

# T & L UPDATE

BFFF TECHNICAL AND LEGISLATIVE UPDATE

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**British Frozen Food Federation**

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# FOREWORD

## WELCOME FROM SU DAKIN

**Hello and welcome to the bumper Christmas edition of the Technical and Legislative Update.**

If you are reviewing plans for protecting your business against food fraud following the publication of the Elliott report into the Assurance and Integrity of UK Food Supply Networks look no further than the Food Security, Integrity and Authenticity Section. A must read is the BSI's recently published updated PAS 96 Standard: a guide to protecting and defending food and drink from deliberate attack. There is also a study from the Grocery Manufacturer's Association into economic fraud and counterfeiting in food and links to the new Institute of Food Safety, Integrity and Protection (IFSIP) website which has some really useful information.

December 13 saw most of the mandatory labelling changes introduced in the Food Information to Consumer Regulation 1169/2011 (FIC) finally apply. I hope that all of the T&L information from the BFFF over the last three transition years means that our members were ready for the changes. However, if you are not quite 100% there, you are almost certainly not alone! The labelling section contains yet more guidance, including the long awaited Technical Guidance to the Regulations from Defra and remember if you have outstanding questions you can contact me for advice.

In response to queries from BFFF Members we have developed and now published advice with our Cambridgeshire PA, defining the terms prepacked, non prepacked and prepacked for direct sale; the advice is published in full inside. If you join our Primary Authority Scheme – which is completely FREE and you follow the advice that we publish, it means that you can't (by law) be asked to do something else by another Local Authority.

If you want to join our Primary Authority Scheme or just find out more contact Crystal: [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

If Regulation and compliance is your thing, there are a couple of new SI's to be aware of, including the Products Containing Meat etc. (England) Regulations 2014 and the Weights and Measures (Food) Regulations 2014. There are also some new sentencing guidelines for food offences under consultation, these could see fines rise significantly from next year. Do get involved and let me have your views!

I hope you enjoy reading T&L75 and I'd like to wish you and your teams a very happy Christmas and compliant New Year!



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**Please contact BFFF if you would like to receive additional / back copies of this newsletter**

**We do hope that you find T&L a valuable read.**



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# PRIMARY AUTHORITY

Version 1 Issued: November 2014

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## [Food Information to Consumers \(FIC\)\\*](#)

### [FAQ: How can Prepacked, Non-Prepacked and Prepacked for Direct Sale be defined?](#)

#### ADVICE

##### **Prepacked foods:**

are presented for sale such that 'the contents cannot be altered without opening or changing the packaging.' For the purposes of EU FIC these are foods packed before being offered for sale to the consumer or to a caterer. Prepacked foods do not include those packed on the same premises as where they are sold or foods sold loose.

Examples include:

- Products that are sealed such that the seal has to be broken or the packaging integrity compromised to access the product inside
- Products that are packaged in modified atmosphere sealed packaging
- Product placed in an acetate or similar tray with a top or lid applied, sealed with tape or a label that has to be broken or damaged to access the product inside or which cannot be resealed
- Flow wrapped product crimp sealed

##### **Non prepacked foods:**

are those sold loose or in open or unsealed lidded trays, unsealed bags or packages where the contents can be altered without opening or changing the packaging.

'Non-prepacked foods' covers foods which are sold loose. In a physical retail environment this applies to foods which are sold loose such as self serve fruit and vegetables, foods served from a delicatessen counter (e.g. cold meats, cheeses, quiches, pies and dips), fresh pizza, salad bars, bread sold in bakery shops, meat from butchers, pick and mix confectionery (including individually wrapped sweets and chocolates), etc. In a catering environment this applies to foods which are not sold prepacked, for example food from a takeaway, or meals served in a canteen or a restaurant.

\*REGULATION (EU) NO 1169/2011 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 25 OCTOBER 2011 ON THE PROVISION OF FOOD INFORMATION TO CONSUMERS



British Frozen Food Federation Primary Authority Partnership  
Assured advice issued by Cambridge County Council under the Primary Authority  
partnership co-ordinated by the British Frozen Food Federation;  
having legal backing for participating members.





Examples include:

- Product sold loose in open trays or bags or boxes with loose lids that are not sealed
- Product sold in a box, bag or tray which is not sealed so that it can be opened and the contents altered without changing or affecting the packaging integrity
- Bread in open ended sleeves, loose fruit and vegetables,

**Products that are prepacked for direct sale:**

are those wrapped, such that the contents cannot be altered without opening or changing the packaging, on the premises where the product is to be sold to the consumer. For the purposes of FIC this includes products packed at the request of the consumer.

Foods prepacked for direct sale are treated in the same way as non prepacked foods in EU FIC's labelling provisions. It is expected that the customer is able to speak with the person or colleagues, who made or packed the product to ask about ingredients.

Practically speaking this may be a colleague as the actual staff may not always be available in today's 24/7 society. Foods that could fall under this category could include meat pies made on site and sandwiches made and sold from the premises in which they are made and would also apply where non prepacked goods are wrapped and transferred to other stalls trading under the same name.

This category would include:

- Products that are received non prepacked at the sales premises then packed into new packaging meeting the definition of a prepacked product as long as they were destined for sale on the same premises.
- Products that are received prepacked in bulk or requiring some form of preparation at the sales premises then repacked into new packaging meeting the definition of a prepacked product as long as they were destined for sale on the same premises.
- Product packed by a retailer for sale on the premises where the food is packed or from a vehicle or stall used by him, e.g. at markets or from mobile shops.
- The special case of bread, \*flour confectionery or edible ices that are packed by the producer then sold from other outlets trading under the producer's name.

\*flour confectionery" means any cooked food which is ready for consumption without further preparation (other than reheating), of which a characterising ingredient is ground cereal, including shortbread, sponges, crumpets, muffins, macaroons, ratafias, pastry and pastry cases, and also includes meringues, petits fours and uncooked pastry and pastry cases, but does not include bread, pizzas, biscuits, crispbread, extruded flat bread or any food containing a filling which has as an ingredient any cheese, meat, offal, fish or shellfish

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Examples:

Marketing Method	Category
Product supplied in a prepacked format from a different business	Prepacked
Product is prepacked in one operation and transferred to another location trading under the same name for sale, <b>except for:</b> Bread, flour confectionery or edible ices that are packed by the <b>producer</b> and sold from shops trading under the producer's name	Prepacked Prepacked for direct sale
Product is supplied in a prepacked format inside a multipack or mother bag. Prepacked product is removed for sale without altering individual inner pre-packaging	Prepacked
Product is supplied bulk, packaging is removed and the product is divided or prepared in some way then re-packed in sealed packaging for sale on the same premises	Prepacked for direct sale
Product is supplied bulk, packaging is removed and the product is sold loose	Non prepacked
Product is supplied bulk, packaging is removed and the product is packed at the request of the customer.	Non prepacked
Product is supplied in a non prepacked format e.g. loose in trays, or boxes and then packed such that it is prepacked for sale on the premises.	Prepacked for direct sale
Product is prepacked by a retailer and sold from a stall or vehicle operated by the retailer.	Prepacked for direct sale

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# ACTIVITY OF EUROPEAN INSTITUTIONS

## ECJ JUDGEMENT ON THE 'NEWBY' vs FSA CASE

The European Court of Justice ruling on the 'Newby' vs FSA case has recently been published.

Following an FVO audit in early 2013 the imposition on 4 April 2013 of a moratorium by the Food Standards Agency (FSA) on mechanically separated meat (MSM) production from the bones of ruminants and the reclassification of poultry and porcine de-sinewed meat (DSM) as mechanically separated meat in the UK.

Newby Foods Ltd took legal action against the FSA as a result. Certain aspects of the proceedings were referred by the UK High Court to the European Court of Justice (CoJ) for Judgement.

The referral centred around the degree of loss or modification of the muscle structure that is required to characterise MSM and distinguish it from mince and other meat that is removed from the bone.

The ruling concludes as follows:

Points 1.14 and 1.15 of Annex I to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin must be interpreted as meaning that the product obtained by the mechanical removal of meat from flesh-bearing bones after boning or from poultry carcasses must be classified as 'mechanically separated meat' within the meaning of that point 1.14, since the process used results in a loss or modification of the muscle fibre structure which is greater than that which is strictly confined to the cutting point, irrespective of the fact that the technique used does not alter the structure of the bones used. Such a product cannot be classified as a 'meat preparation' within the meaning of that point 1.15.

The full ruling is available here: <http://tinyurl.com/mhwqjas>

## DG SANCO BECOMES DG SANTE AND UNDERGOES MANAGERIAL CHANGES

Former DG SANCO is now to be known as DG SANTE (Health & Food Safety) in the new European Commission. The original name, SANCO, combined the SAN of "santé" with the CO of "consommateurs" but now the consumer responsibilities have been transferred to DG Justice. The emphasis of the DG will be on simplifying and modernising food law rather than creating new laws, as well as having a transparent public administration and engaging more with citizens.

Eric Pondelet, the influential Director of the Safety of the Food Chain in DG SANTE will retire at the end of the year and it is unclear who will replace him. Basil Mathioudakis, head of unit in charge of nutrition and food information, is also understood to be retiring next year and rumors say he will be replaced by Alexandra Nikolopolou, current Deputy Head of Unit responsible for Food Labelling.

Health and Food Safety Commissioner Vytenis Andriukaitis will cooperate with three Vice-Presidents - Frans Timmermans, responsible for Better Regulation, Jyri Katainen for growth and jobs and Kristalina Georgieva for budget. He declared that simplifying and modernizing food law will be his priority.

## COMMISSION ADOPTS REGIONAL PLANS TO BAN FISH DISCARDS

From 1 January 2015, the practice of returning unwanted fish back into the sea will be gradually banned by the new Common Fisheries Policy (CFP) which stipulates that fishermen will instead have to land everything that they catch.

Five regional discard plans were approved by the European Commission on 20 October which contain some practical rules, as well as a limited number of exemptions, to help fishermen implement the new rules.

The plans, which cover all pelagic fisheries in EU waters and fisheries in the Baltic, were put together based on recommendations by EU countries in the Baltic, North Sea, North Western Waters, South Western Waters, and the Mediterranean, as well as on input from local industry and stakeholders through Advisory Councils.

More information is available on the Commission website here: <http://tinyurl.com/kpexmlk>

## ECJ RULES ON MICRO CRITERIA AT RETAIL STAGE

The European Court of Justice (ECJ) has ruled in the case of Ute Reind vs Austrian Authorities. Ms Reind is the Branch manager of an Austrian supermarket (MPREIS Warenvertriebs GmbH). In 2012 a sample taken by the Austrian Authorities of vacuum packed fresh turkey breast (processed and packaged by another company) was contaminated by salmonella and was therefore considered 'unfit for human consumption' for the purposes of EU law.

Following proceedings Ms Reindl appealed to a higher Authority in the Tirol against a fine that was imposed; the Authority subsequently asked the ECJ about the extent of liability of food business operators where they are active only at the distribution stage.

The ECJ judgement states that the fresh poultry meat must satisfy the microbiological criteria for salmonella at all the stages of distribution including the retail sale stage; therefore even food business operators which are active only at the distribution stage may be fined for having placed on the market a foodstuff which fails to comply with the microbiological criterion.

The ECJ does also state in its judgement that the referring court must ensure that that system of fines and penalties satisfies the criterion of proportionality.

The judgement has potentially far reaching implications for retail and wholesale businesses.

Access the full judgement through this link: <http://tinyurl.com/ll7rf2t>

## ANALYTICAL & METROLOGY

### THE WEIGHTS AND MEASURES (FOOD) (AMENDMENT) REGULATIONS 2014

The Weights and Measures (Food) (Amendment) Regulations 2014 were laid before Parliament on 14 November 2014 and come into force on 13 December 2014.

These Regulations make the necessary adjustments to remove provisions of national weights and measures law that overlap or conflict with Regulation (EU) No 1169/2011 on the provision of food information to consumers (FIC). These Regulations enable the enforcement of certain provisions of the FIC, to the extent that the provisions relate to net quantity.

These Regulations amend the Weights and Measures Act 1985, the Weights and Measures (Miscellaneous Foods) Order 1988, the Weights and Measures (Intoxicating Liquor) Order 1988, the Weights and Measures Act 1963 (Cheese, Fish, Fresh Fruits and Vegetables, Meat and Poultry) Order 1984, the Weights and Measures (Quantity Marking and Abbreviations of Units) Regulations 1987 and the Weights and Measures (Packaged Goods) Regulations 2006.

The national provisions are amended to remove from their scope items falling within the definition of "pre-packed food" in Article 2(2)(e) of the FIC Regulation. Due to differences between the definition of "pre-packed" under national legislation (section 94(1) of the Weights and Measures Act 1985), and the definition of "pre-packed food" under the FIC Regulation, the national legislation must, on the whole, be maintained, in order to regulate the residual categories that are caught by the national legislation but are not within the scope of the FIC Regulation.

The Department for Business, Innovation and Skills (BIS) has published the Government response and feedback received to the recent consultation on the changes and the draft Weights and Measures (Food) (Amendment) Regulation 2014 as well as associated guidance.

The regulations are available here in full: <http://tinyurl.com/pq4x4ay> and the government response is available here: <http://tinyurl.com/q4hrgjp>



## ANIMAL WELFARE

### AVIAN INFLUENZA: DEFRA CONFIRMS OUTBREAK IN UK

Defra published a Press Release on 18 November 2014 confirming an avian flu outbreak on a duck breeding farm in Yorkshire, but stressed that there was a very low risk to human health and no risk to the food chain.

Immediate action has been taken to control the outbreak, including introducing a 10km restriction zone and a complete cull of all 6,000 birds on the farm to prevent any potential spread of infection.

Public Health England has confirmed that the risk to public health is extremely low and has ruled out the H5N1 strain that is infectious for humans.

Defra published a Press Release on 19 November 2014 confirming that the strain had been confirmed as H5N8.

The Press Releases both confirming the outbreak, and confirming the strain are available here: <http://tinyurl.com/puy8zso>

### TRICHINELLA IN THE MODEL VETERINARY CERTIFICATE FOR IMPORTS

Commission Implementing Decision 2014/759/EU amending Annex III to Decision 2007/777/EC as regards animal health requirements for Trichinella in the model veterinary certificate for imports into the Union of certain meat products derived from domestic porcine animals was published in the Official Journal of the EU, L311/78, 31/10/2014.

Commission Decision 2007/777/EC lays down model animal and public health certificates for imports into the EU of certain meat products. The certificate set out in Annex III of the Decision makes reference to guarantees regarding Trichinella. Commission Implementing Decision 2014/759/EU amends this certificate, to exempt from Trichinella testing at slaughter, holdings recognised as applying controlled housing conditions for domestic swine. The need for the amendment is triggered by changes to the general rules for the sampling of carcasses of species susceptible to Trichinella infection, which are in separate legislation.

Until 31 March 2015, consignments of meat products accompanied by the relevant certificate issued no later than 1 March 2015 in accordance with the model animal and public health certificate set out in Annex III to Decision 2007/777/EC in its version before the entry into force of this Decision, may continue to be introduced into the Union.

The Official Journal is available here: <http://tinyurl.com/lI9bcks>

## BUSINESS DEVELOPMENT, CERTIFICATION & TRAINING

### BRC AGENTS AND BROKERS STANDARDS UPDATE

The Agents and Brokers Standard is the newest BRC Standard and 5 certification bodies are expected to have completed the UKAS accreditation process by Christmas.

Although more certification bodies are interested in becoming UKAS accredited they cannot start the accreditation process until they have auditors who have been through BRC training AND have clients who want to be certified. Several Agent / broker businesses have already been through and passed the BRC audit (these are certified businesses against the BRC standard but not by UKAS Accredited certification bodies).

More information on the BRC Agents & Brokers Standard is available here: <http://tinyurl.com/nl3xtxe>

From January all BRC standards will become free to download from their website. BRC are also launching a new, by subscription, web-based IT system that will give unlimited access to all of their standards and the associated guidance. The system will link the standards to the guides so that users can drill into the detail. The annual subscription will be £95, the current cost of one of the existing BRC Standards.

## TSI LAUNCH 'BUSINESS COMPANION' LEGAL GUIDANCE WEBSITE

The Trading Standards Institute (TSI) has launched a new Business Companion website, which is a free easy to use legal guidance resource for businesses on all issues relating to trading standards.

Providing businesses with an important online resource, Business Companion is a tool designed to help business owners untangle the regulatory requirements relating trading standards and consumer protection legislation, such as labelling and standards, weights and measures and fair pricing and promotions.

Launched 22 October by TSI and the Department for Business Innovation and Skills (BIS), Business Companion is a resource for both small and large businesses.

The Business Companion is available through this link: <http://tinyurl.com/n8exe9m>

## CHEMICALS, CONTAMINANTS & FOOD CONTACT MATERIALS

### ADVISORY COMMITTEE ON PESTICIDES: ANNUAL REPORT 2013

The Advisory Committee on Pesticides, under the auspices of the Food Standards Agency has published its annual report for 2013.

The report highlights the committees remit, role and work during 2013. It includes a number of case studies highlighting the committee's role in providing advice to government on assessing risks from, and authorising the use of, pesticides.

The Advisory Committee play an important part in the regulatory system for pesticides in the UK. The regulatory system considers:

- Formulations of the products;
- Potential toxicity to humans;
- Likely and worst case exposure levels both via direct exposure to the chemical and indirect exposure on the food we eat;
- Fate and behaviour in the environment;
- Ecotoxicity;
- Efficacy; and
- Adequacy of proposed labelling.

More information on this system is available in Annex 4 of the Annual Report, which is available in full through this link: <http://tinyurl.com/qghevvi>

### FOODDRINKEUROPE GUIDANCE ON RECYCLED PAPER AND BOARD

FoodDrinkEurope have published Guidance on the safe use of paper and board made from recycled fibres for food contact use. The document is intended to illustrate best practice in relation to the use and selection of recycled paper and board for food contact packaging.

The guidance aims to encourage a "risk evaluation" approach to assess the suitability of a given item of recycled paper packaging, for use with a specific food product in a given packaging format, and also to encourage an appropriate dialogue between food producers and their packaging suppliers. The guidelines mainly cover the chemical safety of paper and board, although microbiological safety and quality aspects are also discussed.

The guidance includes general requirements for risk evaluation, functional barriers, specific substances to be considered and legislative references.

The FoodDrink Europe guidance on Recycled Paper and Board is available through the following link: <http://tinyurl.com/olbv78k>

## EFSA PUBLISH GUIDANCE FOR ASSESSMENT OF PESTICIDE EXPOSURE

The European Food Safety Authority (EFSA) has published guidance on the assessment of pesticide exposure. The new guidance sets out a harmonised methodology for calculating exposure to pesticides for four major population groups - operators, workers, residents and bystanders.

The methodology is designed to help risk assessors and industry applicants evaluate the risk to people who come into contact with pesticides as part of their job or through physical proximity (where they live, work or go to school) to areas such as fields where pesticides are used. It evaluates non-dietary exposure to these chemicals, mainly by inhalation and absorption through the skin but also due to potential ingestion via hand-to-mouth transfer.

The guidance covers four main population groups:

- Operators – farming professionals who carry out activities linked to the application of pesticides, i.e. mixing and loading of pesticides into machinery, as well as operating, cleaning, emptying or repairing such equipment.
- Workers – a person who, as part of their job, enters an area previously treated with pesticides or who handles crops treated with pesticides.
- Residents – those living, working or attending school near an area where pesticides are used and who take no protective measures, such as wearing special clothing, to reduce exposure.
- Bystanders – those who may be in or next to an area treated with pesticides and who take no protective measures.

The guidance and an associated software tool (an Excel calculator) can be downloaded here: <http://tinyurl.com/ngpm5eh>



## EFSA FINDS WASHING CAN LEAVE PERCHLORATE RESIDUES ON FOOD

Following a request from the European Commission for a scientific opinion on Perchlorate in food, in particular fruits and vegetables; the European Food Safety Authority (EFSA) has now published a scientific opinion on the matter. Perchlorate is a contaminant released into the environment from both natural and anthropogenic sources. The use of natural fertilisers and perchlorate contaminated irrigation water may lead to substantial concentrations in leafy vegetables. Water disinfection with chlorinated substances used for hygiene and sanitation, that potentially degrade to perchlorate is identified another potential source of contamination.

EFSA received analytical results for 4 731 samples submitted by six Member States, mainly for fruits, vegetables, and fruit and vegetable products following which The EFSA Panel on Contaminants in the Food Chain (CONTAM Panel) performed estimates of both chronic and 'short-term' exposure having established a tolerable daily intake of 0.3 µg/kg body weight per day, based on the inhibition of thyroid iodine uptake in healthy adults.

The CONTAM Panel noted that a single acute exposure to perchlorate at levels found in food and water is unlikely to cause adverse effects on human health, including the more vulnerable groups of the population, and concluded that the establishment of an acute reference dose for perchlorate is not warranted.

Although chronic dietary exposure to perchlorate is of potential concern, in particular for the high consumers in the younger age groups of the population with mild to moderate iodine deficiency. Furthermore, it is possible that short-term exposure to perchlorate is of concern for breast-fed infants and small children with low iodine intake.

The full opinion can be found on the EFSA website: <http://tinyurl.com/ocok8u4>



# FOOD SAFETY & ZOOSES

## ECDC SURVEILLANCE DATA ON ANTIMICROBIAL RESISTANCE

The European Centre for Disease Prevention and Control (ECDC) has released 2013 data on antimicrobial resistance and antimicrobial consumption in Europe.

The ECDC collects data on antimicrobial resistance and antimicrobial consumption from 30 European Union (EU) and European Economic Area (EAA) countries through the European Antimicrobial Resistance Surveillance Network (EARS-Net) and the European Surveillance of Antimicrobial Consumption Network (ESAC-Net).

The data for 2013 confirmed increased resistance of some bacteria including *E. coli* to three major classes of antibiotics and of some isolates with resistance to carbapenems.

For the first time, data reported resistance in all Gram-negative bacteria under surveillance to polymyxin resistance, especially in countries with already high levels of carbapenem resistance. This new, worrisome development means that, for patients with serious infections with such carbapenem- and polymyxin-resistant Gram-negative pathogens, only few alternatives remain available for appropriate antimicrobial treatment. For more information and the full report and database information go to Eurosurveillance at: <http://tinyurl.com/lz3on2v>

## FSA REITERATES ADVICE ABOUT RAW DRINKING MILK

The Food Standards Agency (FSA) is reiterating its advice that raw milk should not be consumed by children and other vulnerable people. This is in light of three separate incidents involving six cases of *E. coli* O157, including five cases in children, potentially linked to the consumption of raw drinking milk.

Andrew Rhodes, Chief Operating Officer at the FSA, said: 'Long standing FSA advice has been that vulnerable people - that's older people, infants, children, pregnant women and those with weakened immune systems - are particularly vulnerable to food poisoning and that is why these groups should not be consuming raw drinking milk because it has not been heat treated.'

The recent incidents have been linked to three farms and investigations continue into the cause. The FSA has suspended sales of raw cows' drinking milk from each farm and recalled some products.

More information on this issue is available here: <http://tinyurl.com/lusq467>



## FSA 'LOOK BEFORE YOU BOOK' THIS CHRISTMAS

The Food Standards Agency (FSA) is calling on people to check the food hygiene ratings of restaurants before booking Christmas meals out with family and friends.

An FSA poll found that almost half of the UK public (46%) never check food hygiene ratings of places they plan to eat in. This is despite 34% of people reporting that they had a bad experience when eating out and suspecting they contracted food poisoning from a restaurant or takeaway.

The poll results and information can be found here: <http://tinyurl.com/kjusmap>

Restaurants in England, Wales and Northern Ireland are given a 'hygiene rating', which shows how closely the business is meeting the requirements of food hygiene law. Ratings range from 0 being the worst to 5 being the best. These results are available on the FSA website but many restaurants also display a green and black ratings sticker in their window or door.

For more information or to check the food hygiene rating of local restaurant, takeaways or cafés visit: <http://tinyurl.com/6qsfuod>

BFFF wrote to the Food Standards Agency asking for information on the potential for Ebola to be food borne. This is what they said:

**Q: Is ebola a food borne virus?**

• Ebola is not spread through the air or by water or, in general, by food; however, in Africa, Ebola may be spread as a result of handling bush meat (wild animals hunted for food) and contact with infected bats. Contact with raw meat from an animal infected with Ebola virus can result in transmission of the virus.

**Q: What is the risk of catching ebola from food that has been handled by an infected person?**

• In a proposed follow-up report, EFSA will look at the risk posed by animal species that may host the virus and at the factors driving the risk of disease transmission to humans.

The publication date is currently unknown. <http://tinyurl.com/ogpfs5l>

**Q: Given that ebola can be passed from person to person through contact with infected clothing, is food a possible vector for ebola transmission?**

• The international risk assessments (cited above) have been compiled from the global knowledge from both current and historic Ebola virus outbreaks going back decades. There is no known evidence of Ebola virus causing human illness via consumption or handling of fruit and vegetables for example. If such foods (or other non-bushmeat foods) were a vehicle for Ebola transmission it would be expected that sporadic (non-travel) cases outside of Africa would have arisen in countries which import goods from these regions; and this has not been the case over the many months of this current outbreak.

• There is a low risk of Ebola transmission from contact with contaminated bush meat illegally imported into the UK, although the FSA advises against handling illegal bush meat. To date there have not been any reported cases of transmission of Ebola from handling, preparation and consumption of illegally imported bush meat in the EU or elsewhere.

**Q: Are any controls or monitoring being considered for food imports from affected regions of Africa, should food businesses be taking additional precautions?**

• None of the countries concerned with the outbreaks are approved to export meat to the EU and passengers travelling to the UK from those countries are not allowed to bring any personal consignments of meat in with them. There are no restrictions on fresh produce imports from West Africa due to the Ebola outbreak, as transmission of the virus is via direct contact with bodily fluids. We do not currently have plans to review this position.

• Defra and UK Border Force, together with FSA, have a co-ordinated communications and marketing strategy in place to raise the awareness of the travelling public of current rules relating to import of products of animal origin.

• Defra, Border Force and the FSA have a co-ordinated programme on the checking of personal luggage on incoming flights, including passengers who may fly indirectly to the UK from the affected Region. Following the notification of the outbreaks earlier this year all UK entry points have been on increased awareness for any such products. In addition, the FSA has also issued guidance on the handling of any suspected illegal meat.

**Q: Are you aware of any other UK agencies that may be working on such advice?**

• Whilst not directly relating to food-handlers, the following websites provides an overview of bush meat, ebola transmission and clinical management:

• EFSA (4/11/14). An update on the risk of transmission of Ebola virus (EBOV) via the food chain - <http://tinyurl.com/kcpmrtv>

• NHS Choices: Ebola virus disease: an overview - <http://tinyurl.com/kd8rw9d>

• Public Health England: Ebola virus disease Q&As (November 2014) - <http://tinyurl.com/lxdhy99>

## EFSA OPINION ON TRANSMISSION OF EBOLA VIRUS (EBOV) VIA THE FOOD CHAIN

The European Food Safety Authority (EFSA) has published a Report on an update on the risk of transmission of Ebola virus (EBOV) via the food chain.

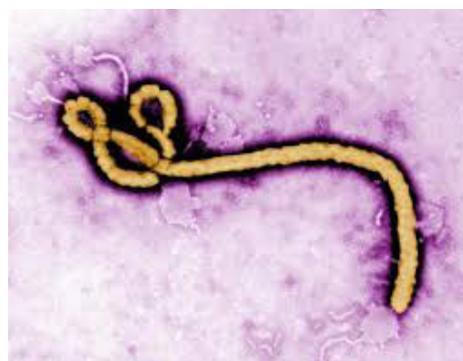
The risk for people in Europe linked to the transmission of Zaire Ebola Virus (ZEBOV) via handling and preparation (by consumers or staff handling the food in kitchens immediately prior to consumption), and consumption of bushmeat illegally imported from Africa was assessed. EFSA was also asked to assess the survival of EBOV in meat or meat products, the range of species that are able to transmit or carry the virus, and whether any data exist on physical or chemical treatments that would inactivate the EBOV in products of animal origin and especially in meat.

EFSA concluded that based on:

- the limited number of outbreaks that have been reported to date in Africa in spite of the routine consumption of bushmeat in that continent;
- the handling of bushmeat in Europe not involving high risk practices such as hunting and butchering; and
- the assumed low overall consumption of bushmeat in Europe;

It can be assumed that the potential for introduction and transmission of ZEBOV via bushmeat in Europe is currently low. However, the public health consequences of such an event (a single human case of ZEBOV occurring in Europe) would be very serious given the high lethality and potential for secondary transmission. The information considered in this report is largely based on historic Ebola outbreaks and not the current outbreak in West Africa.

Hardly any information is available on the effect of salting, smoking or drying of meat on ZEBOV infectivity. Therefore EFSA could not reach a conclusion regarding the effectiveness of these methods for virus inactivation. Thorough cooking (100 °C) will rapidly and efficiently destroy the virus.



The full report is available here: <http://tinyurl.com/lcofxzx>

## PHE PUBLISHES REPORT ON ANTIMICROBIAL RESISTANCE

Public Health England (PHE) has published the ESPAUR 2014 report, which includes national data on antibiotic resistance, antibiotic prescribing and hospital antimicrobial stewardship implementation.

The English surveillance programme for antimicrobial utilisation and resistance (ESPAUR) report presents antimicrobial use and antimicrobial resistance trends in primary and secondary care (2010 to 2013) to NHS Area Team level in one place for the first time, and allows organisations to benchmark themselves against regional and national results. It provides a standard against which antimicrobial use and antimicrobial resistance can be compared in successive years and it describes the future plans for enhanced surveillance of antimicrobial consumption and resistance.

The ESPAUR report also comments on the delivery of several key aspects of the UK 5-Year Antimicrobial resistance (AMR) strategy.

The full ESPAUR report is available here: <http://tinyurl.com/pvbcmlx>

## COMMISSION PUBLISHES NEW RULES FOR TRICHINELLA CONTROLS IN MEAT

Commission Implementing Regulation (EU) No 1114/2014 of 21 October 2014 amending Regulation (EC) No 2075/2005 laying down specific rules on official controls for Trichinella in meat has been published in the Official Journal of the European Union

The regulation lays down rules for the sampling of carcasses of species susceptible to Trichinella infection, for the determination of the status of holdings and compartments and conditions for import of meat into the Union. It also provides for reference methods and equivalent methods of detection of Trichinella in samples of carcass's

Access the Regulation via this link: <http://tinyurl.com/m95aufv>

## CAMPYLOBACTER: NEW WEBSITE LAUNCHED ALONGSIDE LATEST FSA SURVEY FINDINGS

The Food Standards Agency (FSA) has published the cumulative results from the first two quarters of its year-long survey of campylobacter on fresh chickens. The report can be accessed through this link: <http://tinyurl.com/plhhnvw> and includes individual results by major retailer.

Retailer	Number of samples	% skin samples positive for campylobacter (95% confidence interval)	% skin samples >1,000 cfu/g campylobacter (95% confidence interval)	% pack samples positive for campylobacter (95% confidence interval)
Asda	312	78 (73 - 82)	28 (23 - 33)	12 (8 - 15)
The Co-operative	171	73 (66 - 80)	19 (14 - 25)	5 (2 - 9)
M&S	68	67 (55 - 78)	22 (13 - 33)	4 (0 - 10)
Morrison's	179	69 (62 - 75)	21 (16 - 28)	9 (5 - 14)
Sainsbury's	300	69 (63 - 74)	14 (11 - 19)	3 (1 - 6)
Tesco	607	64 (61 - 68)	11 (9 - 14)	3 (2 - 4)
Waitrose	70	69 (58 - 80)	16 (8 - 25)	9 (3 - 18)
Others*	288	76 (71 - 80)	25 (20 - 30)	7 (4 - 10)
Total	1,995	70 (68 - 72)	18 (17 - 20)	6 (5 - 7)

To help inform consumers on the effort industry is making to tackle the issue, a new website dedicated to campylobacter in the UK, including research and information for consumers has been launched by the Campylobacter Joint Working Group. Access the site through this link: <http://tinyurl.com/fo3z7b>.

The Joint Working Group behind the website is made up of organisations across the poultry industry, including the British Poultry Council (BPC), Defra, the FSA, the National Farmers' Union and the British Retail Consortium.

## INTEGRITY, FOOD SECURITY & AUTHENTICITY

### WHICH? FINDS FAKE GOATS' CHEESE IN SHOPS

Consumer champion Which? has uncovered fake goats' cheese being sold in the shops.

The organisation became suspicious about the large amount of goats' cheese on sale, despite a goats' milk shortage. They were concerned that goats' cheese manufacturers could be substituting goats' milk for other milks and joined forces with the author of the government's independent review into food crime, Professor Elliott, to investigate.

Of a sample of 76 different of goats' cheese from supermarkets, delis and markets from eight locations around the UK, nine samples were adulterated: three contained more than 80% sheep's cheese, another three contained more than 50% sheep's cheese, and the final three around 5% sheep's cheese.

A recent Which? survey revealed that only 36% of people in the UK are confident that the food they buy contains exactly what is stated on the ingredients. More needs to be done to increase consumer confidence and trust in the food industry. More information on this, is available here: <http://tinyurl.com/mnz4uh8>



## FOOD FRAUD: A 'TOP PRIORITY' FOR NEW COMMISSION

During a conference on food fraud jointly organised by the European Commission and the Italian Presidency, the Commission explained that fighting food fraud is a top priority because of its harm to consumers and the economic impact in terms of reputational damage and lost sales for legitimate business.

According to some participants, the horsemeat scandal showed that companies could only track food packaging and not what is actually inside. European food exports could be severely hit in markets such as China as evidence emerges that the Chinese are now also questioning the authenticity of European exports.

It was announced that the first five criminal investigations are now underway using the new EU Food Fraud Network set up by the Commission in the wake of the horsemeat scandal and that an online fraud information exchange system, similar to the RASFF system for food safety alerts, would be operational next year.

The Commission will also publish next year the results of a study to determine whether a common EU legal definition of food fraud is needed. It will also look at how penalties varied between member states.



## FOOD AUTHENTICITY - USEFUL INFORMATION SOURCES

Useful horizon scan Information on food authenticity is available on the Institute of Food Safety, Integrity and Protection ISFIP website, which can be accessed through this link: <http://tinyurl.com/k9o5zb3>

The Food and Drink Federation (FDF) have also produced a useful leaflet entitled 'Food Authenticity : 5 steps to help protect your business from food fraud it can be found on their website : <http://tinyurl.com/morlpu5>

An older but still very relevant report is The Grocery Manufacturers Association's study into economic fraud and counterfeiting in food, beverage and consumer products sectors. The report: Consumer Product Fraud; Strengthening collaboration to advance brand integrity and product safety, was published in 2010 in the wake of the Melamine in Milk scandal in China.

The primary objectives of the study were to:

- Broaden industry stakeholders understanding of economic adulteration and its implications.
- Provide strategic recommendations and tactical opinions on how these sectors could minimize their risk exposure.
- Establish a basis for advancing public and private partnerships to monitor and address the threat of fraud and counterfeiting.

To access it go to: <http://tinyurl.com/mnelfqy>

## BSI PAS 96: GUIDE TO PROTECTING AND DEFENDING FOOD AND DRINK

The British Standards Institute (BSI) has recently published its updated publically available specification 96: a guide to protecting and defending food and drink from deliberate attack.

The guide was jointly sponsored by Defra and the Food Standards Agency (FSA) and is designed to provide guidance to businesses on the avoidance and mitigation of threats to food and food supply and is based on the risk management methodology described as TACCP (Threat Assessment Critical Control Point).

The guide describes the different types of threat; how to understand the motivation of the perpetrator; how to carry out a TACCP study; the on- going management of food protection arrangements and advice on how to respond to an incident.

The guide is free to download from the BSI website: <http://tinyurl.com/mw3wdaa>

# IMPORTS AND THE SUPPLY CHAIN

## FULL LAUNCH DATES FOR THE ALVS EXTENSION PROJECT

Defra's Automatic Licence Verification System (ALVS) UK launch dates for the extension project have been announced.

The ALVS project team have completed a UK wide tour of regional ports and airport locations to provide ALVS briefing sessions to reps in the Animal and Plant Health Agency, Port Health Authorities, HMRC (CHIEF Ops and NCH staff) and the trade. A successful Live Pilot phase has been running since early May 2014 and is currently ongoing with over 80 traders using the automated customs clearance process.

The ALVS Project Board, in consultation with Trade Associations, and government agency stakeholders have now agreed the full launch dates, which will extend the Live Pilot to include all traders importing Live Animals, POAO, FNAO and IUU.

The next launch date is Tuesday 13 January 2015 for POAO - Common Veterinary Entry Document Products (CVEDP) (including IUU checks); FNAO - CEDs.

It was agreed by the Animal and Plant Health Agency that the full launch of Live Animal imports would take place earlier than the other import sectors as the majority of agents handling Live Animal imports are already taking part in the Live Pilot. There are also still a significant number of freight agents and forwarders who handle animal products, feed and food products of non-animal origin and IUU fish imports who, despite the use of a number of communication methods, have not been communicated with sufficiently to offer the opportunity to attend ALVS webinar briefing sessions held to date.

More information is available here: <http://tinyurl.com/lrv8wu5>

## AMENDED LIST OF BORDER INSPECTION POSTS

Commission Implementing Decision 2014/704/EU of 8 October 2014 amending Decision 2009/821/EC as regards the list of border inspection posts (notified under document C(2014) 7139) was published in the Official Journal of the EU, L294/46, 10/10/2014.

Amongst other changes, the Decision amends the list of border inspection posts listed in Annex I and II of the Decision for Denmark, Germany, Spain, Greenland, Croatia and the Netherlands.

The Official Journal, containing the list of border inspection posts, is available here: <http://tinyurl.com/oorm2tq>

## RUSSIA EXTENDS IMPORT BAN TO INCLUDE EUROPEAN ANIMAL BY-PRODUCTS

On 20 October, Russia's state veterinary watchdog notified the European Commission of new temporary restrictions on pork, chicken and beef by-products destined to human consumption. It said the ban was imposed due to "multiple detections of banned and harmful substances in by-products delivered into Russia from EU countries".

The ban started on 21 October and applies to products originating from five Member States: Austria, Germany, Poland, Italy and Denmark.

According to the Commission's data, the value of EU exports of now-banned products to Russia totalled €47 million in 2013.

Russia has already banned beef, poultry and pork meat imports from the European Union in August in reaction to sanctions imposed by the 28-member bloc over the Ukraine conflict. DG SANTE will open talks with Russia's state veterinary watchdog in order to solve the problem.

## EU HIGH LEVEL FORUM: BETTER FUNCTIONING SUPPLY CHAIN

The EU High Level Forum for a better functioning food supply has adopted its final report.

The report describes its work over the last two years on business-to-business trading practices, the internal market for food and drink products, sustainability, social dialogue and food price monitoring.

The Forum was set up by the European Commission (EC) in 2010 to help improve competitiveness and promote best contractual practices in the European food sector.

The recent report is available here: <http://tinyurl.com/kgty5g3>

## CONFIDENTIAL NEGOTIATING DIRECTIVES FOR TTIP PUBLISHED



The Council of the European Union has published the negotiating directives for EU-US trade talks (TTIP) after months of criticism from NGOs and campaigners over an alleged lack of transparency.

The Document which outlines the EU's priorities in the negotiations was originally deemed to be classified as 'Information whose unauthorised disclosure could be disadvantageous to the interests of the EU or of one or more of its' Member States.'

The European Council of Ministers has now formally declassified the document which is available through this link: <http://tinyurl.com/peug2fk>

## ILLEGAL FISHERIES: GREEN CARDS FOR FIVE COUNTRIES & RED CARD FOR SRI LANKA

In its fight against illegal fishing activities worldwide, the European Commission has announced a ban of imports of fisheries products from Sri Lanka to tackle the commercial benefits stemming from illegal fishing. The move comes after four years of intense dialogue with the country after which it could not demonstrate that it sufficiently addressed illegal, unreported and unregulated (IUU) fishing.

In contrast, the Commission has also confirmed that Belize, Fiji, Panama, Togo and Vanuatu, which had received warnings at the same time as Sri Lanka, have successfully taken measures to tackle illegal fishing. Consequently, the Commission proposes to lift the trade measures imposed in March this year against Belize.

Commissioner for Maritime Affairs and Fisheries, Maria Damanaki said: "Our policy of resolute cooperation is yielding results. Five countries receive today our appreciation for getting serious on illegal fishing. Unfortunately, I cannot say the same for Sri Lanka."

To find out more go to: <http://tinyurl.com/np7p7zh>



# LABELLING & GENERAL FOOD LAW

## IFSIP TOOLKIT: UNDERSTANDING THE NEW FOOD INFORMATION REGULATIONS

The The Institute of Food Safety, Integrity and Protection (IFSIP) has produced an interactive PDF to help small catering businesses and trainers better understand the Food Information Regulations.

The Food Information Regulations (FIRs 2014) come into effect on 13 December 2014 and will apply to all food businesses.

One of the changes will be to require all food businesses to provide accurate information on allergenic ingredients in all types of food, whether packed or loose. This new requirement is likely to be particularly problematic for catering businesses that change menus and recipes frequently.

There are 14 major food allergens to be aware of, which may be easy to identify as individual ingredients but can get 'lost' in multi-ingredient recipes or when presented in different forms – for example tofu (soya) or tahini paste (sesame).

In order to provide accurate information a food business will need to:

- Know the ingredients used in food served or sold
- Identify if any of the 14 major food allergens are included as ingredients
- Consider the risk of cross-contamination
- Record the presence of the 14 major food allergens in the food served or sold
- Establish a procedure for dealing with allergen information requests
- Ensure staff always provide complete and correct allergen information.

The interactive PDFs for catering businesses and trainers are available through the following link: <http://tinyurl.com/khl5uch>

## FSA SURVEY ON 'MAY CONTAIN' LABELLING

The Food Standards Agency (FSA) has published a nationwide survey on a cross-section of pre-packed processed foods both with and without allergen advisory labelling.

The survey aimed to provide an improved understanding of the type of allergen advisory labelling used on pre-packed processed foods in the UK and whether the labelling was related to the level of allergen present as a result of cross-contamination.

The survey examined the level of milk, gluten, peanut and hazelnut in products that were labelled with phrases including 'may contain X' or 'not suitable for someone with X allergy.' It also sampled products without this type of advisory labelling. In total, the survey sampled 1,016 samples across 12 different product categories.

A wide variety of different statements were used across the product categories. The most frequently used advisory label was 'may contain traces' in 38% of products. While the survey found a wide variety of allergen advisory labelling, only 28% of products followed FSA advice in the use of specific phraseology that advises using 'may contain X' or 'not suitable for someone with an X allergy.' These two statements were found on 20.6% and 7.2% of products, respectively.

The full report and results, is available here: <http://tinyurl.com/ogn7ajn>



## SEAFISH GUIDANCE ON CONSUMER LABELLING ASPECTS OF FISH CMO

The Seafish Authority have published draft guidance on the new consumer information requirements that come into force on December 13 this year under the CMO regulation (EU) No 1379/2013. This coincides with the introduction of the new labelling requirements in the FIC Information to Consumers Regulation 1169/2011. The guide explains what the requirements are and the difference between them and the current rules.

The guidance also tries to address concerns on apparent interactions between the CMO and the Food Information to Consumers Regulation.

The guidance is a draft, to allow it to be amended and added to over time.

One outstanding item which was discussed at a recent Seafish meeting attended by Defra was interpretation over the use of QR codes as being either 'instead of' or 'as well as' other mandatory information. At the meeting it was suggested that although not appropriate to use QR for all information, some of which must be available at point of sale it could be used to provide information on items such as fishing gear and catch area.

The draft guidance can be found here: <http://tinyurl.com/ovrk69h>

## INTERIM ADVICE ON MINCED MEAT LABELLING PUBLISHED

Defra/Food Standards Agency (FSA) has published 'Interim advice on the labelling of minced meat under Regulation (EU) 1169/2011' saying:

- Minced beef and beef mince are the same thing. They have to refer to the same product anyway, given Article 7, and it would be unreasonable if, all other things being equal, they were treated differently for enforcement purposes.
- Meat used as an ingredient has to comply with the Annex VII B (17) provisions. If businesses choose to label it as 'minced beef' or similar, it needs to comply with Annex VI part B. It may however simply be labelled 'beef' and only comply with Annex VII.

An updated version of the minced meat paper can be found on the BFFF technical guidance page, under labelling: <http://tinyurl.com/q7jk2uc>

## DEFRA CONSULTATION ON ENFORCEMENT OF COOL TRACEABILITY RULES FOR MEAT

Defra recently carried out a consultation on the enforcement of the new country of origin labelling rules introduced as part of Regulation 1169/2011 on the provision of food information to consumers (FIC) and its subsequent implementing Regulation 1337/2013 on indications of origin for swine, sheep, goats and poultry.

The new EU rules on origin labelling become mandatory from 1 April 2015 and apply to all fresh, chilled and frozen, pork, poultry, lamb and goat meat. The mandatory labelling includes place of rearing and slaughter and a batch code that can be used to trace the meat back to the slaughter of the animal or batch of animals from which it was derived.

In the interested parties letter, Defra are proposing a 'light touch' approach in the new domestic Regulations, which will be the Country of Origin of Certain Meats (England) Regulations 2015. Separate, parallel legislation will be introduced in Northern Ireland, Scotland and Wales.

The Defra consultation paper outlining their proposals, can be downloaded via this link: <http://tinyurl.com/m94rdd2> The consultation ran until 4 December. Responses are currently being analysed and the results will be published shortly.



## BIRMINGHAM BALTI ACHIEVES PROTECTED FOOD NAME STATUS

Defra have announced that the Birmingham's Balti is the first curry to apply for legally recognised status for its unique cooking method.

Its five distinctive characteristics are:

- The meat is cooked off the bone rather than on the bone;
- Fast cooked in a thin pressed steel 'wok', commonly known as the 'Balti' and cooked at high temperatures over a high flame very quickly;
- Vegetable oil is used instead of ghee;
- Dried spices are used, added during the fast cooking process, with the exception of fresh ginger and garlic puree;
- It is served in the Balti, in which it is cooked and traditionally eaten with the fingers using naan bread.



A list of UK registered products in the protected food name scheme is available here: <http://tinyurl.com/nglydzg>

## THE PRODUCTS CONTAINING MEAT ETC. (ENGLAND) REGULATIONS 2014

The Products Containing Meat etc. (England) Regulations 2014 were laid before Parliament on 13 November 2014 and came into force on 13 December 2014.

These Regulations revoke and replace the Meat Products (England) Regulations 2003 and apply only in England. The Regulations have the following effect:-

- prohibit the use of specified names in the sale and advertising of regulated products if the product do not satisfy specific compositional requirements;
- prohibit (subject to an exception) the sale of uncooked regulated products which include among their ingredients specified parts of the carcase of any mammalian species of animal;
- make the failure to comply with an improvement notice an offence.

The Regulations will cease to have effect on 13th December 2021, apart from the consequential amendments made by these Regulations to the Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007. Those consequential amendments will cease to have effect on 1st January 2015 when the Education (Nutritional Standards and Requirements for School Food) (England) Regulations 2007 are revoked by the Requirements for School Food Regulations 2014.

As well as revoking the Meat Products (England) Regulations 2003, regulation 8 revokes the Meat Products (England) (Amendment) Regulations 2008 (S.I. 2008/517) and provisions in other statutory instruments that amended the Meat Products (England) Regulations 2003.

The 2014 Regulations is available here in full: <http://tinyurl.com/n9hgdk4>

## SEAFISH GUIDANCE ON FISH LABELLING ASPECTS OF FOOD INFORMATION REGULATION

Seafish have produced useful Q&A guidance for fishery products on the new Food information to consumers regulation 1169/2011. The Guidance is available on the Seafish website through this link: <http://tinyurl.com/kcch9xw>

It is intended to supplement general guidance that is available from Defra and other organisations and is based on the question they have been asked by businesses involved in fishery and aquaculture products.

## FOOD INFORMATION REGULATIONS GUIDANCE PUBLISHED

The Defra Food Information Regulations (FIR) Guidance has been published on the Food Standards Agency (FSA) website.

Rules around the publication of information on Gov.uk website have meant that Defra have been prevented from publishing the Food Information Regulation Technical Guidance in full on this website. They were intending to publish a much truncated version before 13 December.

In the recent BExG meeting Defra were heavily criticised for the lack of guidance this close to the date when the provision of the majority of food information under Regulation 1169/2011 FIC becomes mandatory.

So they have found a way to circumvent this by publishing the guidance on the FSA website, the final guidance can be accessed through this link: <http://tinyurl.com/lcj49l4>

The advice as published has not changed from the previously circulated draft.

## EUROPEAN COMMISSION PUBLISHES ALLERGEN LABELLING GUIDANCE

The Commission has published guidelines on providing allergen information and given examples for illustration on how to meet the requirements for the labelling of allergens in compliance with the Food Information to Consumer Regulation R1169/2011

According to the Guidelines:

- Allergens should be indicated in the list of ingredients and not separately (unless there is no list of ingredients) and their name should be emphasised;
- Nuts and cereals containing gluten should be declared in the ingredients list using their specific names;
- When the name of the food clearly refers to the substance or product concerned, the indication of allergenic substances or products is not required.

Access the guidance through this link: <http://tinyurl.com/lwj66yh>

## AUTHORISATION AND REFUSAL OF ARTICLE 14(1A) AND 13(5) HEALTH CLAIMS

The Commission has recently published two regulations authorising and refusing to authorise certain health claims made on foods:

- Commission Regulation (EU) No 1228/2014 authorising and refusing to authorise certain health claims made on foods and referring to the reduction of disease risk was published in the Official Journal of the EU, L331/8, 18/11/2014.
- Commission Regulation (EU) No 1229/2014 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health, was published in the Official Journal of the EU, L331/14, 18/11/2014.

Claims for Calcium and vitamin D relating to bone demineralisation and muscle weakness were approved. Whilst claims for Glucosamine hydrochloride, Isolated soy protein, Eicosapentaenoic acid (EPA), plant stanols were rejected and not authorised.

Claims for certain foods and food mixes were also not authorised including: Tuscan black cabbage, 'tri-coloured' Swiss chard, 'bi-coloured' spinach and 'blu savoy' cabbage, red spinach, green spinach, red chicory, green chicory, green leaf chard, red leaf chard, red Swiss chard, golden Swiss chard and white Swiss chard.

The regulations entered into force on 8 December 2014 and are published in the Official Journal No.L331 and available through this link: <http://tinyurl.com/m8v7o28> More information about authorised and non authorised health claims on foods can be found on the Commission website: <http://tinyurl.com/2vjyq5d>

## DEFRA UPDATE INFORMATION ON PROTECTED FOOD NAME SCHEME

Defra announced on 11 November 2014 that it had updated information on how to register a food or drink product under the EU Protected Food Name scheme; current applications and scheme contacts.

The EU Protected Food Name scheme highlights regional and traditional foods whose authenticity and origin can be guaranteed. The product is awarded one of three marks: Protected Designation of Origin (PDO); Protected Geographical Indication (PGI); and Traditional Speciality Guaranteed (TSG).

The information is available on the Gov.uk website here: <http://tinyurl.com/cgxgvdn>

## NUTRITION, ADDITIVES & HEALTH

### USE OF CERTAIN COLOURS IN FLAVOURED RIPENED CHEESE

Commission Regulation (EU) No 1093/2014 of 16 October 2014 amending and correcting Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of certain colours in flavoured ripened cheese was published in the Official Journal of the EU, L299/22, 17/10/2014.

During the transfer of food additives to the new categorisation system provided in Annex II to Regulation (EC) No 1333/2008, the use of food colours permitted in certain foods was omitted from the list, since at that time no information was provided about the use and the need to use food colours in flavoured ripened cheese, such as green and red pesto cheese, wasabi cheese and green marbled herb cheese.

Annex II to Regulation (EC) No 1333/2008 is corrected and amended to include the continued use of copper complexes of chlorophylls and chlorophyllins (E 141) and paprika extract; capsanthin and capsorubin (E 160c), and for authorisation of the use of cochineal, carminic acid, carmines (E 120) and annatto, bixin and norbixin (E 160b) in certain flavoured ripened cheeses.



This Regulation entered into force on 6 November 2014. It is available here: <http://tinyurl.com/kdvs47j>

### UK SUPERMARKETS UNDETERRED BY LEGAL CHALLENGE TO COLOUR-CODED LABELS

British supermarkets have emphasised their determination to introduce the front-of-pack hybrid colour-coded nutrition label, despite the letter of formal notice sent by the Commission to the British government.

The supermarkets say that even under the worst case scenario - where the UK lost a European court case - they could still introduce the "traffic light" label as a company scheme under the provisions of Article 35 of the Food Information Regulation. This article sets out the basis on which "additional forms of expression", such as colour coding, can be introduced.

The British Retail Consortium's spokesperson pointed out that some of its members had been using the scheme since 2005 without any history of complaints. She added that the Italian argument that the scheme discriminated against Italian hams and cheeses was not supported by the data.

The UK has two months to respond to the Commission. The final step of the pre-litigation procedure could be the referral to the European Court of Justice.

If the UK was sanctioned, this would strongly deter other countries to adopt similar labelling scheme.

Read more about it through this link: <http://tinyurl.com/mt8ldy8>

## GOVERNMENT RESPONSE TO HOSPITAL FOOD STANDARDS CAMPAIGN

The Department of Health has published its response to concerns raised by the Sustain campaign following publication of the Hospital Food Standards Panel's report.

The Panel considered about 50 standards before deciding on the 5 essential standards that all NHS hospitals are now required to follow. These cover the nutrition and hydration needs of patients, sustainable procurement and healthier eating for staff and visitors.

As a result, all NHS hospitals will be required by the NHS Standard Contract to develop and maintain a food and drink strategy. The hospital food standards underwent consultation process during their development.

More information is available here: <http://tinyurl.com/mxdgatx>

## DIPHOSPHATES IN YEAST-BASED PRODUCTS

Commission Regulation (EU) No 1084/2014 of 15 October 2014 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of diphosphates (E 450) as a raising agent and acidity regulator in prepared yeast based doughs was published in the Official Journal of the EU, L298/8, 16/10/2014.

The Regulation authorises the use of diphosphates in refrigerated, prepacked yeast based doughs used as the basis for pizzas, quiches, tarts and similar products.

The Regulation entered into force on 5 November 2014, and is available through this link: <http://tinyurl.com/k3duh25>

## WTO EXAMINES HARMONISING OF NUTRITION LABELS

The World Trade Organisation (WTO) recently discussed nutritional labels and whether they are a technical barrier to trade at a Public Forum on 3 October in Geneva.

Erik Wijkstroem, secretary of the WTO Committee on Technical Barriers to Trade hosted the forum and argued that there was a lot of confusion over different labelling systems and a risk that consumers were being misled. He noted that there is no international standard on nutritional labelling and logos and stated that clear, authoritative guidance would help.

Speakers at the forum generally agreed that there should not be a multiplication of new approaches to nutrition labelling and that industry, governments and other stakeholders need to cooperate to find clearer ways to inform consumers.



## PROCESSING & RETAIL

### FOODDRINKEUROPE GUIDANCE ON PRINTED CARTONS

FoodDrinkEurope has published Guidance on Printed Cartons. The guidance is intended to illustrate best practice in ensuring the legal compliance of printed cartons intended for packaging food and applies only to printed cartons manufactured from board. The guidance applies to printing applied to the non-food side of the carton.

The document provides the regulatory background, discusses the responsibilities for food safety compliance and gives good practice guidance for the procurement of printed cartons. The document is scheduled for review by October 2015.

The Guidance on printed cartons is available here: <http://tinyurl.com/l6bd5yy>

## EFRA LAUNCH ENQUIRY INTO DAIRY PRICES

An official enquiry into dairy prices has been launched by the Environment, Food and Rural Affairs (EFRA) Committee following the rapid plunge in milk prices over the past year.

In early October, the committee wrote to the Secretary of State for Environment, Food and Rural Affairs, seeking an urgent update on the actions of Defra to support the UK dairy industry.

EFRA published the response (available here: <http://tinyurl.com/mq6y5xu>) which stresses that government had committed £160million to improve the UK's uptake of research into farming. The committee is inviting interested parties to submit their views on the best way to safeguard the UK dairy industry.

EFRA outlined the following issues:

- What impact has price volatility for milk and dairy products had on dairy farmers and what are the anticipated short, medium and long-term impacts on future dairy production in England?
- How effective have Government measures to support the dairy industry been in securing the long-term viability of dairy farming in England?
- What impact has the EU milk package under the Common Agricultural Policy had on dairy farming and what outcomes should the Government aim to secure from the EU?
- How effective have the EU measures been to address the impact of market surpluses on prices?



- How successful have voluntary approaches such as the Dairy Industry Code of Best Practice for Contractual Relations been in securing the long-term future of dairy farming?

- How effective is the regime established under the Groceries Code Adjudicator Act 2013 in ensuring fair and stable prices for milk producers?

- What should the processing organisations, farmers themselves and their farming representatives do to improve the prospects for dairy farmers in a volatile market?

The consultation is now closed, and the results will be published shortly.

## WHICH? INVESTIGATION INTO RETAIL SELLING TACTICS

A new Which? investigation reports on the the packaging tricks and tactics it says are used by supermarkets and manufacturers to tempt consumers to buy products.

The full feature on 10 packaging tricks is in the December issue of Which? and includes mechanics such as own brand copycat products; products marketed as 'light' which are not as healthy as consumers may think; fish ingredients in vegetarian products; products where the principle ingredient is missing from the food name and gift sets where the set is more expensive than the sum of the total parts.

Which? have found several examples of fruit drinks where the main ingredient is missing from the name, for example Innocent Kids Cherry & Strawberry Smoothies which only contain 18% cherries and strawberries, with the main ingredients being – cheaper – apples and grapes.

Find out more on the Which? website: <http://tinyurl.com/pkbyk49>

# REFRIGERATION

## NEW F GAS REGULATION COMES INTO FORCE 1<sup>ST</sup> JANUARY

The new Regulation replaced the existing 2006 F Gas Regulation, in June this year and applies from 1 January 2015. It follows a two year review into the effectiveness of the previous Regulation and is intended to build on the previous provisions. The new Regulation introduces a number of changes:

- Limiting the total amount of the most damaging high Global Warming Potential (GWP) F-gases that can be sold in the EU from 2015 onwards and phasing them down in steps to one-fifth of 2014 sales in 2030. This will be the main driver of the move towards more climate-friendly technologies;
- Banning the use of F-gases in many new types of equipment where less harmful alternatives are widely available, such as fridges in homes or supermarkets, air conditioning and foams and aerosols;
- Preventing emissions of F-gases from existing equipment by requiring checks, proper servicing and recovery of the gases at the end of the equipment's life.

While the new Regulation repeals the original Regulation from 2006, the 10 implementing Regulations adopted under the original Regulation remain in force and continue to apply until new acts are adopted.

One of the most critical elements of the new regulation is that it sets the rules for HFC quota allocations and managing the HFC Phase Down. R404A has a GWP of 3922 and is therefore in the group of refrigerants with a GWP >2500 which will be most affected by the new regulations. The key parts of the regulation that will have a major impact on the use of R404A are;

- phase down
- From 2020 new equipment bans
- From 2020 service and maintenance bans
- Until 2030 the use of reclaimed and recycled
- From 1st January 2015 Leak Detection requirements have changed

Find out more on the ACRIB website here: <http://tinyurl.com/puneevt> and on the Commission Website here: <http://tinyurl.com/q6q5s65>

# REGULATORY ENFORCEMENT & OFFICIAL CONTROLS

## FOOD (SCOTLAND) BILL DEBATED BY MSPs

Scotland has introduced the stage 1 debate on the general principles of the Food (Scotland) Bill.

Michael Matheson, Scotland's Minister for Public Health, introduced the debate in the Scottish Parliament (SP). The Bill creates Food Standards Scotland, a new, independent body which will replace the Food Standards Agency in Scotland and makes provision for food law, and its enforcement, in Scotland. Food Standards Scotland is expected to be fully functioning by April 2015.

Duncan McNeil spoke on behalf of the Scottish Parliament's Health and Sport Committee, which conducted an inquiry into the general principles of the Food (Scotland) Bill earlier this year. The Scottish Government's response to the Committee's report was published on 30 September. Mr McNeil said that the Committee found that "there is near unanimous support" for the Bill. He asked the Government to take on board evidence received from key stakeholders and, on the understanding it would do so, he said the Committee is content to recommend that the Parliament agree to the general principles of the Bill.

Links to all the relevant information surrounding this topic are available here: <http://tinyurl.com/qhpkseo>

## OFFICIAL FEED AND FOOD CONTROLS & FOOD SAFETY AND HYGIENE REGULATIONS 2014

The Official Feed and Food Controls (England) and the Food Safety and Hygiene (England) (Amendment) Regulations 2014, SI 2014 No. 2748 were made on 13 October 2014, laid before Parliament on 14 October 2014 and entered into force on 11 November 2014.

These Regulations provide for the enforcement of:

- Commission Regulation (EU) No. 704/2014 amending Commission Regulation (EU) No. 211/2013 on certification requirements for imports into the Union of sprouts and seeds intended for the production of sprouts;
- Commission Regulation (EU) No. 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No. 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea;
- Commission Regulation (EU) No. 218/2014 amending Annexes to Regulations (EC) No. 853/2004 and (EC) No. 854/2004 and Regulation (EC) No. 2074/2005, which removes the requirement for a special health mark and the restriction to the national market for meat derived from animals that have undergone emergency slaughter.

The Regulation is available, in full, here: <http://tinyurl.com/owv9vz9>

## FSA PUBLISHES LOCAL AUTHORITY FOOD LAW ENFORCEMENT STATS

The Food Standards Agency (FSA) has published official statistics on food law enforcement by local authorities across the UK for the year 2013/14.

The information is compiled by the FSA from returns by local authorities and it gives the FSA a detailed breakdown of enforcement activity across the country.

The figures show an increase in a number of areas of local authority enforcement activity, and levels of hygiene compliance in food business, in spite of reported staffing reductions.

John Barnes, Head of Local Delivery at the FSA, said: 'The figures this year show business hygiene compliance levels are continuing to improve with 91.7% of food businesses equivalent to FHRs level 3 or above. There's also been a notable increase in food sampling by local authorities to check food authenticity and to make sure food is what it says is, is safe and is properly labelled.

'These are very positive developments and it's good to see that local authorities are continuing to target their work in the face of lower staffing levels, which have continued to fall and which reduced by 3.2% in 2013/14 compared with the previous year.

For more information visit: <http://tinyurl.com/orws2a>

## GUIDE FOR ENFORCERS ON ALLERGEN INFORMATION FOR LOOSE FOOD

The Food Standards Agency (FSA) has published a quick guide for enforcers inspecting food premises for allergen information for non-prepacked (loose) food.

From 13 December 2014 under the EU Food Information to Consumers Regulation (FIC - 1169/2011) food businesses must declare listed allergens used in non-prepacked or loose foods. The information must be accurate, consistent and verifiable and includes food sold through distance selling.

The guide provides key areas and examples of questions to consider for determining FIC compliance. The key areas include staff awareness/training, back of house to front of house communication, communication to customers and verification of allergen information.

The guide also considers allergen best practice for some areas outside of the FIC such as allergen cross-contamination and dealing with emergencies.

The quick guide for enforcers is available here: <http://tinyurl.com/modogvo>

## THE PRODUCTS CONTAINING MEAT ETC. (ENGLAND) REGULATIONS 2014

Following a consultation earlier this year on replacing the Meat Products Regulations (England) 2003 and to seek views on the best way to keep quality standards for meat products from England, Defra have published the responses that they received.

Overall the responses supported the Defra recommendations in the draft Statutory Instrument to retain the current regulations on minimum meat content for certain products such as pies and burgers as well as the prohibition on the use of certain parts of the carcass in uncooked meat products. The consultation also served to highlight the potential confusion from the title and, as a result, this is changed to 'Products Containing Meat etc.'

The Products Containing Meat etc. (England) Regulations 2014 were laid in Parliament and came into force on 13 December 2014, parallel legislation will come in at the same time in Scotland, Wales and Northern Ireland.

The original Meat Products (England) Regulations 2003 set standards on how much meat and what kinds of offal are allowed in meat products. They were reviewed and updated to reflect the changes introduced by the Food information to consumers – FIC regulation.

Find the consultation responses at this link: <http://tinyurl.com/mlrg27r>

## GUIDE TO COMPETITION LAW FOR BUSINESS

The Competition and Markets Authority (CMA) has launched a short joint guide to competition law risk with the Institute of Risk Management (IRM).

CMA Chairman, David Currie, urges business leaders to escalate competition law up board agendas and called for a culture change to support this.



The short guide aims to help risk professionals understand and identify business behaviours that could put firms at risk of breaking competition law by straying into anti-competitive practices. The potential repercussions of breaking the law are significant and include heavy fines, prison sentences, director disqualifications and reputational damage. Access the new guide through this link: <http://tinyurl.com/lwkatdt>

The guide features a range of high profile case studies highlighting unlawful business practices. The case studies demonstrate how easy it can be to get into difficulties if business behaviour risks are not properly understood. The guide also provides suggestions to help organisations approach and manage risk effectively, based on the Competition and Markets Authority's (CMA) four step process for competition law compliance published earlier this year and accessible through this link: <http://tinyurl.com/lepxv2t>

## THE FOOD LAW CODE OF PRACTICE (ENGLAND) REVIEW

The Food Standards Agency (FSA) has announced a consultation regarding proposed amendments to The Food Law Code of Practice.

The proposed amendments will:

- Revise and clarify arrangements for food establishment registration and inspections of mobile food establishments, ships and aircrafts to remove unnecessary regulatory activity;
- Revise competency and qualification requirements for local authority officers engaged in official controls and other regulatory activities to better target enforcement resources and ensure greater consistency.

For more information, or to submit your comments, please use the following link: <http://tinyurl.com/lf6v8k7> Comments are invited by 4 February 2015.

## FSA CONSULTATION ON USE OF PRIVATE WATER SUPPLIES IN PRIMARY PRODUCTION

The FSA is seeking views on guidance they have written for enforcement authorities and food businesses on use of private water supplies in primary production in relation to Hygiene Regulation (EC) No 852/2004

Annex I, Part A, 4(d) and 5(c) of Regulation (EC) No 852/2004 requires that food business operators rearing, harvesting or hunting animals or producing primary products of animal origin, and producing or harvesting plant products, respectively, are to take adequate measures to use potable, or clean water, whenever necessary to prevent contamination. The guidance has been produced to assist enforcement officers and food business operators determine use of appropriate water supplies in primary production operations on farm.

The scope of the guidance is restricted to the use of clean water in primary production activities that are within the scope of Regulation (EC) No 852/2004.

The Consultation is open until Friday 13 February 2015. For the draft guidance, more details and for how to respond go to the FSA website: <http://tinyurl.com/mebld6f>



## CONSULTATION ON SENTENCING GUIDELINES FOR FOOD HYGIENE OFFENCES

The Sentencing Council have produced new draft guidelines which include supporting higher fines and a framework for appropriate and proportionate punishment.

During 2014, there have been several instances where the Courts have levied higher fines for Health and Safety, Food Hygiene and Corporate Manslaughter offences. The Sentencing Council have drafted guidelines supporting these higher fines and to provide a framework for considering what might be the appropriate and proportionate punishment. The guidelines are new for food but are seen as necessary as with only relatively few prosecutions each year (just 280 in UK during 2013), a wide variation in the size or organisation and level of culpability, inconsistent sentencing is sometimes seen.



The primary aim of the guidelines is “to ensure that all sentences are proportionate to the offence committed and in relation to other offences.”

The draft guidelines cover sentencing for corporate manslaughter, health and safety and food safety and hygiene offences. They are structured in a very similar to those used by the Courts when sentencing more typical ‘criminal’ offences such as burglary and theft, using a 4 step approach.

The consultation process opened on 13 November and ends on 18 February 2015. The proposed guidelines, which will allow fines up to £20m and the online portal to respond can be found through this link: <http://tinyurl.com/mue39g2>

## RESEARCH

### NEW FOOD AND YOU SURVEY FINDINGS PUBLISHED

The Food Standards Agency's (FSA's) latest Food and You survey has recently been published. The biennial survey provides information on reported behaviours, attitudes and knowledge relating to food issues. This year's survey has now been published.

This year it found that 51% of adults surveyed stored meat in line with FSA guidelines suggesting that up to half may store raw meat in a way that could lead to cross-contamination.

The survey showed an increase in awareness of the FSA's Food Hygiene Rating Scheme, and the Food Hygiene Information Scheme in Scotland.

The Food and You survey also gives an insight into the number of people with a food allergy. In total, 4% reported having an allergy. Of that 4%, nearly two thirds (66%) said they had seen a doctor about their allergy with 40% saying that it had been clinically diagnosed. Overall, 11% of respondents reported living in a household in which someone had a food allergy (not necessarily clinically diagnosed).

The survey is used to collect information about reported behaviours, attitudes and knowledge relating to food safety issues. It provides data on people's reports of their food purchasing, storage, preparation, consumption and factors that may affect these such as eating habits, influences on where respondents choose to eat out and experiences of food poisoning.

Reports of findings individual to each UK country will be published in four separate country reports on Tuesday 16 December. More information is available here: <http://tinyurl.com/mtrgk53>

### SALT REDUCTION RESEARCH

Researchers from the University of Reading have found that the addition of herbs and spices can increase consumers' liking of reduced-salt soups. They found that reducing salt led to a significant decline in liking for the soup, which initially was unaffected by the addition of herbs and spices. However, consumer acceptance for the herbs and spices soup increased after regular exposure over five days. Consumers also perceived that this soup contained a similar level of salt as the standard soup.

Salt in foods is used for taste, texture and preservation, so reducing salt in food products can be a considerable challenge for food manufacturers.

A similar study from researchers in Brazil looked at the preference for different salt concentrations of two groups of older individuals (aged between 63 and 79 years), with normal or high blood pressure. A preference for bread samples with different salt concentrations, first without and then with the addition of oregano, was tested and it was found that individuals with higher blood pressure had a greater preference for the saltiest sample. However, the use of oregano reduced the preference for saltier bread samples in both groups.

The two studies demonstrate that the addition of new flavours, like herbs and spices, can reduce the need for salt in food and enhance the perception of saltiness. Both reports can be accessed through the European Food Information Council (EUFIC) website: <http://tinyurl.com/p4jm7mn>



## REPORT ON OVERCOMING THE GLOBAL OBESITY CRISIS

The McKinsey Global Institute (MGI) has published a report: *Overcoming Obesity: An Initial Economic Analysis*.

MGI, the business and economics research arm of McKinsey & Company was established in 1990 to develop a deeper understanding of the evolving global economy with a goal to provide leaders in the commercial, public, and social sectors with the facts and insights on which to base management and policy decisions.

The report identifies obesity as a critical global issue with approaching 30% of the world population overweight or obese, (almost two and a half times the number who are undernourished) and that at \$2Tn it costs the global economy almost as much as armed conflict and terrorism.

The paper is intended to start a global discussion on the components of a successful societal response and assesses 44 interventions implemented or being piloted globally. The report asserts that no one intervention or sector of society can achieve success in isolation and that a co-ordinated approach is required.

Download the Executive Summary and full report on the McKinsey website, where you can also find out more about this organisation: <http://tinyurl.com/p7fdgwe>

## SUSTAINABILITY, ENVIRONMENT & CSR

### EFRA COMMITTEE INQUIRY INTO FOOD SECURITY, DEMAND, CONSUMPTION & WASTE

The Environment, Food and Rural Affairs (EFRA) Committee held its first meeting to take oral evidence for his its new inquiry into food security, demand, consumption and waste on 22 October.

The witnesses giving evidence on 22 October were the food critic, Jay Rayner, and senior representatives of the Sustainable Restaurants Association, Morrisons, Fareshare and the Trussell Trust. They discussed how to reduce food waste at home, in restaurants and along the supply chain, including the role of regulation to incentivise such behaviour. They also discussed food poverty; food banks; and good practice in supply chains and in redistributing surplus food.

This short inquiry follows its earlier report on food security last July. The Government response to that report was published on 20 October, and is available here: <http://tinyurl.com/kshzxqd>. The Committee also published a separate report, *Waste Management in England*, on 22 October which included a section on separate food waste collections (Section 31), available here: <http://tinyurl.com/nbmf9wa>

The oral evidence is available here, along with a link to watch the meeting: <http://tinyurl.com/nj5qtjy>

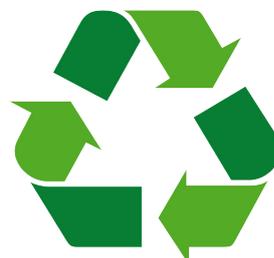
### ENGLAND RISKS MISSING RECYCLING TARGETS

The UK House of Commons Environment, Food and Rural Affairs Committee has published a warning that England could risk missing recycling targets, triggered by Defra's decision to step back from areas of waste management.

The Committee urges Defra to achieve the highest possible recycling rates. MPs argue that local authorities should remain responsible for resolving specific challenges and barriers faced at a local level, but call on Defra to promote best practice at a national level.

The Committee also calls for clear guidance from Defra on how much waste treatment capacity is needed in England to gain an optimal balance between the export of refuse-derived fuel and local treatment.

More information on the recycling targets can be accessed through this link: <http://tinyurl.com/prtbyaj>



## WRAP IN DISCUSSION ON THE COURTAULD COMMITMENT FRAMEWORK FOR 2025

WRAP has been having discussions with governments and industry stakeholders about a new framework for collaborative action in the UK to follow Courtauld 3.

This is proposed to be a new ten-year framework (2016-2025), for collaborative action across the food & drink life-cycle in the UK, helping businesses to become more resilient to future changes in supply and demand.

The agreement is aptly named Courtauld 2025, but will differ significantly from the previous and existing Courtauld agreements by taking a whole system view to address other areas of resource efficiency for the first time. Courtauld 2025 is still being developed and currently no targets have been identified. The plan discussed with governments and industry members of WRAP's Product Sustainability Forum, is to agree over-arching targets for carbon, water and waste reduction spanning the whole food system.



Central to the proposed agreement is the ambition to help consumers to reduce avoidable food waste and to aid businesses to share efficiency savings along supply chains, waste less and get more value from unavoidable waste, and thereby increase business resilience. WRAP is keen to work with industry on developing the next steps and will be consulting a range of stakeholders.

Subject to further consultation, the proposal is to focus effort on four delivery themes:

1. Changing what we supply,
2. Changing how we supply,
3. Changing how we consume,
4. Changing what we do with the wastes and by-products throughout the life cycle.

More detail can be found on the WRAP website: <http://tinyurl.com/nvngbd5>

## NATIONAL POLLINATOR STRATEGY

Defra and the Environment Secretary have announced that they are launching the National Pollinator Strategy to support bees and other pollinators.

Many of the Strategy's actions are about expanding food, shelter and nest sites across all types of land. This 10 year Strategy aims to deliver across five key areas:

- Supporting pollinators on farmland;
- Supporting pollinators across towns, cities and the countryside;
- Enhancing the response to pest and disease risks;
- Raising awareness of what pollinators need to survive and thrive; and
- Improving evidence on the status of pollinators and the service they provide.

More information on the Strategy is available here: <http://tinyurl.com/nzn2tw>



# TECHNOLOGY & NOVEL FOODS

## EUROPE URGED TO GO AHEAD WITH GMOs

On 11 November Members of the Parliament's Public Health Committee (ENVI) adopted their second reading position on GMOs (first reading dates back to 2011). It challenges the main points of the political compromise agreed on by the Council in June.

MEPs want to allow Member States to impose national bans on GM crops on environmental and health grounds and to ban a group of GM crops rather than doing so on a crop-by-crop basis. They also seek to strengthen the risk assessment process with a case-by-case risk assessment by the EFSA to take account of the direct, indirect, immediate, delayed and cumulative effects of GMOs on human health and the environment, and always take account of the precautionary principle. MEPs also dispute the obligation to inform the makers of GM crops before a ban can be imposed.

The issue has been stalled for years in the Council because there has been no qualified majority for or against GM crops. A breakthrough was finally reached in June under the Greek presidency but the compromise is fragile and it remains to be seen to what extent Member States will be willing to move closer to the Parliament's position. Italy, which holds the Presidency of the Council, is against GM crops and MEPs believe that the Italians could convince a qualified majority of Member States to support them.

Members of the ENVI committee gave a mandate to rapporteur Frédérique Ries (ALDE, Belgium) to start inter-institutional negotiations. The first meeting took place on 11 November and further negotiations are scheduled on 24 November, 3 December and 15 December. The final vote in Parliament is expected in January and the Commission said it was confident that an agreement could be reached by the end of the year. After final endorsement from the Parliament and the Council, the law could enter into force in 2015.

Twenty-one of Europe's most prominent plant scientists have signed an open letter warning that Europe may lose its prime research position unless field trials are allowed of genetically modified plant varieties that have been judged safe. The scientists warn that Europe may fall short of producing "world-class science" unless policymakers take a more pro-scientific stance and stop blocking GM research on "political" grounds.

The dossier was not resolved by the Barroso Commission and will now end up in the hands of the new Juncker Commission which took office on November 1st.

Jean-Claude Juncker is less favourable to GMOs than his predecessor and plans to review the procedure for authorising the placing on the market of new GM varieties within the first six months of his mandate.

Information on the dossier can be accessed through this link: <http://tinyurl.com/o26z9p6>



## NOVEL FOODS AUTHORISATION APPROVED BY EU PARLIAMENT

Draft plans to encourage food innovation via a new, simplified authorization procedure for novel foods have been approved by the Environment Committee on Monday.

The text was however amended to proposed a moratorium on the use of nanomaterials in food, based on the precautionary principle. They also added provisions for compulsory labelling of cloned food products.

MEPs also amended the existing definition of nanomaterials to bring it in line with EFSA recommendations (10% nano-particles threshold for a food ingredient to qualify as “nano”, whereas the Commission proposed 50%).

MEPs also amended the scope of the legislation to include cloned meat products. Until specific legislation on food derived from cloned animals and their descendants enters into force, this food should fall under the scope of this regulation, and be appropriately labelled for the final consumer, MEPs say.

A “novel” food is defined as any food that was not used for human consumption within the EU to a significant degree before 15 May 1997. MEPs tightened up this definition to include, inter alia, food with a modified molecular structure, microorganisms, fungi, algae, food obtained from cellular or tissue cultures, or insects.

Mr James Nicholson rapporteur for the dossier will now start negotiations with the Council of Ministers, The Council has yet to adopt its negotiating position.

Information on the Dossier can be accessed via this link: <http://tinyurl.com/qh8fk97>

## FSA CONSULTATION ON APPROVAL OF OLIGONOL®

A company has applied to the Food Standards Agency (FSA) for approval to market Oligonol® under the Novel Food Regulation (EC) 258/97.

Oligonol® is made from a combined extract of lychee fruit and green tea which is split into smaller units, used in the final product. Oligonol® is composed mainly of monomeric flavan-3-ols, as well as procyanidins (condensed tannins) formed from the condensation of these monomeric units.

The company proposes to use the novel food ingredient in a range of foods and these would include:

- dairy products
- confectionery
- cereals
- bakery wares
- non-alcoholic beverages
- foods for particular nutritional uses
- food supplements



In its application, the company states that Oligonol® is intended to serve as another source of dietary polyphenols and also states that these have been associated with lowered risk of many chronic diseases such as cardiovascular disease, cancer and chronic inflammation.

The Food Standards Agency is inviting comments on the application. Any comments should be emailed to the ACNFP Secretariat at [acnfp@foodstandards.gsi.gov.uk](mailto:acnfp@foodstandards.gsi.gov.uk) by Tuesday 23 December 2014. The comments received will be passed to the committee when it begins its assessment of this novel food ingredient.



All reasonable care is taken in the preparation of this newsletter, but no liability is accepted for any loss or damage caused to any person, company or organisation relying on any statement or omission in the contents.