European Union
Part II
EU Perspective for Food Safety

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Comparative Global Standards in Food Systems

The European Union

- The EU is a Success Story
  - 60 years peace, shared values, compromise
  - Single Market with 500 Million citizens
  - Economic stability, 70% of trade intra-EU
  - Harmonisation of rules and standards
- The EU is a nightmare
  - 27 countries, 21 Languages,
  - Diverse traditions expectations and economies,
  - 100,000s food businesses,
  - By far the biggest importer and exporter of food worldwide
- Risks must be managed

Bottom Line: Fortress Europe?

- Market access conditions are complex and not easy to meet, but...
  - One negotiation – 500 Million consumers;
  - Fully harmonized import conditions for all food and feed, in-line with international standards;
  - No discrimination.
  - Transparent rules, aids for capacity building.
- It works: EU is by far the biggest importer of food worldwide - also from developing and least developed countries;

The Single Market

- The Single European Market stands for the free movement of people, goods, services and capital: 'The four freedoms'.
- On a practical level, it means the possibility for EU citizens to live, work, study and do business throughout the EU as well as to enjoy a wide choice of competitively priced goods and services.

A Single Market for Goods

- Member States may restrict the free movement of goods only in exceptional cases, for example when there is a risk resulting from issues such as public health, environment, or consumer protection.
- Approximately half of the trade in goods within the EU is covered by harmonized regulations, while the other half is accounted for by the 'non-harmonized' sector, which is either regulated by national technical regulations or not specifically regulated at all.
- Once allowed into the EU, food commodities and animal products in particular, can be sold in any Member State

Risks to be managed:

- Contagious animal and plant disease
  - FMD, Avian Flu, Carnal Bunt, Citrus Canker
- Zoonoses
  - Salmonella, Listeria, BSE, Tb
- General hygiene
  - Enterobacteria, histamine
- Contaminants
  - Pharmaceuticals, pesticides, heavy metals
- Fraud
### How does it work?

- Harmonized legal framework
- Efficient risk management
- Transparency, information exchange
- Constant scrutiny at all levels

### Equivalence Agreements vs Harmonization

- 10 countries need 45 Equivalence Agreements (under the condition of reciprocity)
- 90 permutations for inspection and controls
- Vulnerable to political pressure and retaliation
- Labour intensive, non-transparent, costly
- Harmonized rules – one set of standards
- Animal health challenges demand consistent strategies on a regional scale

### Harmonization in the EU

- **Public health:**
  - Started 1964 on fresh pork and beef
- **Animal Health:**
  - Started also 1964 on pigs and cattle
- **Plant health:**
  - Started 1977, overhauled in 2000
- **Pesticides:**
- **Border Inspection for imports from third countries:**
  - Harmonised since 1990
  - Rapid Alert System established.

### General Food Law

**Regulation 178/2002**

- **Article 17 – Liability**
  - All operators must ensure safety of food and feed.
- **Article 18 – Traceability**
  - All food, feed and animals: One step up, one step down.
- **Article 20 – Recall**
  - All recalls must be reported to authorities.
- **Article 11 - Imports**
  - Food and feed imported into the Community complies with food law or conditions recognised as equivalent.
- **Article 12 - Exports**
  - Food and feed exported shall comply with the food law.

### Animal Health

**Main, horizontal legislation**

- **Live animals:** For example, for bovine species
- **Identification:** For example, Regulation (EC) 1760/2000.
- **Germplasm:** For example, Council Dir. 88/407 for bovine semen
- **Products of animal origin:** For example, for fresh meat or poultry
- **Animal welfare:** Council Directive 98/58 for farming purposes;
  - Regulation 2009/2009 for animal protection during slaughter
- **Specific rules for animal diseases:** For example, PMD, avian influenza

### Plant Health

**Main, horizontal legislation**

- Authorization of plant protection products
- Pesticide residues Regulation (EC) No 396/2005
- Harmful organisms Directive 2002/29
- Seeds and propagating material

**Implementing rules (example)**

- Decision 2004/4 on potatoe diseases - emergency measures against the dissemination of Pseudomonas solanacearum
Zoonoses

- Main, horizontal legislation
  - Control of Salmonella and other zoonotic agents: Regulation 2160/2003
  - Bovine spongiform encephalitis: Regulation 999/2001

- Implementing rules
  - Decision 2007/843 on Salmonella control programs in breeding flocks
  - Decision 2007/848 for laying hens

Food Hygiene

- Main, horizontal legislation
  - General hygiene for all food and feed: Regulation 852/2004
  - HACCP-based self controls in all businesses: Regulation 853/2004
  - Hygiene for products of animal origin: Regulation 854/2004

- Implementing rules
  - Microbial criteria: Regulation 2073/2005
  - Testing methods: Regulation 2074/2005

Contaminants

- Main, horizontal legislation
  - Council Regulation 315/93 for contaminants in food
  - Residues of veterinary drugs: Council Regulation (EC) 2377/90
  - Hormone ban: Directive 96/22/EC

- Implementing rules (Dir. 96/23)
  - Residue monitoring plan;
  - Reviewed by FVO.

Additives, Flavorings and Contact Materials

- Main, horizontal legislation
  - Regulation (EC) No 1331/2008 establishing a common authorization procedure for food additives, food enzymes and food flavorings
  - Food contact materials: Regulation 1935/2004

Food Imports - Same Principles

- Food of animal origin
  - Lists of eligible countries and businesses.
  - Country listing after inspection by FVO.
  - Regular country audits on risk basis.
  - Approval based on compliance or equivalence.

- Food of non-animal origin
  - No country listing.
  - Importer is liable for safety (general food law).
  - Some specific rules apply for high-risk foods (potatoes, nuts, citrus).

International Standards: Codex Alimentarius

- Protects health of the consumers
- Ensures fair trade practices
- Harmonization of national & international standards
- Scientific standards for what we eat!
- All the member (WTO) countries should harmonize their standards in line with CODEX
### International Standards: SPS Requirements for Market Access

- **National Sovereignty:** Countries can use own risk standards.
- **Harmonization:** Reach a common measurement.
- **Equivalence:** Acceptance of SPS measures of other countries.
- **Science based measures:** Include risk assessment studies.
- **Regionalization:** Exports from disease free area to be allowed.
- **Transparency:** With respect to SPS measures if differ in internationally recognized standards.
- **Dispute resolution:** Provides mechanism for resolving disputes through scientific justification.

### It does not matter whether or not a country is part of the EU!

- **No discrimination:**
  - The food law either applies directly, or it must be complied with.
- **No short cuts:**
  - There cannot be a compromise on safety standards.
- **But flexibility is there:**
  - Objectives must be met, no overly detailed prescriptions.
- **And technical assistance is offered:**
  - Regulatory alignment and Neighborhood Policy,
  - Better Training for Safer Food initiative,
  - Bilateral and regional programs.

### Summary: EU Food Law in a Nutshell

- **All Member States:**
  - Credible inspection and control system.
- **All food and feed:**
  - Liability, Traceability, Reporting.
  - General hygiene rules.
  - HACCP-based self controls.
  - Notification, risk based controls.
- **High risk foods (foods of animal origin)**
  - Specific hygiene rules.
  - Pre-market authorization and inspection.