireland. These presentations demonstrated the different stages of progress and the difference in views around flexibilities. These views ranged from legislation to define where flexibility might be applied, to determination on a case by case basis.

Day 2 of the conference was made up of workshops. The four topics for the workshops were:

1. Training of food controllers
2. HACCP principles
3. Protocols and enforcement
4. Industry guides

The feedback from the different working groups had produced a range of views on these issues which were detailed specifically in the report on the event. The report had been circulated to delegates and those who had attended the conference were asked to confirm the accuracy of the report. The Forum was also asked how they wanted this information to be used, particularly in light of the current initiative from the Commission on centralised HACCP training. Delegates felt that it would helpful to have an overview of the findings and

that this might then be sent to the Commission to provide them with information about actual practice. The Chairman suggested that a working group be set up to deal with this issue.

18. ANY OTHER BUSINESS

a) Avian Influenza

The United Kingdom approach to tackling communication with the public was to confirm that avian influenza was primarily an animal health problem and that there was no particular food safety risk. However, hygiene controls on poultry products, e.g. thorough cooking, should be applied as standard practice.

Switzerland identified that they had a similar approach and as did the Netherlands. In Lithuania, a number of questions had been raised by the public about whether or not there was risk of contracting avian influenza through swimming in lakes where infected, wild birds could be present. Germany had also had these issues raised and the health ministry had investigated the matter. They had found that there was no evidence of viral presence within the waters tested.

b) A-typical scrapie

In February 2006, a report was produced by the United Kingdom Spongiform Encephalopathy Advisory Committee (SEAC). This stated that a newly identified transmissible spongiform encephalopathy (TSE) in sheep and goats had been found. This was neither scrapie nor Bovine Spongiform Encephalopathy (BSE). It was not known exactly what it was and neither was it known as to whether this was a new organism or just one that had not previously been identified. There was some evidence from Member States that such an organism had been around for two or three years but it was not clear as to whether it had been present for longer than that period, or whether it was merely a case that the technology to identify it had become more recently available. An abattoir survey in the UK indicated that a-typical scrapie was more prevalent than typical scrapie. It was believed that some 50,000 animals had scrapie whereas 80,000 had a-typical scrapie. It was unknown as to whether or not this might be transmissible to humans. It will take up to two years for mouse bio-assay testing to determine the likelihood of transmissibility. This is equivalent to the early stages of the identification of BSE. It is believed that the distribution of a-typical scrapie within animals is different to that of scrapie. Scrapie distribution within the animal is very wide and it would be very difficult to remove affected parts. The distribution of a-typical scrapie is much less wide and it is possible that SRM removal would be effective. This however would need to be confirmed by further research. It has been found that it is more likely to occur in genotypes of sheep that are most resistant to scrapie. This is unfortunate as the national scrapie plan focuses on increasing the numbers of genotypically resistant animals. Clinical cases are quite rare and only appear to occur in older animals. There have been three clinical cases in the United Kingdom - two involving animals of seven years old and one a five year old. The United Kingdom, France, Germany, Portugal, Norway and Spain have had cases. At present, the Commission is asking for extra surveillance. A-typical scrapie has been found in Portugal, although no typical scrapie has been identified. The United Kingdom Food Standards Agency Board will discuss this matter in April and consider advising intervention strategies to the Commission. This might be a range of interventions from consumer advice to age control on sheep in the food chain. It will be necessary to consider the wider implications of this issue. Copies of the Report can be found on the United Kingdom Food Standards Agency's website (www.food.gov.uk).

The issue was debated and questions were asked about how the numbers affected had been determined. This had been through surveillance. Sheep brains were regularly tested for scrapie and the findings of presence of a-typical scrapie were extrapolated from the

sampling programme. The organism does not appear to be symptomatic. The prion is present in the brain but no symptoms have yet been seen.

c) Working Groups

(i) Managing on Effects

This is an existing working group and should continue its consideration of improving standards of compliance. It was agreed that this would now focus specifically on the issue of peer review.

(ii) Multi annual national control plans

The Forum agreed that this was an appropriate subject for a working group. The Republic of Ireland agreed to convene the first meeting and representatives volunteered to participate from the Slovak Republic, Finland, Germany, Austria and the United Kingdom.

(iii) HACCP Conference

A working group to consider how to take the findings from the conference forward was agreed. The chair would be the United Kingdom with delegates from the Netherlands, the Slovak Republic, Belgium, Republic of Ireland and Switzerland forming the rest of the group.

(iv) Organic foods

This was subject to considerable discussion. However, it was suggested that as it was not easy to gain effective confirmation of whether or not a product was organic at this stage, this would be set aside for the moment and reviewed at the next meeting.

(v) Training films for inspectors

This was a particular request from the Czech Republic in relation to sampling and control activities. The group discussed the issue and the Chairman requested any Member States with appropriate materials to consider sharing them with Czech Republic. The Czech Republic would be asked to come back to the Forum and identify any support required subsequent to receiving suitable materials.

(vi) Sampling and analysis

A paper on the issue was presented by Braxton Reynolds. This identified the need to consider the numbers of qualified practitioners and the facilities available. The proposal was supported by a number of delegates and it was agreed that the working group would be chaired by the United Kingdom. Representatives from Belgium, Republic of Ireland, Germany and the Netherlands would take part.

Whilst there had been a number of other suggestions for working groups, it was concluded that there were sufficient groups operating at present and that other proposals should be brought forward at the next meeting.

19. CHAIRMAN'S CLOSING REMARKS

In closing the meeting, the Chairman confirmed that there would also be a working group to set up a seminar on transparency and that this would be chaired by the Netherlands and supported by the Republic of Ireland, the United Kingdom and Belgium. The Chairman also

advised the meeting that Dorothy Guina Dornan from the Republic of Ireland had been elected as a new member of the Steering Group.

The next meeting of the FLEP Forum would be in Ghent in Belgium on 20/21 November 2006. Volunteers were sought to host the meeting in June 2007.

After the Chairman's remarks, Dieter Jenewein from Austria informed the Forum that, although he had been a member of FLEP for many years, he was now due to retire and as a consequence would not attend future meetings. He thanked all colleagues for their support and wished them all the best for the future of FLEP. The Chairman thanked Dieter for his contributions and assured him that he would always be welcome to attend the meetings.

The Chairman then thanked Lithuania for hosting the meeting. The meeting had been extremely successful and well organised. Delegates had very much enjoyed the wonderful hospitality provided by the hosts and enjoyed seeing a beautiful, snowy country.

The meeting was adjourned subsequently and delegates wished a safe journey home.