IMPLEMENTATION OF HACCP PRINCIPLES
IN SMALL AND LESS DEVELOPED BUSINESSES

29/30 NOVEMBER 2005
BRUSSELS

A two day conference was held in Brussels by the Food Law Enforcement Practitioners (FLEP) group, with support from the Heads of the European food safety authorities, in November 2005. Some 83 delegates attended from 22 Member States. A detailed programme can be found at Appendix 1.

The conference was opened by Piet Vanthemsche, Chief Executive Officer, Belgian Federal Agency for the Safety of the Food Chain (FASFC) and by David Statham, FLEP Chairman and Director, Food Standards Agency (FSA), UK. The opening remarks can be found at Appendices 2 and 3.

Day 1 commenced with a presentation from Mr Willem Daelman, Health and Consumer Protection Directorate General, European Commission, on “HACCP in very small businesses” (presentation available on request).

The rest of the first day was taken up by presentations from Denmark, Belgium, Spain, the Netherlands, the United Kingdom, the Czech Republic and the Republic of Ireland on their approaches to HACCP implementation.

Summaries of the presentations follow. Copies of Powerpoint presentations are available on request.

Day 2 involved workshops on the following topics:

1. Training for regulators and business
2. Enforcement protocols
3. HACCP principles and flexibility
4. Codes of Practice/Industry Guides

Reports from the groups were made to a final plenary session and the meeting was drawn to a close by the FLEP Chairman. Summaries of the findings are included in this report at Appendix 4.
There had been considerable discussion within the Commission about the definition of a small or medium enterprise (SME). However, it had been concluded that it was impossible to draw definitive boundaries and that the best way to tackle the issue would be by issuing guidance on flexibility. It would then be the responsibility of the business sector and the enforcement community to reach a view on the requirements appropriate to each business.

The origin and application of HACCP was reviewed, identifying a wide range of EC directives, in both the food of animal origin and of non-animal origin areas, where HACCP principles were already applied in various formats and to varying extents. From this it could be seen that HACCP systems could be widely applied, however, there had previously been no real consideration of the practical implications for application to small businesses. Over the last five years, there had been a review of all the hygiene legislation, leading to major amendments and consolidation. This had resulted in the retention of only one HACCP based system for all businesses, described within Article 5 of Regulation 852/2004. This, however, has not given specific consideration to implementation in small businesses and the European Parliament had been clear that it would be necessary to ensure that HACCP based systems could be applied to all food businesses. Further discussions had led to the exclusion of primary producers; however this would be reconsidered when HACCP implementation was reviewed in two to three years.

The seven HACCP principles have been drawn from the Codex Alimentarius. However, Recital 15 of Regulation 852/2004 introduced the element of “sufficient flexibility”. Whilst the Recital is not binding, it provides a “political signal” and has been included in the legislation through Article 5. Article 5 requires that a permanent procedure “based on HACCP principles” is put in place etc. by food business operators. There was considerable debate in the European Council on this issue and it was felt that HACCP based systems should be “commensurate” to the nature and size of the business. There was discussion about including definitions of flexibility within the legislation but this was seen to create too many difficulties and as a consequence, the decision was taken to issue guidance on the flexibilities. The guidance has been formally agreed and will be published on the Commission website. A CD-rom on the new legislation is also being prepared which will be sent to Competent Authorities in the Member States (and to businesses in Brussels).

The guidance document identifies that good food hygiene is achieved though compliance with legal requirements, use of good hygiene practice (GHP) in conjunction with a properly designed and implemented HACCP system. For some small, simple businesses, implementation of the legal requirements (the pre-requisites) alone could be sufficient to deliver good food hygiene, and thus an HACCP based system might not be required. This could apply to a small, simple business such as a greengrocer, buying and selling fruit and vegetables, with no additional processing. Further examples can be found within the guidance. Alternatively, a business might satisfy the requirements of the legislation through use of an approved guide to good practice, which could combine both HACCP elements and legislative compliance requirements. In such cases, a separate HACCP system would not be necessary.

Industry was being encouraged to produce such guides, which would need to be approved by the Standing Committee on Food and Animal Health. Such industry guides could pre-determine the sectoral hazards, eliminating the need for individual businesses, using the guides, to do so. Standards have already been set in certain Codex Alimentarius guides and there was “no need to re-invent the wheel".
The Commission guidance document included consideration of monitoring: identifying that there are a range of methods could be used, including sensory tests. Flexibility also extended to documentation and record keeping. The key issue was to record non-compliance and the corrective action taken to ensure good food safety. The guidance had been written to cover both small and large businesses. For large, complex businesses all the “12 steps” of the Codex Alimentarius HACCP system might be appropriate.
1. DENMARK - PER HANSEN

In Denmark there is no distinction made between small and large businesses. All businesses are required to comply with Danish law, without derogation. Production facilities already have “own check” HACCP based approved programmes. HACCP guidance has been developed, beginning in the 1980s, targeted at specific industry sectors. These guidance documents include standards of good manufacturing practice. They are produced by industry and approved by the Danish Veterinary & Food Association. Currently, there are more than 25 HACCP guidance documents which cover 99% of the food sector.

From 2000, the “challenge” has been to produce HACCP based “own check” programmes for the retail sector, e.g. supermarkets, restaurants, hospital kitchens etc, where there are huge variations in size, from micro to multi-national. Particular difficulties have included:

- Small size
- Educational level and language problems

It is planned to have new approved HACCP guidelines for the retail sector by the end of 2006. This approach should help businesses to manage their own safety through use of guidance but will demand central resources, e.g. the production of guidelines and the re-education of inspectors. There is a danger that business will become over-reliant on guidance and that centrally designed systems will not be “operationally focused”. A special project group has been set up to take this work forward

(Presentation available on request)

2. BELGIUM - GEERT DE POORTER

Belgium has many smaller, micro businesses with very few resources to tackle the HACCP requirement and so has given significant consideration to supporting implementation. Belgium welcomed the decision to produce guidance on flexibility rather than attempting to enshrine it in legislation, which would have been difficult, given the wide variation in business characteristics across the European Union. Belgium has sought to identify the appropriate controls for flexibilities by defining particular business types to which it may be applied. These are broken down into a number of categories.

At the European level, businesses to which flexibility can be applied are defined as follows:

1. Enterprises that do not manufacture or process e.g. market stalls, mobile vehicles, pubs and bars serving drinks alone, grocery stores etc.

   For these businesses, HACCP pre-requisites alone are seen to achieve legislative compliance.

2. Businesses that manufacture and process e.g. restaurants, bakeries and confectioners

   Here, guides to good hygiene practice that incorporate both prerequisites and proportionate HACCP principles are identified as achieving compliance.

3. High hazard businesses e.g. slaughterhouses, fishery and dairy producers, canneries, pasteurisation plants, freezing plants etc.

   Here, general guides to formal implementation of HACCP systems are deemed appropriate.
Whilst this is the definition at European level, within Belgium there have been specific moves to enshrine the applicability of flexibility in the legislation through a Ministerial degree issued on 18 November 2005. To qualify for flexibilities, a business must be:

- Supplying the final consumer
- Have no more than five staff
- Occupy a business surface of no more than 400sq metres; or
- Supplying business to business
- Have no more than two full time equivalent staff

Furthermore, these businesses are classified into two types:

**Type 1.** A business that does not manufacture or process

**Type 2.** A business that does manufacture or process

For Type 1 businesses, HACCP pre-requisites alone are seen as achieving compliance. For Type 2 businesses, proportionate HACCP pre-requisites and HACCP principles are required.

Proportionate HACCP principles are defined within the framework of a sector specific guide. There are also simplified rules for traceability.

The Belgian food control programme has been brought into line with requirements of EC Regulation 882/2004. It is also intended to introduce a scheme to publicise the results of hygiene inspections - a “Smiley” system. Good performers will be required to pay less in fees to the food authority for food control activities.

The changes will require considerable investment in time and money but should improve consumer protection and communication from the competent authorities through the publication scheme and a new interactive website

(Presentation available on request)

### 3. SPAIN - THE BASQUE COUNTRY - SANTIAGO VARCARCEL

Within Spain, the Basque Country is one of 17 autonomous regions, all of whom have their own competency for food safety and animal health. Each will make its own arrangements for food control. Within the Basque region, there are three provinces with some 2 million people and some 24,000 food businesses. There are 120 public health inspectors who cover a wide range of public health issues including food safety. This creates a significant food control challenge. Until now the Basque Country has required full HACCP systems and the country is currently examining the application of flexible HACCP systems. A sector by sector approach is being examined, with industry producing guides for food authority approval. Previous history has shown limited implementation of full HACCP systems. A Basque Country standard has been set; detailing the minimum requirements for a HACCP based system. There is considerable investment in inspector training, to enable them to design and audit HACCP based systems. Courses on HACCP principles and design have also been provided for businesses.

Auditor training for inspectors will cover both theory and practice with the aim of producing consistent outcomes from food control audits. Audits on food businesses will be risk based. These activities will underpin the flexible implementation of HACCP principles; however final decisions on exact application are still to be made.

(Presentation available on request)
4. THE NETHERLANDS - HANS BEUGER

The Food & Consumer Product Safety Authority (VWA) is responsible for food safety in the Netherlands within the small business sector. In this sector, there are some 130,000 businesses and some 135 sectoral food control inspectors. Since 1995, the Netherlands has been working on implementation of HACCP in small businesses. It soon became clear that full HACCP was too difficult for small businesses and flexible approaches had been employed. This has involved development of guides to good practice based on the seven Codex HACCP principles. Small businesses can choose to use these guides or may produce their own HACCP plan. The guides are sector specific and include both basic hygiene advice, HACCP based food handling procedures and microbiological verification requirements for the HACCP system. They are drawn up by trade associations, agreed by the food authority and approved by the Minister of Health. The first guide for small businesses was produced some eight years ago.

Food control inspections are based on risks and potential for non-compliance. The inspection approach has changed from a full inspection to consideration of a limited number of critical food safety processes, identified within the guides to good practice. An inspection would typically take a maximum of one hour. Microbiological samples would be taken as part of the inspection and the data collected from sampling and the inspection is transferred via a PC notebook to a central database. The database allows identification of risk areas for future targeting. In addition to programmed inspections, a series of random spot checks will be carried out, with businesses being advised of imminent visits in advance but not of exact timetabling or location. In these areas, enforcement is strict; non-compliance means that a fine will be levied. Where performance across a large company is consistently good, the numbers of inspections are reduced. The opposite is true where there is bad performance.

Inspectors
There are several levels of food inspectors:

- Specialist e.g. veterinarians, food technologists, microbiologists etc
- General inspectors
- Assistant inspectors, e.g. sample takers

For food inspectors, there is a requirement for vocational training, e.g. baker, butcher, dietician etc and this is supplemented by training with the VWA for 65 to 70 days. This training will focus on HACCP and food control. Competence is maintained through peer group meetings, update instructions and training, often through electronic means. Competence is also managed by the team leader and through internal quality systems.

(Presentation available on request)

5. UNITED KINGDOM - STEPHEN AIREY

Analysis of food poisoning statistics within the UK has estimated that costs are in the region of €1.2 billion per year and as a consequence reducing food borne illness is a high priority. Experience has shown that full Codex HACCP is not appropriate for small catering businesses. The Commission Guidance on flexibility has allowed the development of different approaches. The United Kingdom has a number of devolved administrations, Scotland, Wales and Northern Ireland and each has taken a different approach to HACCP implementation. In England, a guidance tool for implementing the HACCP requirement in small businesses has been produced by the Food Standards Agency. This tool - Safer Food Better Business - was developed by a team involving regulators, caterers, food scientists, psychologists, educational and management specialists and HACCP researchers. It is based around a framework of key food safety topics, the four Cs of cooking, cleaning, chilling and (avoiding) cross contamination, supplemented by a management section. It contains
safe method fact sheets for a business to adopt or adapt and a simple daily diary for record keeping. It maps on to the seven Codex HACCP principles, but avoids jargon and integrates HACCP and good hygiene practice. The pack was extensively piloted in small businesses and adaptations are currently being developed for small retail stores, ethnic cuisines and certain specific sectors such as function caterers. Implementation is being spearheaded by local authority enforcement officers, who are supported by Food Standards Agency grants. In addition, the Food Standards Agency is working with industry to produce revised industry guides and develop appropriate vocational training.

Implementation is seen as a long term issue and Safer Food Better Business is only one tool that will not necessarily be appropriate in all circumstances. Safer Food Better Business, however, does provide a tool that research shows is capable of delivering a behavioural change in small businesses; bring food safety to the centre of decision making and practice

(Presentation available on request)

6. THE CZECH REPUBLIC - ZDEŇEK ŠVAO

In the Czech Republic, food control is divided between the Ministry of Agriculture and the Ministry of Health. The Ministry of Health and, in particular, the Czech Agriculture and Food Inspection Authority (CAFIA) is responsible for the control of meals served in restaurants, hotels etc.

Inspector Training
Within CAFIA, there are three levels of inspectors:

- Level 1 - inspector
- Level 2 - inspector specialist
- Level 3 - head inspector

Since 1997, inspectors have been trained in HACCP.

In law, the requirement for HACCP has been based on the seven Codex principles. By 2004, 100% of producers of non-animal origin and animal origin foodstuffs had fully implemented HACCP. There is, however, no data on retailer implementation. Eleven codes of practice incorporating good hygiene and good manufacturing practice have been produced to support businesses. However, as yet, there is no code of practice for retail businesses. In the small business sector, many problems have been identified including lack of faith in HACCP and lack of time and resources. It is believed that some businesses have been seeking to avoid registration in order to avoid inspection and the need to implement HACCP systems. In other cases, businesses have attempted to comply without appropriate knowledge or competence and there has been a proliferation of “consultants”. The question of HACCP implementation in small, one man businesses remains a huge challenge and there is considerable debate currently as how to approach the task.

CAFIA and HACCP control
Duties are laid down in legislation. Inspections are unannounced. Protocols are being drawn up for inspection. Fines are directly imposed according to laid down protocols and recall and withdrawal is required where appropriate. Inspection frequencies are risk based, dependent upon findings of the most recent inspection

(Presentation available on request)
7. REPUBLIC OF IRELAND - RAYMOND ELLARD

Ireland has some 43,000 food premises and 886 inspectors. Of these, some 450 are employed in carrying out food safety controls on some 41,500 businesses.

Inspectors are highly qualified and required to undertake continuing professional development. They are specifically trained in HACCP and audit skills.

A range of protocols has been produced on enforcement tasks. Inspection frequency is risk based. Ireland has eight guides to good hygiene practice which are currently being reviewed. The guide to the catering sector uses a process based flow diagram approach. In 2000, a survey of 710 Irish food businesses found that 52% had never heard of HACCP and 42% believed that their inspector was responsible for producing the food safety management system. As a consequence, Ireland introduced an HACCP strategy to increase the number of food businesses with a food safety management system based on HACCP principles. Specific sectors were targeted and an HACCP pack produced. This improved compliance, however, the Republic of Ireland is currently working with the Food Standards Agency, Northern Ireland on a cross-border approach. This has produced a document entitled “Safe catering - your guide to HACCP”.

Separately, other guides have been produced and inspectors trained. Further options are being considered to assist compliance, e.g. the publication of inspection results

(Presentation not available at present)
DAY 2 - WORKSHOPS

Four topic areas were set for discussion. Two groups worked on each topic area.

i) GROUPS 1 & 5 - TRAINING

The questions were:

- What kind of basic education is required for food controllers?
- Are there different levels of inspectors?
- Do the general training requirements include HACCP or is additional training needed?
- Is there flexibility in the training requirements?
- How is competence kept up to date?
- What kind of training is required for food business management?

ii) GROUPS 2 & 6 - HACCP PRINCIPLES

The questions discussed were:

- What criteria apply to small businesses?
- Is there a need for legislation to detail the criteria?

iii) GROUPS 3 & 7 - PROTOCOLS AND ENFORCEMENT

Questions discussed included:

- How would compliance be sought from 1 January 2006?
- What are the merits of enforcement versus education and how should they be balanced?
- What kind of visits should be made, e.g. audit inspection etc and how often should these be carried out?
- How can consistency be maintained?
- How can transparency be assured?

iv) GROUPS 4 & 8 - INDUSTRY GUIDES

Questions discussed included:

- What range should guides cover?
- What must be included?
- What variation should be made for small businesses?
- Should there be a central framework for developing guides?
- How can guides be publicised?
APPENDICES

Appendix 1  Detailed agenda

Appendix 2  Opening remarks - Piet Vanthemsche, Chief Executive Officer, Belgian Federal Agency for the Safety of the Food Chain

Appendix 3  Opening remarks - David Statham, FLEP Chairman, and Director, Food Standards Agency, UK

Appendix 4  Workshop conclusions

Training for regulators and business
Groups 1 and 5

HACCP principles and flexibility
Groups 2 and 6

Protocols and enforcement
Groups 3 and 7

Codes of Practice/Industry Guides
Groups 4 and 8
IMPLEMENTATION OF HACCP PRINCIPLES
IN SMALL AND LESS DEVELOPED BUSINESSES

29 NOVEMBER 2005 - Day 1

9:00 - 9:45  Registration
9:45 - 10:15  Introduction  Piet Vanthemsche, Chief Executive Officer Federal
Agency for the Safety of the Food Chain –Belgium

David Statham, Chairman (FLEP)

10:15 - 10:45  HACCP in very small businesses
Mr Willem Daelman, European Commission, Health & Consumer
Protection Directorate General

10:45 - 10:00  Questions to speaker

11:00 - 11:30  Coffee

11:30 - 12:00  Approach to HACCP implementation in different Member States
Presentation 1: Denmark, Per Hansen

12:00 - 12:30  Presentation 2: Belgium, Geert De Poorter

12:30 - 13:00  Presentation 3: Spain, Santiago Valcarcet

13:00 - 14:00  Lunch

14:00 - 14:30  Approach to HACCP implementation in different Member States
Presentation 4: The Netherlands, Hans Beuger

14:30 - 15:00  Presentation 5: United Kingdom, Stephen Airey

15:00 - 15:30  Presentation 6: The Czech Republic, Zdenek Svao

15:30 - 16:00  Coffee/ tea

16:00 - 16:30  Presentation 7: Ireland, Raymond Ellard

16:30 -17:00  Questions and close.

Conference Dinner

30 NOVEMBER 2005 - Day 2

9:00 - 10:30  Workshops
Topics (2 Groups per subject)
1) Training for regulators and business
2) HACCP principles and flexibility
3) Enforcement protocols
4) Codes of Practice/Industry Guides.

10:30 - 11:00  Coffee

11:00 - 12:30  Group Feedback

12:30 - 13:00  Summary and Conclusions
Opening remarks – Piet Vanthemsche (CEO FAFSC)

Ladies and Gentlemen,

It gives me great pleasure to be allowed to open this international symposium on the implementation of HACCP rules in small and less developed businesses in my capacity as CEO of the Belgian Federal Agency for the Safety of the Food Chain.

This symposium is the result of a co-operation between the Belgian “Federal Agency for the Safety of the Food Chain”, the Dutch “Food and Commodity Authority”, the UK “Food Standards Agency” and the Irish “Food Safety Authority”. In addition, I must not forget to mention the assistance provided by the Food Law Enforcement Practitioners (FLEP), a forum that is acquiring a particular reputation as a centre of knowledge for food regulators within Europe, thanks to the drive of its Chairman David Statham and its committee members.

In the context of the new European regulations on food hygiene, HACCP has been given a central position as the outstanding tool for all food businesses (except for the primary production sector) to control or reduce all dangers and their resulting risks. HACCP is not something completely new. The concept was developed years ago in the Codex Alimentarius. The seven HACCP principles and the 14 steps for implementing these principles have been laid down in the Codex documents. In real life, however, things are a bit different.

In one way or another, every one of you is involved in law enforcement. Because of this, you are in an excellent position to observe that for very small business there is a gigantic gap between the theory of full “classical” HACCP and what is actually achievable in practice. That is why I am pleased that the aim of this symposium is to focus on the best practices in the various countries. The best practice examples will not only illustrate, through case studies, how different food authorities deal with the legislation intended for small and “micro” businesses. They will also cover the various inspection methods available to check on this type of businesses.

This symposium is different from others: not only will you be able to listen to many interesting speakers but you will also be given the opportunity to take part in discussion workshops. The aim is to achieve the highest possible degree of interactive participation...

And yet, there is also time for relaxation. You will find in your bag some brochures as well as a street map of Brussels. To the other Member States, Brussels is mainly known as the place where the European Commission, the Council and the Parliament work out new legislation. However, Brussels is also a pleasant town with places worth seeing. So, I hope you will enjoy your stay in Belgium (and in particular the Conference dinner)

Piet Vanthemsche
Chief Executive Officer
Belgian Federal Agency for the Safety of the Food Chain
Opening remarks – David Statham (Director, UK FSA)

Ladies and Gentlemen

I too would like to welcome you to our International HACCP Symposium. The requirement for all businesses, even the small ones to have food hygiene management systems based on HACCP principles as an important step forward. However it also throws up a number of challenges to businesses and to Member States in finding ways to deliver this goal.

Our two days of discussion and debate are to enable us to learn from one another and to gain insight into how this issue is being addressed throughout the Community. As Piet has already explained this is not a seminar where you just sit back and listen to learned colleagues. No, rather this is an opportunity for you to take part in workshops and to share your experiences and insights to enable all of us to be better equipped to oversee the implementation of this measure.

As the Chair of FLEP I would particularly like to welcome colleagues who don’t normally attend FLEP meetings. You are particularly welcome and we would be delighted to see you at any or all of our FLEP Forum meetings.

The Forum meetings enable us to discuss key enforcement issues and hopefully arrive at a consensus on the way forward.

We also have a number of working groups where detailed discussion takes place and papers are developed for debate and for ratification by the Forum before publishing them on the FLEP website.

Finally from me, I hope you will find time in the margins of the meeting or at tonight’s dinner to meet and get to know new colleagues from the European Enforcement family. I personally am looking forward to renewing old acquaintances and making new friends.

David Statham
Chairman FLEP
Group 1 - Workgroups on Training for Regulators and Business

Participants:

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<th>Name</th>
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<td>Jenny Morris</td>
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<td>Dominique Versele</td>
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<td>Jeannine Noyen</td>
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What kind of basic education is required for the food controllers? And are there different levels of inspectors?

In the discussion group it became clear that different educations are required in the different countries to be able to work as food controllers.

In Belgium, all inspectors need at least a university degree of 5 or 6 years (Master biological engineer or veterinary), and controllers need a Bachelor’s degree (at least 3 years of college). During the first year of their employment they can only work under “supervision”. During this year they’re also obliged to follow a number of theoretical courses.

In the Czech Republic too, there are different types of inspectors. The vets have a university degree of 6 years, optionally followed by a PhD, while others have a 3 year Bachelor’s degree. The vets get the help of trained technical assistants during controls of slaughterhouses.

In the UK, all inspectors have a four year university degree. This education comprises 3 years of theoretical background, followed by a year of practical training. Apart from that, the inspectors have technical assistants with 2 years of education. Before inspectors are allowed to work in the field, they need a supplementary education of minimum 6 months. During this period the would-be inspector accompanies an experienced controller to learn the trade.

In Poland, the controllers need a 5 year university degree. Many of them follow this with a PhD specific for foodstuffs. Before they are effectively used they have to accompany experienced inspectors during a full year.

In Hungary, veterinaries (6 years) as well as doctors (6 years) and other university educated personnel (engineers, 5 years, bachelors, 3 years) can work as inspectors. The vets are helped by assistants, whose training is decreed by Hungarian law. Before they can start the real work, the inspectors follow a whole year of theoretical and practical training.

In Slovakia, most inspectors have a 5 or a 6 year degree (respectively engineers, doctors and vets). Some others have a Bachelor’s degree. The controllers who take the samples in slaughterhouses do not have a university degree. The doctors are in charge of the controls on baby food, novel food and mineral water. During their first year, as in most countries, they follow theoretical courses, and accompany experienced inspectors. They need to pass an exam before they can work alone.

The Maltese system is very similar to the UK’s. Here too, inspectors have a 4 year university degree and take a practical training.
Do the general requirements contain HACCP or do they need additional training?

In all the countries represented in the discussion group, training of full HACCP was given, or the principles of HACCP were handled in the basic education of the food controllers. Unlike the other countries, Belgium didn’t think it necessary to have additional training on HACCP for SME, because the Belgian law is very clear on this subject. In most countries an extra training on audits was given, or will be given in the near future.

Is there flexibility in the training?

It was evident from the discussion that most countries have problems in this department. On the one hand there is the education of the food controllers, and on the other hand there is the education of the companies. The education of the inspectors is not a problem, but most countries have difficulties with the training of small companies.

The first problem is who’s paying for these courses: the government or the small company. In addition, most SME don’t have a professional organisation to organise the courses. The second problem is the thin line between giving information and consultancy. Apart from this, the food controllers are best placed to give this information, but the number of controllers is limited compared to the large number of companies. Finally, there is the problem of drawing a line between support to, education of and controls of the companies.

How is the competence kept up to date?

In all countries a continuous re-education is obligatory. Most countries don’t have a minimal time limit, only in the UK inspectors need to follow at least 15 hours of training courses a year to remain up to date.
Appendix 4

Group 5 - Workgroups on Training for Regulators and Business

Members of the group came from Finland, Sweden, Latvia, the UK and Belgium.

1. What kind of basic education is required for the food controllers?

What is the basic role of inspectors?

- The main role of Inspectors is to “protect consumer”

What kind of training should be required for any food inspector?

- Any food inspector should have a Relevant background (academic or from industry)

- In addition Specific training is required in the following subjects:
  - Recognise food hazards
  - How to prevent food contamination
  - Knowledge of legal requirements and procedures
  - Audit / inspection skills
  - Communication skills (extremely important)
  - Knowledge of food processing
  - Practical experience: a very good practical experience is necessary.

2. How is Competence kept up to date?

- By on going training involving both the employer and the individual. They have both their responsibilities.
- The on going training must be “adequate + relevant”. There are no minimum requirements in the member states. In the UK a number of hours a year is mandatory.

3. What kind of training is required for the food business manager?

- The Food business manager should be trained in the following:
  - personal hygiene
  - food contamination (relevant)
  - legal requirements (relevant)
  - good hygiene practice

Examples

In Finland every food business operator must have the licence of the “Food Hygiene Competence Test’. It is a written test and the licence is mandatory.

In Latvia from 1/1/06 on all food handlers (except at manager level) must follow a training of 5 hours every 2 years.
Group 2 - Workgroups on HACCP principles and flexibility

Members

Geert De Poorter (Rapporteur) Belgium
Ariane Van der Stappen (Secretary) Belgium
Bernard Sizaire Belgium
Malcom Vella Haber Malta
Agnes Fehér Hungary
Urszula Pelzner Poland
Mira Kos Skubic Slovenia
Kathryn Baker UK (North Ireland)

1. Which criteria apply to small businesses?

The small businesses should apply basic requirements such as the monitoring of the critical control points and/or the points of attention and the registration of the non-compliant results should be a minimum. The registration of the compliant results can be useful but it’s not always an added value for every small businesses (depends on the type of the activity) so we conclude that we don’t have to impose it.

Everybody agrees that there is no necessity to apply a full HACCP system to guarantee the safety of the food products in small businesses. An easier system based on risk analyses can achieve the same goal. The operator has the duty to demonstrate that he is in compliance with the legal requirements with the adapted system he applies. Written procedure should be not an obligation but the operator has to be able to explain clearly during an inspection how he is managing the risk in his business. However, written procedures have the advantage that they help the training of staff.

2. Need for fixed criteria into a national legal framework?

For different reasons such as politic reasons, the lobby of the industry, the difficulty to obtain a consensus on criteria etc... it seems very difficult for numerous Member States to put in place a national legal framework on facilities for the small businesses. So they leave the choice of giving flexibility to the inspectors.

But all of the members of the group agree on the fact that predefined criteria in a legal framework makes it easier for the inspectors.

NB: Open question: does the flexibility apply to approved premises?

The answer should be yes

3. How to communicate the flexibility to the small businesses?

The first problem consists in the registration of all the businesses. You have to know them and the small retailers are the most difficult to register. A first conclusion is that it is easier in small countries.

Mandatory training course for the people working in the food sector can be a solution. They can receive during this time all the needed information.
Appendix 4

The use of a guide is of course a good way to spread the information but how to get it when you are not a member of a federation (situation numerous small businesses).

The inspectors are surely well placed to give information/ consultation on food businesses. UK and Ireland are very in favour with such practices.

**Finding**: the new member states are often more advanced in this problematic that the “old” EU member states. They have no historical EU legal rucksack and are very motivated.
Group 6 - HACCP principles and flexibility

Definition

- Prerequisites
- HACCP light
- HACCP based codes
- Safer Food Better Business

It needs to be defined “what” small businesses have to implement and “to what extent” they have to apply the concept of HACCP. However, the distinction between prerequisites and HACCP for small businesses is not always clear-cut and there is a need for more uniformity within a country and between countries.

There are different approaches to the implementation of the concept of (critical) control points in small businesses. In some countries, such as in Luxembourg, it is sufficient if small businesses implement Good Manufacturing or Good Hygienic Practices, whereas in other countries guidelines are formulated by the government or guides are composed by the federations of the different sectors, in which the HACCP principles are incorporated to a certain extent. For example, Belgium applies a ‘HACCP light’ concept\(^1\), The Netherlands have ‘HACCP based codes’ and in the UK practical ‘Safer Food Better Business’ guides are developed. Whatever approach is used, there is a consensus of the notion ‘prerequisites’.

If the prerequisites are implemented and controlled adequately, one could wonder if the need for HACCP does not disappear. Nevertheless, the issue remains that the list of prerequisites to be applied by the enterprises should be well-defined.

- Prerequisites
  - Cooling down
  - Warming up
  - Documentation

What are ‘prerequisites’? Are prerequisites as defined by the Codex Alimentarius, or as given by the Regulation (EC) No. 852/2004?

The minimum requirements for HACCP (e.g. temperature, cleaning) can be included in the list of prerequisites. As such, some additional criteria need to be added to the list of prerequisites laid down in e.g. Regulation (EC) No. 852/2004, such as cooling down\(^2\), warming up, cross-contamination, etc.

In this context, the documentation or registration of control points (e.g. the temperature) was given some particular attention as a discussion point. Documentation or registration is needed, e.g. as a base for food inspectors to control the enterprise. As much as possible should be monitored. Monitoring of control points as critical control points is not necessarily difficult to implement in small businesses and does not always need to be technical (visual monitoring). However, the question arises whether the manager or the responsible person has to register everything/always, and not only the deviations. It is generally believed that everything monitored should be written down. One can be sceptical about the application in the field, but one must consider the psychological aspect of such an approach as well (i.e.

\(^1\) Ministerial Decree on facilitating the implementation of self-checking and traceability in some businesses of the food sector

\(^2\) unless this is part of the cold chain
when the register is filled without e.g. the thermometer being checked, the manager or responsible person is performing fraud, which is a loaded word).

Although the identification and implementation of (critical) control points/prerequisites is the responsibility of the small businesses themselves, food inspectors may play a large part where it comes to controlling the knowledge of the manager and the employees of small businesses concerning food safety and quality, the implementation or monitoring of control points and the training of employees of small businesses. The latter can be performed by examining the knowledge of employers by means of simple questioning, by examining if the company has some documentation of regular training given to its employees, etc.
Group 3 - Workgroups on Enforcement protocols

Rapporteur: David Lock (David.Lock@iacors.gov.uk)
Secretary: Gerda Cneudt (Gerda.Cneudt@favv.be)

The members of the workshop group are coming from Belgium, Finland, Latvia and UK. The following items have been discussed.

1. **HACCP: what shall be the situation on 1/1/2006 and what are we going to do?**

   The situation is comparable in the different countries:
   - it is difficult to judge whether a small business is complying with HACCP requirements (HACCP team necessary? what if there are no CCP?),
   - there are no reliable statistics (30%, 50%, 80% not compliant?)
   - sure is that a lot of businesses will not comply in 2006.

   The approach to deal with this situation is different:
   - Belgium has defined the small businesses (business to consumer: < 400 m2 or max 5 FTE, business to business: max 2 FTE).
     Small businesses that do not manufacture have to.
     Small businesses that do manufacture have to fulfil the HACCP prerequisites and to implement a “HACCP light” (application of the guide). But: the guides are still in developing.
   - In Latvia they don’t distinguish between small or big business. Training the inspectors is there the priority, and then they will inform businesses.
   - In Finland industry guides to compliance are being produced.
   - In UK there is a graduates approach with advise.

   Conclusion: the general approach will not be rigid enforcement on 1/1/2006.

2. **Advice versus enforcement**

   There are different approaches going
   - from mainly enforcement in Belgium where consulting is the competence of regional authorities. Consulting is mainly left to the trade associations, but many small businesses are not belonging to trade associations. The Food Agency is trying to attempt those with information campaigns
   - over a combination of advise and enforcement. In the UK there are advising teams who are in close cooperation with the enforcements teams
   - to mainly advise in Finland.

3. **Enforcement**

   The enforcement procedures in case of non-compliance are very similar:
   - a written notice to the operator
   - a fine (excepted in Finland)
   - a procedure to court
   - immediate closure in case of high risk

4. **Use of checklists**

   Checklists are used by all for the inspection of the premises, the equipment, HACCP based procedures and traceability.
   - Belgium: use of a checklist with open question for audits, a checklist with closed questions (compliant/ not compliant/ remarks) for inspection.
   - Latvia: no audits, only inspections with checklist similar to the Belgian ones
- UK gave a draft version of the food hygiene inspection checklist for regulation 852/2004

Conclusion: the checklists used for food hygiene inspection are quite similar. Here is a potential opportunity to harmonize. Can't we elaborate a common checklist available for everyone on a website?

Question: Shall the approach of enforcement be different for new businesses and existing businesses?

Answer: That item hasn't been discussed in the group. The rules for the existing businesses are not so new. The approach is left to the professional judgement of the inspector.
Group 7 - Workgroups on Enforcement protocols

Dorothy Guina Dornan (rapporteur, Ireland), Sigrid Van Boxtael (secretary, Belgium), M. Jermin (Switzerland), S. Pelsser (Belgium), I. Depraetere (Belgium), V. Grăfovă (Czech Republic), R. Schmit (Luxembourg), E. Strand (Norway)

- inspection / audit
  - Size of the premises
  - Time
  - Export / approval
  - Purpose

Although regulation 882/2004 gives a definition of an audit and an inspection, there is a lack of clarity concerning its contents and when to perform it. Interpretations occur according to the member state. Some inspections happen according to an audit approach (e.g. Ireland). In the Netherlands, a choice is made based on the size of the premises: inspections for small and medium premises while for larger companies audits are done. It is clear that an audit will be much more time consuming than an inspection. Consequently the outcome of an inspection will be less thorough than that of an audit. An argument for choosing an audit instead of an inspection is the need for approval for export (e.g. Switzerland). In Norway, audits are performed in the majority of the cases. Globally one can say that according to the purpose, a balance needs to be found between the number of inspections and the number of audits.

- frequency
  - Risk based
  - Non-compliance
  - Resources
  - Validated self-checking system

For the determination of the frequency of audits/inspections one needs to take into account several factors. The frequency determination should be risk based. This means for example that one should take into account that certain sectors contain higher risks than other sectors. According to that, the premises can be classified in high, medium or low risk (e.g. Ireland). Also the history of non-compliance should be considered. It should be underlined that the amount of resources that are available for the inspection bodies has an important influence on the frequency of inspections/audits.

In Belgium the frequency is also based on the disposal of a validated auto-checking system by the premises: if the premises have a validated auto-checking system, the risk is assumed to be lower for these premises and the frequency of the audits/inspections will be lower.

- Non-compliance
  - Administrative procedure
  - Legal procedure
  - Fines
  - Closure

If the outcome of an inspection/audit is non-compliant, there are several options for the inspection bodies to handle. In most member-states an administrative procedure is followed: a report with follow-up is sent to the owner of the company. If there is a public health problem, the inspectors from most member states can decide to close the premise.

It was stated by the member states that legal prosecution is only an option when all the other avenues were tried. Most of the member states have a system to impose fines in case of non-compliance. This is not the case for e.g. Ireland, the only way to impose fines is by court.
Education versus enforcement
- Different approaches
- Combination or separate
- Role of the trade associations

There are different opinions among the member states concerning whether an inspector should or should not have an advisory role towards the premises. Some member states consider it the role of the inspector to advice and encourage compliance (e.g. Ireland, Luxembourg, Czech Republic), while others think the inspector should focus on his inspection task (e.g. Netherlands, Switzerland). It was argued by Switzerland that advice should be supplied by the trade associations.

Transparency
- Procedures
- Outcome of the inspections

Should control procedures be publicly available? In some member states there is no active communication concerning the control procedures (e.g. Netherlands, Norway), while other member states make the control procedures transparent by publishing them on their website (e.g. the publication of ‘red books’ by Ireland, publication of checklists by Belgium).

Should the outcome of the inspections be made public? In most Member States the outcome of particular inspections is confidential. However global inspection outcomes of sectors e.g. catering are made public by certain countries (e.g. Netherlands, Belgium). The debate on whether or not making the particular inspections outcomes public is currently going on.

Consistency
- Internal consistency
- Bench marking
- Training
- Checklists

It is important that inspections occur in a consistent way between different inspectors, different regions, Bench marks are required. Also training and informing the inspectors is of uppermost importance. The use of checklists can help to cope with the problem of consistency of the inspections.

Recognition of third party accreditation
- IFS, BRC, GFSI

The question was raised on how to deal with accreditation by third parties such as IFS, BRC or GFSI... If there is for example accreditation by BRC, in what amount does the inspections body needs to take this into account.
Group 4 - Workgroups on Codes of Practice/Industry Guides

Rapporteur: Goran Engstrom (goran.engstrom@slv.se)
Secretary: Leen Rasschaert (Leen.Rasschaert@favv.be)

What is the range of guides?

The sectors and the regulations have to be defined. There are guides by sector and there are national guides and also five (not approved) community guides. Not all sectors need a guide, especially small business and simple activities (transport, …) can use a guide.

What must be in the guide?

Practical data (compliant with regulation):
- Risk analyses.
- Check lists within the guide are practical for the industry and especially the small businesses need a guide.

How do you cope with the small business and who must elaborate them?

There was a need for a new regulation and at least a need for revised guides. This new regulation gives more flexibility and this flexibility is useful for the small business. Trade organisations should produce the guide but we have to be involved. Small businesses not belonging to trade organisations may get information leaflets from authorities. A chapter especially for small businesses can added to the guide.

Must the official controller provide a frame-work for developing guides?

Each member state has different guides, a template would maybe be useful. Linking websites to learn from each other.

How do you communicate on the existence of the guide?

Through websites, inspections, leaflets, standards, …
Group 8 - Workgroups on Codes of Practice/Industry Guides

Members

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<th>Name</th>
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1. **What is the range of guides?**

Guides should be elaborated at sector level with the least possible overlap per sector. In most cases there is no necessity for separate guides for small businesses. For example a cutting plant that produces 5 metric ton per week has a manufacturing process that is very similar to that of a cutting plant that produces 50 metric ton per week, so it should be possible to use the same guide in both plants. The sector and the competent authority must see to it that the sector guides are also applicable in small establishments.

However in some cases there is a need for separate guides within one sector because the manufacturing process, know-how, number of staff, … is very different between businesses. For example an industrial establishment that manufactures dairy products such as cheese and yoghurt at a large scale versus the manufacturing of the same products at the farm that sells mainly to the final consumer (Regulation 853/2004 considers this activity as processing and not as primary production). It would be very difficult for the farmer to implement the same guide as the industry and it is not the aim either to lower the standard of the industry guide to make it applicable to the manufacturing at farm level. In this case there is a need for a separate simplified guide.

In the future approved Community guides can be implemented by the food businesses. However, it will never be possible to treat all aspects in a Community guide, there will always be differences between MS. Therefore these community guides could then be adapted and completed by each MS into national guides.

2. **What must be the content of a guide?**

The scope should be clearly mentioned so food manufacturers implement a guide that is appropriate for their activities.

The guides must
- explain in what way the prerequisite requirements (GHP) mentioned in Annex II of Regulation 852/2004 must be implemented in each sector
- contain a chapter on HACCP which includes a hazard analyses so the food business don’t have to do a all the research themselves
- contain examples of flow diagrams, determination of CCP, control measures, corrective actions, record keeping
- leave the possibility to the food business operators to determine whether a certain hazard will be controlled as a CCP or via GHP.

The guides must always be compliant with national and community legislation because the guides will be the audit standard.
Appendix 4

3. **How do you cope with small businesses and who must elaborate guides for such small businesses.**

It has been previously mentioned that there is no need for separate guides for small businesses. However in some cases there is a need for separate guides within one sector because the manufacturing process, know-how, number of staff, … is very different between businesses. There is also a need for separate guides for the same activity if it concerns retail versus industry: cutting plant versus butcher.

The guides should be developed by the sector under supervision and in collaboration with the competent authority.

Some small sectors don’t have well organised associations that represent them or these organisation don’t have the know-how to develop a guide. In these cases the competent authority should develop the guide.

4. **How do you communicate on the existence of these guides?**

The sector must inform the food businesses: website, trade magazines, meetings, information sessions, … This can be organised in collaboration with the competent authority but the sector must take the initiative.

The competent authority should also inform the food businesses: website, inspectors (mail shot or during inspections), meetings with the sector, …

In some sectors such as retail, catering, … more efforts will be necessary to reach all food businesses.

5. **Various**

During the discussion some questions were raised:

- We may be confronted by guides from other member states. Should we allow food businesses to use a guide approved in another member state? The answer from the group was that we should allow such guides on condition that they are also compliant with national legislation.

- Should there be a central oversight of national guides?

6. **Questions**

If the guide will be the audit standard then we should certainly see to it that it is adapted to small businesses, otherwise they will not be able to meet up to the conditions laid down in the guide. What is your position on that subject?

As was explained in the presentation. In general there is no need for separate guides for small businesses. However in some cases there is a need for separate guides within one sector because the manufacturing process, know-how, number of staff, … is very different between businesses. There is also a need for separate guides for the same activity if it concerns retail versus industry: cutting plant versus butcher. This needs to be determined per sector.