

22nd Meeting of the Forum of Food Law Enforcement Practitioners

Draft Report

Malta, 25-26 October 2004

DAY 1

1. PARTICIPANTS

Organisations from the following countries

Austria, Belgium, Czech Republic, Denmark, Finland, Germany, Ireland, Malta, Latvia, Lithuania, The Netherlands, Norway, Sweden, Switzerland, United Kingdom

Observers

JRC - European Commission, EWFC, Maltese Association of Health Inspectors

Special Guest

Professor Alan Warde, ESRC Centre for Research on Innovation and Competition, University of Manchester

2. INTRODUCTION

The Chairman, David Statham, welcomed the delegates, speakers and observers to the meeting. He especially welcomed Dr Busuttil, the Director General of the Maltese Health Division.

3. WELCOME BY DR BUSUTTIL

Dr Busuttil welcomed members of the Forum to Malta and thanked them for giving him the opportunity to address a group that exemplified European co-operation in sharing best practice in tackling food safety issues. He apologised that the Minister for Health, the Elderly and Community Care, Dr Louis Deguara, was not able to be present. Dr Busuttil described the challenges facing Malta, as a new member of the European Union, and the way in which food safety controls were organised. For Malta, food safety is a key issue as it contributes significantly to the success of the tourism industry. Some 25% of the Maltese gross domestic product is produced by tourism and as a consequence there is zero tolerance for repeat offenders in relation to food safety. Despite this strict line, the control authorities are very keen to assist food businesses in improving their standards. This is a particular issue, as for many other member states, in relation to small businesses and particularly in light of the forthcoming requirements for HACCP based food safety management systems. Dr Busuttil ended his welcome by wishing FLEP delegates a successful and fruitful meeting. He also hoped that the delegates would have the opportunity to enjoy Malta and to make the most of the

current excellent weather. He also thanked the Association of Health Inspectors for organising the meeting.

The FLEP Chairman thanked Dr Busuttill for his kind words and invited the delegates to participate in an official photograph.

4. MINUTES OF THE LAST MEETING

The draft minutes from the FLEP Forum meeting in Basel in March 2004 were discussed. It was agreed that the minutes were a correct record of the meeting. However a number of questions were raised in relation to progress of particular items mentioned in the minutes.

Matters arising from the Minutes

Item 9 Annual plans

The Chairman informed the meeting that a letter had been sent to the Commission but as yet a response had not been received

Item 11 The co-ordinated programme 2005

It was reported that there had been a working group meeting on the 22 October 2004. The four proposals for the co-ordinated programme for 2005 were:

- Microbiological sampling in cheese focusing on *Campylobacter*
- Bacteriological safety of Ready to eat foods
- Water content of poultry - safety, quality and labelling issues
- Nitrates and patulin sampling - focus on safety for infants and young children

5. ANY OTHER BUSINESS FOR DAY 2 OF THE FORUM

Changes in Food Control Arrangements

The Republic of Ireland

Health Services administration was being changed which would result in a number of food related responsibilities moving from Health Boards to the Food Safety Authority Ireland.

The Netherlands

Restructuring was still ongoing

Norway

Significant changes had been made involving new systems, relocation of offices and creation of new jobs. Future work would focus on a comprehensive food safety strategy including the need for food emergency planning.

The Czech Republic asked that the working party report on e-commerce be circulated as they were about to engage in this area of work. The Chairman undertook to identify the members of the working group and put them in touch with the Czech Republic to assist in this process.

A number of suggestions were made for new working groups including:

- Benchmarking of food inspection across the European Union. Discussion amongst the group identified that benchmarking for laboratory controls should also be a consideration for the new working group.
- An updated survey of food control arrangements in all the member states.
- A review of approaches to controls in small and medium enterprises.

The Chairman remarked that a working group had looked at this previously but that an update might be worthwhile

6. KEYNOTE SPEECH

Professor Alan Warde, ESRC Centre for Research on Innovation and Competition, University of Manchester

Professor Warde described some of the work carried out as part of a European research project looking at issues that affected the levels of consumer trust in food. For whilst it may be claimed that food supplied in western European countries is safe as never before, consumers still express varying degrees of distrust.

Consumers are apparently uncertain about the quality and safety of food and this presents a major challenge for food policies and food markets at both national and pan-European levels. The overall aim of the Trust in Food study was to investigate the social and institutional conditions for the production and maintenance of consumer trust in food. It involved a systematic, inter-disciplinary analysis of the different institutional arrangements, country by country, for maintaining food safety and the impact of those arrangements on the creation of consumer trust or distrust in food.

It sought to identify and analyse factors that shaped trust in the food supply and in information sources

Professor Warde reported that the research was now nearing completion. He said that differences in trust were significant between different countries but they were not linked to the number of food scandals within each particular country. It was believed that distrust was an abnormal situation and that this might be countered by the provision of better scientifically based risk communication. Trust was a relationship between individuals and organisations and respected information sources were key to developing consumer trust. Consumers however could not be considered as a single group. Consumers were complex and varied according to social class, gender, competence, types of cuisine involved, country culture and norms etc. A range of studies were carried out across a number of countries including Denmark, Germany, the United Kingdom, Italy, Norway and Portugal. Studies included not only assessment of institutional arrangements but also population surveys. Factors such as practices of shoppers, consumers and citizens, responsibilities of individuals and socio-demographic backgrounds were included within the questionnaires to seek to identify specific factors that linked to creation of trust in food. A range of methods were used to obtain the information including telephone interviews and online surveys. The first report can be seen on the website (www.trustinfood.org) and there are two more to be produced.

Overall, trust in food was greatest in the United Kingdom, with considerable variation shown between countries. When consumers were asked about whether or not they believed the situation had improved over the last twenty years, the Danes and the British were most optimistic whereas the Italians and the Portuguese were the most pessimistic. In general all believed that improvements had been made in both food safety and the provision of nutritious foods. There were striking differences, however, when consumers were asked about price. Outside the Euro zone price was seen to have improved, yet inside it had got worse. There were similar divides when questions were asked about quality with the northern European states believing quality had improved as opposed to the southern European states who believed it had worsened. Germany was often in the middle.

On summarising the analysis, Professor Warde said that there were systematic differences between countries. The Scandinavian countries and the United Kingdom

had a high degree of trust in food. Portugal and Italy had a low degree of trust in food and east and west Germany were in the middle.

Socio-demographic variables did not seem to matter a great deal. There appeared to be little difference between age groups except that the elderly were slightly less trusting and women were slightly less trusting than men. Overall, trust in food safety appeared to have improved with other issues such as diet, nutrition and food quality now creating more concerns.

The study moved on to consider how the differences might be explained. It looked at the organisation of policies and food provisioning, at media debates around food scares and at priorities amongst selected actors. All six countries studied had different organisational arrangements for food control. There were varying degrees of centralisation, co-ordination, clarity, consensus and performance. Low trust was linked to fragmented responsibility within the public authorities. In the United Kingdom, a significant difference was seen within the food supply chain where supermarkets were more powerful than producers. The strength of the supermarkets had led to organisation of food safety controls and made HACCP systems easier. This had predated the BSE crisis. The BSE crisis itself had produced public institutional reforms and these had perhaps been more radical than in other member states where the issue had not been so significant. Government had been dragged along by the private sector in the UK and this had had significant effect on public opinion. The relationship between the public and the private sector was very important in building trust.

The research looked at seven key actors and the extent to which trust rested with them. Politicians were not generally trusted to tell the truth and similarly supermarkets were not widely trusted. Food authorities were better thought of than the private sector and especially so in the Nordic countries. The greatest degree of trust was given to food experts and consumer organisations. There was a linkage between truth and power. In general, people believed that food experts told the truth but they had little power. The power rested with the governments and the politicians but there was little trust in them. The role of consumers was variable and controversial. The research asked whether or not consumers had any power and views were variable. In some countries e.g. in Germany the Government was trying to make people politically aware but it was also acting in a paternalistic manner.

A key question for the research project was whether or not consumer distrust mattered. It was believed that consumer trust could lead to independence, transparency and voice. Consumer trust would not be won once and for all. It needed to be maintained. Issues shifted, for instance from food safety to nutrition and quality and scandals could erode trust. The conclusion was that the conditions of trust changed constantly. Trust and distrust varied considerably and constantly between countries. Trust and distrust depended on social and institutional context. There were basic differences between Nordic, British and southern European situations; Germany was transitional. The typology of the institutional configurations affected the degree of trust. There were general mechanisms that determined trust:

- the general cultural and social conditions;
- the institutional structures and performance;
- the limited dependence on consumers' own strategies

FLEP members were extremely interested in the research findings and considerable debate ensued. Questions were asked in regard to the power of the processing industry in respect to nutrition and whether or not any differences had been identified between urban and rural consumers. Professor Warde replied that the main focus of

the study was the differences between countries and that urban and rural differences had not shown up in the findings

The issue of quality was raised and in particular how it was understood and valued by the consumer. Professor Warde answered that consumers had been asked about quality and that the Portuguese and Italians felt it was more important than safety. In their opinion, quality referred to organoleptic and cultural issues. Generally, people were able to distinguish between quality and safety. In Norway, some thought however that safety and quality meant the same. Quality means different things in different countries.

Ireland raised the issue around safety and quality and stated that it appeared that the survey was around perceptions not necessarily truth and was dependent on the knowledge of individuals questioned. As a result, the communication input was extremely important. Professor Warde replied that public perception was extremely important and it was clear that the provision of accurate knowledge alone did not necessarily make any difference. Professor Warde was asked as to whether or not the study would be repeated to identify change over time. He replied that this was a one off study and whilst looking at change over time would be very important, it must be borne in mind that the views of those surveyed would change depending upon the circumstances. For instance, the response from consumers questioned immediately after the emergence of the BSE scandal would likely have been very different to that in the current climate. A repeat study would be extremely expensive and as yet there was no available funding. However, change over time is key to public opinion and it gives clues as to what creates changes so repetition could be very worthwhile.

Further questioning came from the United Kingdom about the issue of quality and in particular relating to compositional quality. Professor Warde replied that quality questions were around perception and not technical issues around ingredient quality. He also noted that there was considerable variation in media interest across countries and the impact that they had on consumer views was difficult to measure. This was related particularly to the issue of GM foods. Some countries apparently took food issues more seriously than others but whilst this might seem to raise levels of concern, conversely greater levels of exposure could lead to people becoming more blasé.

The Chairman drew the discussion to a close, thanking Professor Warde for his presentation. He recommended delegates look at the website and the reports in detail. He stated that there was considerable learning to be made from the study for both enforcers and experts and believed that it would be good to repeat the study at a future date if funding could be made available.

7. ENCOURAGING HEALTHY EATING AND DIETARY CHANGE

a) Presentation from the United Kingdom.

Rosemary Hignett from the Food Standards Agency outlined the new strategic plan for the Food Standards Agency. Nutrition had become a key focus as the impact of increasing obesity was significant in terms of mortality and morbidity. UK initiatives looked at interventions directed through people, products and the environment and would be delivered at local, regional and national levels.

People

Interventions would look to increase knowledge skills and competencies, linking with educational departments around the development of relevant curricula. Schools would be a key influence in seeking behavioural change and whole school nutrition policies would be introduced that not only sought to improve knowledge and understanding of

the issues but also provided an environment where healthy eating could be encouraged through the provision of appropriate meals. Messages were conveyed through a number of means such as the Food Standards Agency's website and through campaigns. Research had shown that people wanted to follow a healthy lifestyle and were aware of what composed a healthy diet. However, this was low on their list of priorities when buying food. Public education campaigns were running currently with "Sid the Slug" being a character aimed at persuading people not to add extra salt to food at the table.

Producers

The Food Standards Agency was currently working with producers to reduce the levels of salt by 5-10% a year. Salt reduction by stealth was the objective. This was more difficult where salt acted functionally within food and here it would require "reconstruction of food products".

Environment

In order to provide a better environment, higher standards of labelling and advertising were being sought. The European Union is currently making recommendations around nutrition claims and these would be defined in law. There are a number of problems. Labelling currently refers to sodium and people do not think about sodium but about salt. There are difficulties of interpretation. It is not always easy to work out what numbers on labels mean and consumer research has shown that labels are often "incomprehensible". However changes were possible and these included:

- Changing language on labelling e.g. salt rather than sodium
- Interpreting figures e.g. quantities assessed as low, medium or high

The EC is currently working up a position on nutrition labelling. Research has shown that when consumers select products they will look at the front of the pack and would spend no more than four seconds considering a choice. In the UK there is increasing interest in signposting perhaps through red, amber and green traffic lights. There are currently two formats undergoing consumer research.

TV Advertising

Research has shown that 40% of advertising between programmes relates to food and that 70% of those adverts relate to food high in salt, sugar and fat. The Food Standards Agency is currently looking at how such advertising may be balanced to promote healthier products.

Local Initiatives

A joint initiative between central government and local authorities has been set up to identify and highlight good practice in local initiatives. This project - Food: the local vision - provides a website with information on best practice and links for local authorities wishing to pursue similar initiatives. It is the United Kingdom view that there are a wide range of approaches possible and that stakeholders should be involved in designing approaches if they are to be effective.

A number of questions were posed around the traffic light system. In particular, who would determine the criteria for red, amber and green. Rosemary Hignett replied that research was currently taking place into defining the criteria through working groups of experts from industry and consumers. It was believed that a balance of the positive and negative contributions of nutrients could be reached. For instance, negative contribution might be levels of sugar, salt and fat whereas positive would be iron, cobalt etc. A scientific element would be brought into this balance. It would be necessary to produce a scheme that was acceptable to industry and consumers as it was likely to be voluntary. Unless sufficient sign-up could be achieved, the scheme could not be effective.

b) Presentation from the Netherlands

In the Netherlands, improved nutrition had been shown to link closely to improvements in life expectancy. Obesity is a growing problem and over-consumption a key issue. There has been significant increase in obesity in the Netherlands and the situation is similar to that in the United States some 20 years ago. A number of policy objectives have been set to improve the situation by 2010. Particular issues relate to reduction in specific areas such as trans fatty acids and change in consumption in fish, vegetables and fruit with an overall objective to reduce the body mass index to below 25 for the majority of the population. When attempting to compare the threats to health posed by poor nutrition and poor food safety, the DALY (Disability adjusted life years) measure is used in the Netherlands. The DALY is a measure that combines risks of death and illness with life expectancy and quality of life. Comparative DALYs are as follows:

Poor diet and nutrition	>300,000
Healthy diet and nutrition	+100,000 to 300,000
Gastroenteritis	-3,000 to 10,000
Campylobacter	-300 to 1,000
Mycotoxins	+1
Diarrhetic shellfish poisoning	10 - 70
Nitrate poisoning	100 to 500

As a consequence comparison shows that whilst it is essential to maintain food safety the area that needs most investment is the drive to improve diet and nutrition. Projected developments in food production would affect the situation including : :

- Better product nutrition (positive effect)
- Higher density foods (negative effect)
- More unhealthy snacking (negative effect)
- Larger portion sizes (negative effect)
- More functional food and food supplements

Change would be needed in the food inspectorate if it is to contribute to improving health and nutrition. Currently, inspectors make visits, assess the situation and report back to the policy department and consumers. Themes for 2005 are to:

- Reduce obesity, through addressing issues of composition, advertising, reduction of portion size and production of "light" products;
- Review the quality of nutrition guidelines;
- Examine specific risks such as allergens, vitamins and bio-active components;
- Improve standards of consumer information through labelling, and through promoting healthy foodstuffs.

c) Presentation from Finland

The National Food Agency had focused on salt as a key issue, however, it was only one of a number of programmes aimed at improving health. Since the 1970s adult salt intake has reduced from 12 - 13 grams to 6.8 - 9.9, however there is still work to do to achieve the recommendation of 3 - 5 grams. A number of policy actions have taken place to bring about reduction in salt consumption and these may be categorised as the following:

- Consumer education
- Addressing mass catering
- Labelling of salt content

Finland has free school lunches and within the school lunches action has been taken to reduce salt.

Overall the best documented example of a successful Finnish dietary improvement campaign can be seen in North Karelia where significant reductions in consumption of salt and fat were achieved together with smoking reduction and increase in levels of exercise

Labelling

Membership of the European Union (EU) introduced some issues around salt reduction strategies, as EU limits only applied to baby foods, whereas national limits had been set across a range of products. Finland decided to maintain its own labelling requirements, which identify the main sources of salt in processed foods, and over time the food industry has lowered salt content gradually in order to educate the consumer's palate.

The incidence of coronary heart disease has gone down significantly by some 65%. Finland was one of the highest areas for coronary heart disease and whilst it has not reached Mediterranean standards, it is going in the right direction.

8. WORKSHOPS

Following the presentations from the United Kingdom, the Netherlands and Finland on encouraging healthy eating and dietary change, the Forum split into three groups to discuss how member states might tackle healthy eating issues. Each group was asked to discuss the following items:

1. Who has responsibility in your member state for nutrition?
2. What role do you see for food enforcement in promoting healthy eating?
3. Have targets been set in your member state for a reduction of levels of (i) fat, (ii) salt, (iii) sugar in food?
4. Are you considering any food labelling initiative to better signpost nutrient levels?
5. What measures, if any, have you taken to control promotion of food to children?

Following discussions, all three groups reported back to the Forum.

Question 1

The responsibility for nutrition issues varied amongst the member states. In some, it was the responsibility of the Ministry of Health, in others responsibilities were shared between the Ministry of Health and the Ministry of Agriculture; and in some states other ministries, such as Family & Consumer Affairs held the nutrition portfolio (Denmark).

Question 2

All groups expressed some degree of concern about the role of enforcement officials in promoting healthy eating. For enforcement to take place, there needed to be legislation to enforce and the general view was that legislation was not the best way to address improvements in nutrition and diet. Enforcement would be appropriate for issues of labelling and composition but the main approach to addressing poor diet was felt to be an educative and advisory route, particularly focused on the consumer. The one Member state that regularly applied the education and advisory approach was the United Kingdom.

Question 3

In general, legal limits had not been set for reduction in fat/sugar and salt but recommendations for targets had been made in a number of Member states. In some

cases such recommendations were often made by nutritionists and consumer organisation rather than central authorities. A number of countries were working with industry to bring about reductions in levels

Question 4

Food labelling initiatives to better signpost nutrient levels were being considered in some member states. The United Kingdom had explained its initiatives as part of the presentation, in Finland some products carried a “heart” label and in Sweden a voluntary “green keyhole” scheme existed. A number of member states noted that consumers were asking for better labelling and that this was likely to be a project for the future. However, it was noted that there would need to be buy in from industry if such initiatives were to work on a voluntary basis.

Question 5

For the final question, the United Kingdom had begun work to address concerns around the promotion of food to children and had introduced an action plan. Similar concerns were expressed by representatives from other member states.

The Chairman concluded the day by thanking the presenters and noted the significant differences in health risks identified when comparing poor diet with poor food safety. The research showed that healthy eating and poor diet were significantly more important to health than food safety issues and as such for the future would become an obvious focus for food authorities.

DAY 2

9. WORKING PARTY REPORTS

Working party reports were presented to the Forum.

a) Template for expertise in inspection authorities

Jenny Morris reported that, as a result of the FLEP Forum request to carry out an investigation into the requirements for expertise amongst member states, preliminary investigation had been carried out into the current state of knowledge. This had involved a review of reports from the Food & Veterinary Office. The majority of these were carried out between 1997 and 1998 and so could only give an indication of the current situation. However, they provided a basis for the construction of a questionnaire. This questionnaire would be drawn up subsequent to the meeting and distributed to contact points within the FLEP Forum. It was anticipated that a report on the findings of this survey would be made at the next FLEP Forum meeting in June 2005.

b) Managing on effects

Marijn Colijn reported to the Forum on behalf of the group Chair (Ray Ellard), who was unable to attend the meeting. Since the FLEP meeting in Basel a seminar had been organised with the Food Standards Agency to share information about effective approaches to enforcement. Holding a seminar had been an objective for this group and a number of FLEP members had attended the meeting. The meeting had been very successful and it was suggested that the working party continue the project further to address the issue of peer review. A small internet study had been carried out at this stage and an international pilot group of “national” audit organisations identified. This was composed of members from the United Kingdom, the Netherlands, Canada and the USA. It was intended to interview the Dutch member of the group to learn from that expertise. A proposal would be prepared for future FLEP meetings around workshops on effective interventions. A report on peer review would also be prepared for the next FLEP meeting in June 2005. It was also considered that there were opportunities for research in this area and that proposals should be made to the Commission for funding such research.

10. FEEDBACK FROM THE FSA/FLEP RESEARCH SEMINAR, SEPTEMBER 2004

A meeting was held in September at the University of Warwick and was attended by some 120 delegates. A number of FLEP members were able to attend this meeting together with some 50 local authorities from the United Kingdom. Presentations were given by Denmark (Jette Barger) and the Netherlands (Marijn Colijn) around initiatives to improve effectiveness of interventions. The Danish presentation was based upon the publication of inspection results – the “Smiley” initiative, but further details of this would be provided at a later agenda item for the meeting.

Key issues of note that arose from the seminar related to comparative effectiveness between education and enforcement. Research in the United Kingdom had found that small and medium enterprises generally believed that they complied with the law. Compliance was not seen as a continuing process but merely putting right any problems identified by the inspector during a visit. Improvements were most easily achieved where inspectors worked on a one-to-one basis with businesses advising

them on what they needed to do. This educative approach was found to be much more effective than formal action and resulted in sustained improvement whereas enforcement gained improvement only at one point in time. However the option of formal enforcement action was necessary to back up any educative approaches. Where a prosecution had taken place it was found that this did not affect the views of other local businesses, it did not have any deterrent effect. It was also found that the main source of information for small and medium enterprises was the inspector.

A second paper considered the situation of HACCP in small and medium enterprises. This raised questions about how information on HACCP might be communicated and this would be considered further as part of the proposal for a conference to be hosted by FLEP (a later Agenda item)

Finland made a presentation to the seminar about its mandatory training and examination requirements for food handlers. It was explained that most food handlers undertook state accredited training and that this was seen to be a good basis for ensuring high standards of food hygiene.

(A Maltese delegate at the Forum meeting advised members that Malta has a similar system that leads to the award of a "card" which allows food handlers to practice.)

A further research topic discussed at the seminar involved identification of management failures linked to food borne disease outbreaks. An investigation was being carried out into a series of outbreaks with the aim of identifying risk factors. Within the project a specific study into *Salmonella enteritidis* outbreaks had been carried out and worryingly this had shown that the presence of an HACCP system did not prevent outbreaks. This raised issues about effectiveness of such systems. It raised the need for a rigorous assessment of the appropriateness, effectiveness, implementation, supervision and review of any food safety management systems.

All the research papers from the seminar would be published at a later date and made available on the Food Standards Agency's website. The Chairman commented that this was extremely important work as it allowed consideration of the most effective ways of improving food safety standards. It also raised challenges to the current ways of working.

Members of the group questioned the educative approach of inspectors in the United Kingdom which was contrary to the way of working in many of the other member states. The Chairman replied that two research studies supported education and advice as the most effective method of achieving improvements in standards. Research had shown that there were real gains to be made from explaining how things should be done. There were significant implications for the implementation of HACCP arising from this research.

Further debate about responsibilities for food safety ensued and it was noted that the legislation required a food businesses to take responsibility for food safety and to maintain the appropriate knowledge to ensure high standards. Concerns were expressed about bringing together education and enforcement. Certain members believed that given resource limitations, it was better to separate the two elements. The issue of individual member states' interpretation of the requirements for training and/or supervision of food handlers was raised. The presentation from Finland had already identified its approach was prescriptive, whilst in other member states the requirement was left "up to you". The debate continued about the separation of education and enforcement with differing views being expressed. The United Kingdom approach of enforcers providing education and advice did not appear to be generally representative of other member states,

The Chairman summarised the discussion by saying that the research had not said that there should be no enforcement, indeed it had identified the need for enforcement to

back up an educative approach. However it had identified that by providing detailed explanations of requirements and supporting business led to more sustained compliance.

11. PRESENTATION ON THE DANISH “SMILEY” PROJECT

Jette Bager explained the operation of the Smiley project. This had begun in October 2001 with the publication of inspection reports, which were displayed in the sales area or near the entrance door to the food premises. In November 2002, a new format for displaying results had been produced to make them more visible and comprehensible to consumers. From January 2004, all reports were available on the website (www.fvst.dk/smiley). The website allowed searching on various criteria such as name and address, type of business etc. It provided four Smiley faces and it was possible to click on a smiley face to find the latest report details. Smileys give an overview of inspections and there are four grades from good to bad. A fine of 2,000 Danish kroner is imposed on businesses that do not display their reports. Businesses are given opportunities to comment on reports at the bottom of the form and these comments are displayed on the website. Consumer analysis has shown that 45% will reject restaurants if they display a bad Smiley. There has been considerable media interest in the system and comparison of standards across different areas of the country. There has been some concern about issues of consistency. Some enterprises will ask for re-inspection if they do not get awarded the highest Smiley and re-inspections are made but charges are incorporated.

The Smiley system was currently being reviewed particularly in relation to the award of four different Smileys. It was difficult to differentiate between Smiley one and two and as a result the issues and boundaries were being reconsidered.

The presentation led to considerable discussion amongst the members. Belgium said that they intended to implement a similar system in 2005 but were concerned about resource implications. Questions were asked about any legal opposition to the scheme. The Danish representative replied that there had been some opposition and that from January 2005 businesses would be given written advice about the scheme. This advice would be produced in advance of an inspection but would not mean that detailed information on times and dates of inspection would be provided in advance. The scheme also involved the publication of sample results. However, the sample results were kept separate from inspection results. Re-sampling could take place if bad results were obtained but again a fee would be payable. Businesses were advised of the results of their inspection before posting and if there were concerns, particularly in relation to awards of Smiley three or four then rechecks would be made before final results were posted. In some cases bad inspection reports had led to an aggressive response from the business and in such cases revisits would involve 2 officers for safety reasons.

12. TRANSPARENCY OF INSPECTION REPORTS

A survey had been carried out amongst FLEP contact points and 12 out of 15 responses had been received. The survey identified that all member states published some information. The main reasons for publication were consumer demand, seeking to improve public health, transparency or “other” categories. A freedom of information law was common for most member states however the extent of publication under freedom of information varied. The information details published were similarly varied from overall judgements to all details of a particular issue. The methods of publication again were varied including media releases, on a website or on the premises. A number of problems were identified that would need to be overcome if all inspection reports were to be published.

These were:

- Legal issues
- Consistency of data
- Resources

Although all member states responding published some results, only two had carried out any degree of evaluation of the effects of publication. Transparency and consumer information were the main drivers for publication. In five member states, publication was seen as an enforcement tool. Further research was proposed on the practice and it was felt that this might be useful information to provide to the Commission which would assist in raising the profile of FLEP. Considerable discussion was held around the issue and FLEP Forum confirmed that they felt further research was worthwhile and that it should seek to identify in more detail exactly what was published in each member state and to identify any future plans for changes.

13. HACCP SYMPOSIUM

Jan Van Kooij from the Netherlands made a presentation. It was proposed that a two day symposium be held with potential dates of 7 and 8 April 2005. It was hoped that a large number of delegates would attend up to a maximum of 500. Some preliminary investigation into venues and costs had been carried out. It was suggested that the symposium be held in the United Kingdom and the best cost option was to hold it at the University of Manchester. The group needed to consider a number of questions if the seminar was to go forward and these were as follows:

1. Would it prove useful and would there be adequate attendance?
2. How many delegates might be expected from each country?
3. Did the Manchester venue appear appropriate or would a higher cost option be preferable?
4. Which countries might be able to give presentations about their approach to HACCP in small businesses?
5. What languages would be required for the symposium? Suggestions were English, French, Spanish and German.

Views and suggestions were sought on the proposed programme.

A number of member states volunteered to give presentations and these included Belgium, the Netherlands, Austria and the United Kingdom. The Forum supported the proposal for the Manchester venue, to keep costs down but asked for further investigation into costs for London and Birmingham. Final choices would be left to the working group. Additional items for the conference programme such as a conference dinner were supported. It was also agreed that approaches would be made to the Commission to seek support in funding such a conference. The Chairman might approach the Commission directly when seeking funding.

14. JRC UPDATE

Ole Ostermann provided a review of work currently being carried out by JRC.

Acrylamide

Further acrylamide testing was being carried out on chocolate and coffee products. JRC is looking to validate two further testing methods for acrylamide.

Allergens

Five ELISA test kits had been validated. JRC would be approaching CEN for standardisation.

Smoke flavourings

JRC was currently working on method validation and would be advising the European Food Safety Authority on the preparation of guidelines.

Mycotoxins

JRC is currently working on method development and validation for a range of mycotoxins.

Cocal toolbox

JRC is currently working on methods for quantification and detection of cocoa butter.

Veterinary drugs

JRC is currently seeking to validate new test methods for fluoroquinolones.

Trace elements

A conference has recently been held on trace elements in food.

Subsequent to the presentation, a number of questions arose particularly in relation to the comparability of ELISA tests for limit of detection. JRC offered to provide contact details to explore such technical advice and discussion. The publication date for the report on acrylamide proficiency testing was requested and the response was that this was anticipated by the end of the year.

15. ANY OTHER BUSINESS

a) New Working Groups

(i) Benchmarking of inspection and laboratory testing.

The Netherlands volunteered to chair this working group and other member states volunteering to participate in the work of this group included Belgium, United Kingdom and Austria.

(ii) Food control arrangements in the member states

Whilst such a study had been carried out in the past, updates over recent FLEP Forum meetings had identified that considerable changes had been made. Whilst this was felt to be a worthwhile area for study, volunteers for the working group were not obtained. In the first instance, the United Kingdom volunteered to produce a questionnaire to update knowledge in this area.

iii) **Training requirements for food businesses.**

The Czech Republic volunteered to chair this working group and membership of the group would be made up from the United Kingdom, Austria and the Netherlands.

b) **Agenda for next meeting**

Specific suggestions included:

- Notification and reporting of food incidents
 - Traceability
 - Infectious disease outbreaks in food businesses -research was currently being undertaken into this issue in the United Kingdom and it might well be a matter of interest to all FLEP members.
- c) The date of the next meeting was proposed for 6 and 7 June 2005 and Sweden volunteered to host this meeting. Detailed arrangements as to dates and final confirmation of the host country would be provided at a later date.

16. CHAIRMAN'S CLOSING REMARKS

The Chairman thanked the Maltese representatives for hosting the meeting and specifically thanked John Attard Kingswell and his "Knights of Malta" for arranging the meeting, the social activities and providing the excellent weather. The Chairman also thanked Petra Hakkenbrak, who was retiring, for all her work in the past and for ensuring the success of this FLEP Forum. The Chairman also thanked all the organisers involved in the meeting and thanked delegates and speakers for their contributions to the success of the Forum.

He noted that there had been significant discussions during the meeting and that he looked forward to the next meeting in June 2005.

Jan Van Kooij thanked the Chairman for his work in ensuring that the meeting was successful and also looked forward to the next meeting.