

British Frozen Food Federation



T&L update 53

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Note: TinyURLs™ are used in this newsletter to replace some long web addresses.

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F-Gas Refrigerants – Latest Developments

ACRIB (the Air Conditioning and Refrigeration Industry Board) has published a series of F-Gas 'Frequently Asked Questions' factsheets. With the various elements of the F-Gas regulations progressively coming into place, ACRIB says that more detailed questions of interpretation are coming to light. DEFRA's F-Gas Support service has shared with ACRIB some of the most frequently asked questions, which are now published by ACRIB as guides to interpretation.

These are available from the ACRIB website at www.acrib.org.uk/NP575S17634.

- F Gas Training (Fact Sheet 1)
- Contractor Obligations (Fact Sheet 2)
- Company Registration (Fact Sheet 3)
- Penalties and Enforcement (Fact Sheet 4)
- Checklist for Contractors

Company Registration

All companies undertaking work in the stationary RAC (refrigeration, air-conditioning and heat-pump) sector must hold a company certificate if they employ personnel that carry out installation, or maintenance and servicing activities on RAC systems containing HFCs.

REFCOM has been appointed by Defra as a mandatory F-gas company certification body for businesses operating in this sector in Great Britain. Although agreement in principle was reached in February 2009, the final agreement was not concluded until mid June. Despite the very short lead-time resulting from this late announcement, the deadline for company registration of 4 July specified in the regulations remains in place

Certification is a two-stage process, with all affected businesses required to achieve at least interim certification by 4 July 2009 and full certification by 4 July 2011. Companies operating without a certificate will be committing an offence under the regulations.

Key requirements for Interim Certification will be the provision of basic business details and a list of employed engineers qualified as competent to handle refrigerants.

Full Certification (valid for three years) will require evidence that engineers have achieved one of the new qualifications specifically covering the handling of F-gases (City & Guilds 2079 or CITB J11-J14); and evidence that appropriate recovery systems and refrigerant handling procedures are in place and in use. Businesses with a Full Certificate may be subject to risk-based audit.

Full details are available from the REFCOM website at www.refcom.org.uk.

As well as undertaking the certification role required by Defra, Refcom will continue to operate its long-standing voluntary company registration scheme which actually requires higher standards than those stipulated in the F gas Regulations.

F Gas Essentials

Following a recent seminar, held jointly with HVCA (Heating and Ventilating Contractor's Association), ACRIB has also launched an **F-Gas Essentials CD rom**, described as "a complete and up to date reference resource on complying with the F-Gas Regulation".

It contains sections on:

- F Gas Training - what you need to do to prepare and where to go
- Company Certification - who, how and application forms
- Checklist - key dates and actions for contractors to check off
- Tools and spreadsheets - from simple use logs to ready formatted spreadsheets you can give to end users to monitor leak checks, service activity and emissions.
- Guidance - brings together in one place the F Gas Support, ACRIB and REAL Zero practical guides on good practice to comply with the Regulations.
- Key contacts and sources of further information

The CD is available via the Institute of Refrigeration on line shop at www.ior.org.uk (follow links for 'Technical Information' and 'Publications') priced at £40 including VAT.

"Whilst much of this guidance is available on-line from various websites, the CD provides a single source of authoritative reference material on the F-Gas Regulations for anyone who wants to make sure they and their customers are complying fully."

F-Gas Support

F-Gas Support is a Government funded team set up to help organisations understand their obligations under the EU Fluorinated greenhouse gases (F gases) and Ozone Regulations, and to provide guidance for manufacturers, operators, contractors and others that make, sell or handle F-gases and ozone-depleting substances (ODS) and associated equipment. F-Gas Support also helps Regulators promote compliance with these important environmental Regulations, and is being run on behalf of Defra and the devolved administrations by consultants Enviro.

Information, managed by F-Gas Support, is available from the Defra website and can be accessed from <http://tinyurl.com/5ewuw9>. The information available includes a series of information sheets, **including a recently published addition on selecting refrigerants (Information Sheet RAC 7)** – download as <http://tinyurl.com/mjllh2>

Information Sheet RAC 7 ('Alternatives') - **Guidance on Minimising Greenhouse Gas Emissions from Refrigeration, Air-conditioning and Heat Pump Systems** – includes sections on:

1. GHG Emissions from RAC Systems

2. Selecting the Best Refrigerant
3. Using Secondary Refrigerant Systems
4. Safely Using Flammable or Toxic Refrigerants

Section 2 deals generally with 'Desirable Refrigerant Characteristics', followed by detailed consideration of the different groups of refrigerants -

- HFCs (hydrofluorocarbons)
- HCs (Hydrocarbons)
- Ammonia
- Carbon Dioxide (CO2)
- Low GWP FCs (fluorocarbons)

The general series of information sheets from F-Gas Support is available from <http://tinyurl.com/lpnywx>, and those directed specifically to the RAC sector from <http://tinyurl.com/npba8p>

For advice or further information, contact F-Gas Support:

- ring the helpline: 0161 874 3663 (the helpdesk is open 9am to 5pm weekdays)
- e-mail the helpdesk: fgas-support@enviros.com
- on the website: www.defra.gov.uk/fgas
- write to: F-Gas Support, P O Box 481, Salford, M50 3UD

Refrigerant Selection and System Design

The Institute of Refrigeration has compiled a short guidance note to provide non-partisan advice on the effects of refrigerant choice and system design on the carbon footprint of a refrigerating system. Two effects are considered: the direct global warming potential of the refrigerant selected and the climate change effect of energy use by the system.

Strategies for the reduction of carbon footprint include designing more efficient systems, minimising sources of leakage through the selection of more robust system components, reducing the quantity of refrigerant required to operate the system in order to mitigate the effect of a large leak and substituting refrigerants with a high GWP for those with a lower potential.

IoR Guidance Note 18 on Refrigerant Selection and System Design - the role of HFCs can be downloaded as <http://tinyurl.com/mbxr55>

The Guidance Note recommends: "Arbitrary constraints on how designers can specify systems (such as bans on the use of specific refrigerant fluids) should not be imposed. Such constraints could result in less efficient systems being installed and will not drive the industry along the path of lowest GHG emissions."

A number of important issues are highlighted to obtain 'good efficiency', and mistakes in any of these can change the efficiency of a plant by large amounts (e.g. 20% to 50%). The impact of the refrigerant on efficiency is likely to be less than 5%, assuming all other design parameters are optimised.

The key message is that refrigerant choice matters, but many other design issues matter much more.

Phase out of HCFCs (R22)

F-Gas support are also publishing a new Information Sheet dealing with the phase-out of HCFC refrigerants (including R22). Information Sheet RAC 8 ('R22 Phase-out') will be available from the Defra website (address as above).

'The EC Ozone Regulation - Legislative Update and Strategies for HCFC Phase-out' includes sections on:

1. Background to HCFC Phase Out
2. HCFC Phase-Out Strategy
3. Phase-out Solutions
4. Decision Criteria
5. Availability and Permitted Use of Recycled HCFCs
6. Proposed Amendments to the EC Ozone Regulation

The text from the 'Background' section is reproduced below:

Background to HCFC Phase Out

The EC Ozone Regulation (EC/2037/2000) provides the legislative framework for EU Member States to meet their obligations under the Montreal Protocol, which was the international agreement drawn up to halt the damage to the ozone layer.

The most harmful ozone-depleting substances (e.g. CFCs like R12) were banned in the 1990s. New equipment using less harmful "transitional" HCFC refrigerants like R22 was banned in 2001 (or 2004 for small air-conditioning systems). Up until the end of 2009 it is still legal to use virgin HCFCs to service and maintain existing refrigeration and air-conditioning (RAC) equipment. However, under the Ozone Regulation such use will soon be banned in EC Member States. See Information Sheet RAC 3 for details of the legal obligations. The two key phase-out dates are:

- **From 1st January 2010 it will be illegal to use virgin HCFCs to service RAC equipment.** Note, this ban applies even if HCFC was purchased before the ban date. It is illegal to stockpile and use any supplies of virgin HCFCs after the end of 2009.
- **From 1st January 2015 it will be illegal to use recycled or reclaimed HCFCs to service RAC equipment.** It should be noted that supplies of recycled or reclaimed HCFCs may be very limited and very expensive. See Section 5 below for more details.

The imminent ban on the use of virgin HCFC gases represents a very real business threat to any company which uses refrigerants like R22 or R408A in their processes or air conditioning systems. R22 remains one of the most commonly used refrigerants in the UK so many organisations will be affected by the ban. Sectors at greatest risk include the food and drink industry, petrochemicals, pharmaceuticals, health, hospitality, finance and data-processing. **Typical applications can vary**

widely, but examples include refrigeration systems in supermarkets, blast chillers, cold stores and process coolers and many types of building air-conditioning. Many of these applications are absolutely critical to the continued operation of their owner's business.

It should be noted that the bans described above refer to the "use" of HCFCs. This specifically means use for servicing and maintenance. It will remain legal to continue using RAC equipment containing HCFCs beyond the phase out dates providing they do not require maintenance that involves putting any HCFCs back into a system.

Given that most refrigeration systems leak to a certain

degree, all current users of HCFC systems must develop a plan to manage their operations without virgin gas after December 2009. Doing nothing is not a sustainable option. Given the serious implications and potential costs, businesses should follow a strategic approach. This is introduced in Section 2.

The current EC Ozone Regulation has been under review during 2009. A new Regulation has been agreed by EC Member States and is due to come into force on 1 January 2010. The new Regulation slightly changes the rules for continuing use of HCFCs in RAC systems – see Section 6 for more details.

The Role of Refrigeration in Worldwide Nutrition

The International Institute of Refrigeration has produced a paper on **the Role of Refrigeration in Worldwide Nutrition**. This is the fifth in an occasional series of 'Informatory Notes' on Refrigeration and Food. The paper can be downloaded from the IIR website from the following address: www.iifir.org/en/doc/1215.pdf.

In the introduction, the IIR notes that the world faces a high level of malnutrition and population growth, and that ensuring both adequate food supply and food quality to almost 7 billion inhabitants today and over 9 billion by 2050 is a major global challenge.

"Most solutions to meet growing food demand are based on the increase of agricultural output, which is vital, but probably insufficient without reaching a level that would irreversibly harm the environment. **Therefore, a major focus should be the reduction of post-harvest losses, which average about 25% of the food production worldwide.**"

"Increased use of refrigeration would make it possible to substantially reduce post-harvest losses. Refrigeration already plays a key role in many food supply chains by preserving the initial quality of foodstuffs, thus providing consumers with foodstuffs that are both wholesome and safe.

Refrigeration is still insufficiently and unequally used to ensure food safety and security, as illustrated by the lack of suitable refrigeration infrastructure in many countries, above all in the least-developed countries where undernourishment is of the greatest concern and the population is growing the fastest."

"The aim of this note is to show how more effective cold chains, from production to consumers, can substantially reduce post-harvest losses, thus significantly improving food safety and food security."

The paper estimates that roughly one third of global food production consists of perishable products requiring preservation. But in 2003, out of a total global food production (agricultural products, fish, meat products and dairy products) of 5500 million tonnes, it was estimated that only 400 million tonnes were preserved thanks to refrigeration (chilled or frozen), whilst at least 1800 million tonnes required refrigeration. This results in huge losses.

The table below is taken directly from the IIR paper and contrasts the situation on developed countries, with that in developing countries. [for detailed references, refer to the IIR paper]

	World population	Developed countries*	Developing countries**
Population in 2009 (billion inhabitants) ¹	6.83	1.23	5.60
Refrigerated storage capacity (m ³ /1000 inhabitants) ^{11,12}	52	200	19
Number of domestic refrigerators (/1000 inhabitants) ^{11,13,14}	172	627	70
Food losses*** (all products) (%) ^{9,15,16}	25%	10%	28%
Losses of fruit & vegetables*** (%) ^{9,15-20}	35%	15%	40%
Loss of perishable foods through a lack of refrigeration (%) ^{15,16}	20%	9%	23%

* More-developed regions' ** Less-developed regions'

*** The loss rate comprises post-harvest losses, i.e. during processing, storage, transport and retail sale. It does not include final losses at consumer level for several reasons:
 – these final losses are particularly difficult to evaluate, although a US study¹⁸ has demonstrated that such losses are about 14% in the USA;
 – the value of final losses depends far less than post-harvest losses on the refrigerated equipment available in industrialized countries that are well-equipped: waste accounts for a major amount of losses; Kader¹⁷ considers that final losses are slightly higher in developed than in developing countries.

The recommendations from the IIR are:

"Refrigeration can make a significant contribution to addressing the issue of undernourishment especially in

the least-developed countries. The setting up of cold chains for perishable foodstuffs that are as extensive and reliable as those in industrialized countries would enable developing countries to raise food supply by about 15%.

The vital links in an effective cold chain are cooling and storage at production sites, refrigerated transport and implementation of refrigeration in retail outlets. The following conditions govern the setting up of cold chains where they are currently lacking:

- awareness on the part of decision-makers of the benefits of high-performance cold chains;
- setting up of local structures involving all the ministries, refrigeration stakeholders and experts concerned in order to define action plans and priorities;
- transfer of high-performance, environmentally friendly and cost-effective technology to developing countries in which such equipment is not yet available;
- training of local engineers, technicians and users in order to set up, operate and efficiently maintain refrigeration plants forming effective links in cold chains."

There are two series of IIR Informatory Notes on Refrigerating Technologies and on Refrigeration and Food. These can be accessed from the IIR website at www.iifiir.org/en/notes.php?rub=1

Interestingly, the first Informatory Note on Refrigeration and Food, which was produced ahead of the World Food Summit held in Rome in November 1996, addressed the same topic - '**The role of refrigeration in worldwide nutrition**'.

Note: The International Institute of Refrigeration (IIR) is an intergovernmental organization comprising 61 Member Countries representing over 80% of the global population.

The IIR's mission is to promote knowledge and disseminate information on refrigeration technology and all its applications in order to address today's major issues, including food safety, protection of the environment and development of the least developed countries.

The IIR provides a wide range of services: organization of conferences, congresses, workshops and training courses, a database (Fridoc) containing 85,000 references, several publications (journals, manuals, technical books, conference proceedings, informatory notes), and a web site providing a wide range of information (www.iifiir.org).

International Conference on the Cold Chain

The Institute of Refrigeration has announced that the UK is to host the first International Institute of Refrigeration sponsored **International Conference on the Cold Chain**, and a parallel **Refrigeration and Sustainability Conference** in March 2010 in Cambridge.

These prestigious conferences are expected to attract an international audience of researchers and industrialists to

the UK, and provide an opportunity to showcase leading edge developments in these areas.

The conference programmes will feature two themes:

The Cold Chain will bring together those with an interest in the cold chain, covering food, pharmaceuticals and other applications to explore the latest developments and key trends in technology. The Conference will be supported by relevant IIR commissions who lead developments internationally.

Refrigeration & Sustainability will focus on environmental issues and innovation. The event will be hosted in association with SIRAC the Sustainability in Refrigeration and Air Conditioning network which was set up in the UK in 2008 to drive the research agenda on sustainability for our sector.

The conference will be held in Cambridge on 29-31 March 2010.

A formal call for authors of papers has been issued this month. The organisers say that they would particularly welcome applications for papers to be presented which showcase UK innovation in the cold chain, and practical case studies of how sustainable refrigeration technology is being introduced. Short abstracts should be submitted to the Institute of Refrigeration by 15 September for consideration.

Full details are available from the Institute of Refrigeration website or directly from www.icccuk2010.com. Early booking discounts are available until 1 December 2009.

FSA Annual Report of Incidents

The Food Standards Agency has published its third Annual Report of Incidents, covering the year 2008. This is available from the FSA website at <http://tinyurl.com/o47g5s>

In 2008, the Agency investigated 1,298 incidents in the UK, 14 of which were classified as high-level. High-level incidents included melamine in dairy products from China and dioxins in Irish pork – a full list of all 14 high level incidents is included below. A total of 149 Alerts were issued by the FSA (including 59 Allergy Alerts).

The FSA uses the following definition of an incident:

'Any event where, based on the information available, there are concerns about actual or suspected threats to the safety or quality of food that could require intervention to protect consumers' interests.'

Incidents fall broadly into two categories:

- incidents involving contamination of food or animal feed in the processing, distribution, retail and catering chains. These incidents may result in action to withdraw the food from sale and, in certain circumstances, to recall, alerting the public not to consume potentially contaminated food

- environmental pollution incidents e.g. fires, chemical/oil spills, radiation leaks, which may involve voluntary or statutory action (such as orders made under the Food and Environment Protection Act 1985)

The major categories of incidents in 2008 are identified as:

- natural chemical contamination (mycotoxins, algal toxins and others) 18%;
- environmental contamination (fires, spills and leaks) 14%;
- microbiological incidents 14%; and
- on-farm incidents 11%.

2008 also saw the publication of the Agency's incident prevention strategy. The strategy is focused on intelligence gathering and horizon scanning to identify emerging risks to the food chain. The Agency says that collaborative work with industry will continue to identify root causes for incidents and to produce best practice guidance to further target incident prevention work.

The report draws attention to the new incidents section on the FSA website

"In 2008, as a result of feedback from local authorities, industry and consumers, a new incidents section was launched on our website in October. This means that information and documents relating to incident response and prevention are now all in one place and are much easier to find.

"The new incidents section is located within the 'Food Industries' section on the home page of our website. Information on how to report and respond to incidents, as well as details of our incident prevention work is included. The new incidents section has been welcomed, particularly by industry and local authority stakeholders."

Looking forward, the Agency identifies a number of areas for further development:

- Incident prevention strategy

- Publication of an Emerging Risks Unit (ERU) Information Handling Plan
- Development of an Information Management System to collate and analyse intelligence from a wide range of sources
- Development of monthly ERU Bulletins and datasheets to share information on emerging risks
- Work with industry to further develop and refine the List of Common Ingredients for further risk profiling.
- Work with industry to identify key root causes for different types of incidents and to produce Best Practice Guides to prevent incidents in the future.
- Development of a forum for the food industry to share food safety information with the FSA.

- External incident reviews

- Review of communication routes during incidents

- Workshops (for local authorities and industry)

Section 4 of the report examines four 'case study' examples in greater detail:

- Deoxynivalenol (DON) in wheat
- On-farm lead poisoning incidents
- *Listeria monocytogenes* in pork ears and tongue roll from Lithuania
- Cross contamination of plain chocolate products with milk proteins

and a series of Appendices include much detailed information:

1. Why and how should I [= Food business operator] report an incident?
2. What is our [=FSA] role?
3. Who tells us about incidents?
4. How do we classify an incident?
5. How do we manage incidents?
6. What will we do with the information received?
7. What actions can we take to protect consumers' interests?
8. Statistics
9. Contact details
10. Glossary of terms

Review of communication routes during incidents

The report notes that a review of communication routes during incidents began in 2008 to ensure communications are as effective and consistent as possible.

"These communication routes include alerts, web stories, press releases and letters. In addition, consideration is being given to the criteria that are applied when deciding on which route to use. As a result it is hoped that external stakeholders will be clearer on what actions to expect from us following an incident."

"As part of the review, in 2009 we plan to carry out a 12-week public consultation to gain the views of external stakeholders. All local authorities in England, Wales, Scotland and Northern Ireland will be consulted, as well as industry and relevant trade associations. All responses received will be considered and fed into policy-making decisions with a summary of responses published on our website within three months of the consultation closing date."

High Level Incidents during 2008

- dioxin contamination of meat products from the Republic of Ireland (*)
- melamine contamination of dairy products from

China (*)

- unauthorised processing (irradiation of yeast powder)
- Listeria monocytogenes cases in the Royal Victoria Hospital, Belfast
- E.coli O157 in meat products (burgers)
- Salmonella agona outbreak (*)
- non-compliant levels of sulphadiazine in pigs for Northern Ireland
- aflatoxins in fig paste (*)
- E.coli O157 in raw milk
- Unauthorised GMO Bt63 in Chinese rice and rice products
- Excess levels of antibiotics in milk
- Excess levels of Paralytic Shellfish Poisoning in surf clams from the Firth of Forth
- 'Over Thirty Month' breach of BSE testing in bovine – case 1
- 'Over Thirty Month' breach of BSE testing in bovine – case 2

Four of these – indicated (*) above - are considered in more detail in section 3 of the report:

FSA response to the incident involving dioxins in meat

One of the 'High Level Incidents' referred to above - **dioxin contamination of meat products from the Republic of Ireland** has been the subject of external review.

The FSA commissioned a review of its response to the incident in December 2008. The review was conducted by Steelhenge, a crisis management and business continuity consultancy, exploring both the Agency's internal handling of the incident as well as seeking the views of its stakeholders.

The Agency has considered the recommendations from the review and has developed an action plan. This was discussed by the FSA Board at its recent meeting on 14 July.

Full details of the Board meeting – agenda and papers, video-on-demand record, podcast – can be accessed from <http://tinyurl.com/n2eqbd>. The Board papers include two separate reports from Steelhenge:

- Review of the FSA Incident Response Internal Processes and Procedures in Relation to the Dioxins in Meat Incident <http://tinyurl.com/nsbs7o>
- Review of Key FSA External Stakeholder Relationships in Responding to the Dioxins in Meat Incident <http://tinyurl.com/lu5flt>

The Conclusions from the two reports are reproduced below:

Review of the FSA Incident Response Internal Processes and Procedures in Relation to the Dioxins in Meat Incident

Conclusion

Overall, the external view from the Study participants were that the FSA maintained a proportionate response as far as was possible considering the complex situation. However, the external perception of the FSA timeliness and speed of response was not positive. This is potentially an issue which can never be satisfied since expectations will always be higher than can reasonably be achieved. Nevertheless, the detailed preparedness and response procedures can certainly be improved.

From an internal perspective, better procedures and training will allow staff to work more coherently and confidently when under the pressure of both media and industry spotlights. The crisis management adage of „Over-react, assess, de-escalate“ for the activation of incident management teams would be appropriate here and could have mitigated many of the early negative perceptions of both internal and external stakeholders in the early stages.

Preparedness and training is now generally recognised as key requirement of all public-facing bodies that have any form of operational response to operational incidents. Staff should be rehearsed at every level and external agencies involved to build and develop this awareness.

As this is the second incident involving RoI and UK, greater engagement and co-operation in contingency planning and rehearsal for crisis would be mutually beneficial.

The FSA at all levels and especially its individual staff, do an excellent job and care very much about how well they do it. Taking forward these recommendations will allow the FSA to build and develop on an excellent foundation in order to meet the inevitability of future complex challenges.

Review of Key FSA External Stakeholder Relationships in Responding to the Dioxins in Meat Incident

Conclusion

In the early phase of the response where the tempo was high and information scarce, the consensus of opinion was that FSA communication with Governmental departments was erratic, lacked coherence and was inconsistent. This was compounded by a perception that FSA were unwilling to communicate information or take key decisions until absolute certainties were known. The FSA needs to recognise that in the early stages of an incident it is as important to communicate the 'unknown', as well as the 'known'. As long as the 'knowns' are communicated to stakeholders, then external stakeholders can then make decisions that are justified.

Organisations commonly experience this and effect a culture change through having a set of robust plans and experienced response teams that have confidence to act, decide and communicate as a result of thorough training and practice in advance of crises occurring.

As the tempo of the incident reduced and the information available increased, the FSA's communications were universally considered to be effective.

The conclusions and recommendations of the internal review have been validated in that to communicate effectively and fulfil the Agency's mandate as a Lead Government Department, it needs:

- A process in place to collate, analyse and manage information effectively
- A central body that, supported by information management tools and systems, can respond quickly to turn information into submissions, situation reports, briefings and communiqués and act as the single point of contact for cooperating Governmental bodies and Europe
- A mechanism for leading a multi-agency response involving other Government Departments based upon the Cabinet Office guidance on the Lead Government Department Principle
- A properly trained and rehearsed internal structure and operating rhythm for decision making

Hard lessons for other Government Departments have produced best practice and it is recommended that FSA engage with these departments to develop its own capabilities.

Defra Packaging Strategy

Defra has published the Government's new packaging strategy, **'Making the most of packaging'**, after some delay. This is available from the Defra website at <http://tinyurl.com/ktrlyw>.

Available downloads are the full strategy document, an Executive Summary, and an associated Horizon Scanning report.

The strategic review of packaging policy followed on from last year's Cabinet Office report **'Food Matters - Towards a Strategy for the 21st Century'**. The text below is taken from Food Matters Executive Summary and Action Plan:

- **ES.43: A new strategy for packaging waste in England will be developed, set within the framework provided by the Waste Strategy for England.** The strategy will encourage more prevention of packaging at source. It will aim to get incentives better aligned along the food chain to encourage more prevention of packaging and more re-use and recycling. It will also aim to improve information flows from manufacturers through retailers, consumers and local authorities to re-processors.

- **Action 5.8: A new food packaging strategy for England:** A new strategy for dealing with waste packaging in England will be developed, set within the framework provided by the Waste Strategy for England (2007). It will aim to get incentives better aligned along the food chain to encourage reduction in the amount of packaging and more re-use and recycling. It will also aim to improve information flows between manufacturers, retailers, consumers, local authorities and re-processors.

The assessment conducted to inform the strategy will examine what can be done to:

- prevent packaging that does not comply with the Essential Requirements provisions of the EU Packaging Directive and the UK Regulations entering the market;
- increase the availability and consistency of recycling services for household waste for the main packaging materials so that targets and public expectations can be met;
- ensure that packaging is designed with resource efficiency, recyclability, recovery or re-use in mind;
- ensure that material recovered for recycling from the household waste stream meets market needs;
- encourage positive attitudes among consumers towards packaging with recycled content;
- promote cost-effective reductions in the carbon impacts of the packaging chain; and
- foster synergies between commercial, industrial and household packaging waste collections to improve the economics of collection.

This work was to be taken forward by Defra and BERR (now BIS, the Department for Business Innovation & Skills).

Waste management is a devolved matter, but the strategy document notes that 'unless otherwise stated, this Strategy extends to all of the United Kingdom'.

'In Scotland, the Scottish Government is due to consult on a new National Waste Management Plan shortly. This strategy will form part of its consultation.'

'In Wales, the Welsh Assembly Government published for consultation on 29 April 2009 a new Waste Strategy for Wales entitled Towards Zero Waste; One Wales: One Planet. It also intends to consult on a series of sector plans that will form part of the delivery mechanism. This strategy will form part of the consultation process.'

The Executive Summary includes the following text on **"Where we want to take packaging policy: a vision"**

Packaging policy should minimise the environmental impact of packaging over its whole life cycle, without compromising its ability to protect the product. This starts

with optimising packaging through:

- designing it in line with sustainability principles, and with re-usability, recyclability or recovery in mind – as a standard
- delivering real reductions in packaging, under existing and new voluntary agreements
- market innovation and development which meet the growing demand for re-useable and recycled packaging, across all types of packaging.

It continues with maximising the recycling of waste packaging, through:

- more recycling by householders; recycling schemes that collect all the main packaging materials and are easy to use;
- local authorities and businesses treating waste packaging as a resource, leading to more recycling by businesses, and a new emphasis on quality in household collection and sorting;
- working from where we are now towards the recycling rates achieved by the best EU performers.

Chapter 7 of the main report contains an outline implementation plan, which shows the timescales for taking the proposed work forward.

“It shows that the delivery of the Strategy will rely on action from partners throughout the packaging chain, as well as government and its delivery agencies. We will monitor progress through the systems in place in England, Scotland, Wales and Northern Ireland for their respective Waste Strategies. We will consult widely on all individual policy proposals, and assess their costs and benefits in line with Better Regulation principles.”

“Making the vision happen”

“Achieving our aims will involve Central and Local Government, consumers, manufacturers and retailers, and the waste management industry. Defra, BIS and the Devolved Administrations will promote and encourage action by others, as well as doing things ourselves.

“Implementing some of the proposals in this strategy will require changes in the current (secondary) legislation. These will be developed following further consultation, and scrutinised by the UK Parliament, the Scottish Parliament and the Assemblies in Wales and Northern Ireland. All proposals will be accompanied by Impact Assessments.”

Packaging optimisation

- Government and their delivery partners will work with a whole range of public and private sector partners to push the use of eco-design

(Success against a range of take-up metrics to be assessed by mid- 2011)

- Develop a successor to the current Courtauld Commitment (post-2010). Will involve
 - extending the current agreement to include all

supply chain wastes, which will in turn involve gathering data to assess the amount and type of packaging waste in supply chains, waste prevention reviews within supply chains to identify and share best practice, and developing support tools.

– piloting a carbon-based approach – aiming to contribute to the evidence base for future negotiations with other Member States and the European Commission on revisions to the EU Packaging Directive and upcoming Eco-Design Directives

– in time, extending the agreement to cover reducing the carbon impact of products as well as packaging

– trials to extend the use of refillable and reusable packaging and greater use of concentrates and compacted products.

(Completion 2010: Refine the benchmarking of packaging by product category (Best in Class) by end 2009)

- New voluntary agreements UK-wide on packaging minimisation, based on the model of the Courtauld Commitment. These agreements aim to reduce packaging, assist in changing consumer behaviour, tackle product damage rates and support the enhanced use of recycled content in packaging. Will involve activities similar to those for Courtauld Commitment (see above).

(First wave of priority sector agreements in 2011. Extending to 2016)

- Make compliance with and enforcement of the Essential Requirements Regulations easier
 - enforcement support tool for Trading Standards Officer
 - promotion of Standards for environmental impact and technical design
 - Contribution to the Commission’s studies and further pressing for a review of the subjective criteria in the EU Packaging Directive

(2009-10)

- Green procurement
 - In Scotland, Action Plan on Sustainable Procurement
 - Minimum mandatory environmental standards are set across a range of priority product groups for procurers in Central Government Departments and their Executive Agencies in England through the ‘Buy Sustainable – Quick Wins’ initiative
- Consumer education
 - Government will encourage voluntary agreements between retailers or compliance schemes and groups of local authorities to finance specific initiatives, such as improved collection services or better communication with residents
 - Government will work through a range of partners to develop and introduce a clear and consistent labelling scheme for bio-based packaging, to help

consumers make the right disposal decisions

Maximising Recycling

- Implement material specific recycling strategies through modifying the current producer responsibility scheme:
 - stretch the packaging recycling targets over time, in line with the specific objectives for each material;
 - will involve providing incentives for businesses to recycle more, and for local authorities to expand the range of materials they collect for recycling, and possibly from the kerbside, with better information to residents.
 - improve data on commercial and industrial plastics recycling

(ACP Task Force to examine in 2009; Consultation in 2010, with a view to bringing in new targets from 2011)

- Increase the transparency of the current producer funding system, so that revenues are more visible to local authorities and producers. (ACP Task Force to examine in 2009)

Consider other changes to incentivise long-term planning. (Consultation in 2010, with a view to bringing in regulatory changes from 2011)

Explore potential alternatives to current producer responsibility system (2009 onwards)

- Incentivise closed loop uses
 - increase the proportion of glass collected in such a way that it can be used to make new containers;
 - develop sorting and reprocessing technologies that allow more closed loop recycling of plastics.
- Support for more efficient/effective collection and sorting
 - WRAP work with local authorities and Materials Recovery Facilities (MRFs) operators to improve the quality and therefore the marketability of recyclates;
 - Defra, WRAP and RIEP support for partnership working, to secure benefits from economies of scale and implement one of the best practice models developed by WRAP to make collections more consistent.
 - In England, subject to funding, introduce a system of roving contract negotiators with the right level of expertise to help LAs get the best out of their collection and recycling contracts (similar to what is available for PFI contracts);

(2009-2015)

- Establish the costs and benefits and logistics of moving to carbon-based targets
 - (Study to start in 2009; report end 2010; Possible consultation in 2011; EU negotiations from 2014; Courtauld piloting to start 2010)
- Improve the accuracy of data about the amount and types of packaging put on the market (2009 onwards)

The 'Horizon Scanning' report (**The Future of Packaging: Ten-year scenarios for packaging and packaging waste in the UK**) was prepared by Forum for the Future ("the sustainable development charity") for this strategic review.

"The objective of this project is to review trends in packaging waste and developments affecting those trends, and produce three possible scenarios for the year 2019, i.e. ten years hence. The scenarios are designed to be used to support the new strategy for packaging waste which Defra, in collaboration with BERR and the Devolved Administrations, is producing. This document outlines the methodology that has been used for this project, the scenarios themselves, and the implications arising from them."

The scenarios are described as three plausible, possible, internally coherent "worlds" in which the government and other packaging stakeholders might have to operate ten years hence, i.e. in 2019. No scenario is designed to be more "likely" than another. The aim is not to predict the future but to make informed guesses about possibilities, and to surprise and challenge current viewpoints.

- Scenario one: A slow change scenario, entitled "Mixed messages"
- Scenario two: A fast change scenario, entitled "Online opportunities"
- Scenario three: A non-linear change scenario, entitled "Values shift"

Scenario one: It is 2019, and the business sector continues to push on packaging innovation, including end-of-life, but progress on UK waste targets is hampered by multiple conflicting signals from stakeholders, especially consumers. Demands for convenience, a lingering perception of packaging as denoting quality, an increasing number of one-person households and difficulty in having messages heard all hold progress back.

Scenario two: It is 2019 and commerce has shifted onto the internet in a major way – both business-to-consumer and business-to-business. This creates opportunities for significant supply chain efficiencies and permits collaboration between different companies and sectors on packaging waste. Packaging begins to move towards standardisation of formats and more generally across the economy a shift from product to services takes place.

Scenario three: There has been a gradual shift in perceptions of waste in the UK, which in 2019 is habitually treated as a resource. This is in large part due to a prolonged global recession (from which the world is now gradually emerging) and an increasing recognition of resource scarcity. A greater emphasis is placed on repair and re-use as well as community sharing and home production of food and other goods.

Guide for Materials and Articles in Contact with Food

The Food Standards Agency has published a new guide aimed at businesses involved in food packaging and at those bodies that enforce the rules governing such businesses.

The guide is intended to help companies that, in the course of their business, manufacture or use materials and articles intended to come into contact with food. It also applies to those that could be brought into contact with food or that could be the source of chemical migration into food. These materials and articles include food packaging, processing and serving equipment, kitchen utensils, tableware and patio-ware, cooking pots and pans.

Target companies include material and article manufacturers, their raw material suppliers (such as those that supply polymer resins), material recyclers, converters, **packers and fillers, importers and sellers on the market prior to the point of retail sale.**

The advice is also relevant to environmental and port health and trading standards officers involved in the enforcement of the law governing chemical migration from these materials and articles.

The guide is for those that operate in the United Kingdom, and refers to parallel legislation in England, Scotland, Wales and Northern Ireland where appropriate.

It addresses:

- **the legal requirements of Regulation (EC) No. 1935/2004 on chemical migration from all materials and articles in contact with food in relation to business documentation as it is required in conjunction with Regulation (EC) No. 2023/2006 on good manufacturing practice**
- particular requirements in specific EU measures enacted in legislation across the UK dealing with declarations of compliance as they apply to the materials that are the subject of those measures
- **good business practice.** The guide makes clear that compliance with the advice on good practice is not required by law, “though adoption of the good practice advocated in this Guide could help minimise inspection and enforcement burdens on the business”. All advice on good practice is clearly indicated as such, in shaded boxes, with a heading of ‘Good practice’.

‘**Guide to UK Legal Compliance and Good Practice for Business Documentation: Materials and Articles in Contact with Food**’ can be downloaded from the FSA website at <http://tinyurl.com/m7qko6>

The following text concerning Business Documentation is extracted from the full Guide:

BUSINESS DOCUMENTATION

16. The legal requirement for business documentation

concerns the presence and use of that documentation up and down the manufacturing and supply chain prior to the point of retail sale. It is based on two sets of needs and they are both rooted in legal requirements laid down in the European legislation: namely, Regulation (EC) No. 2023/2006 on good manufacturing practice, and Regulation (EC) No. 1935/2004 on materials and articles in contact with food.

17. This latter Regulation is given further elaboration in Directives on specific materials.

19. The first of the two sets of needs for business documentation is for the business to ensure the consistent standards of its own processes and procedures through the documentation, application and review of good manufacturing practice. The second is the need for the business to provide adequate documentation to help its downstream customers meet their legal obligations through the provision of comprehensive compliance declarations that address all the legal requirements that pertain to their product(s). These requirements are part of a total approach to safe, consistently manufactured, formed and used products. Each part complements the other.

20. In this latter case, it is clearly the intention from Regulation (EC) No. 1935/2004 that all food contact materials and articles should be accompanied by a declaration of compliance, but it requires specific legal measures to say in detail how this must be done. So far such specific measures deal with food contact plastics, ceramics and regenerated cellulose film.

Active and Intelligent Packaging

The EU has adopted a new Regulation on active and intelligent materials and articles intended to come into contact with food.

Commission Regulation (EC) No 450/2009 of 29 May 2009 on active and intelligent materials and articles intended to come into contact with food was published in the Official Journal on 30 May (OJ L135) and can be downloaded from the EUR-Lex website as <http://tinyurl.com/ny65z4>

The general principles on all food contact materials and articles intended to come into contact with foodstuffs, including ‘active’ and ‘intelligent’ materials and articles, were established in Regulation (EC) No. 1935/2004. The purpose of the new Regulation is to set down additional requirements for active and intelligent materials and articles to ensure their safe use.

The FSA has provided a summary of the new Regulation indicating that it:

- sets out general provisions for the marketing of active and intelligent materials and articles;
- sets out the scope for such materials and articles and their placing on the market
- sets out the definitions that are additional to those already given in Regulation 1935/2004 (the “framework Regulation”)

- provides for the establishment of a 'Community list' of authorised substances that may be used in components of active and intelligent materials and articles
- provides rules for additional labelling, and for declarations of compliance

Certain of the new rules will only apply from the date of application of the new Community list. Until that date national provisions in force on active and intelligent materials and article shall continue to apply. Other parts of the Regulation will apply from 19 December 2009

The FSA will make proposals in due course for national regulations regarding offences and penalties, and powers of enforcement. These proposals will be subject to full public consultation

The 'framework Regulation' can be downloaded from the EUR-Lex website as <http://tinyurl.com/mbww9f>

[Regulation (EC) No 1935/2004 of the European Parliament and of the Council of 27 October 2004 on materials and articles intended to come into contact with food and repealing Directives 80/590/EEC and 89/109/EEC]

Guidelines for climate-friendly food choices

Readers will be interested in guidelines developed by the Swedish authorities for climate-friendly food choices. The guidelines were drafted jointly by the Swedish National Food Administration and the country's Environmental Protection Agency and have been notified to the European Commission as draft technical regulations in line with the requirements of Directive 98/34/EC (TRIS system)

With Sweden just starting its six-month period as EU President, there may be greater attention given to any initiatives like this coming from Sweden.

The TRIS notification included the following statements:

6. Products Concerned

Foodstuffs which are primary products or which have been prepared with primary products (agriculture and fish)

8. Main Content

The advice on environmentally smart food choices is directed to consumers. The advice concerns foodstuffs in six different categories:

- Meat – beef, lamb, pork and chicken
- Fish and shellfish
- Fruits and berries, vegetables and leguminous plants
- Potatoes, cereals and rice
- Cooking fat
- Water

The material describes the effects of the consumption of these foodstuffs on the environment. The description of

the different products' environmental impact is based on a number of national environmental objectives which have been laid down by the Swedish Parliament and which are of relevance to the food sector:

- Reduced Climate Impact,
- a Non-Toxic Environment,
- a Varied Agricultural Landscape,
- a Rich Diversity of Plant and Animal Life,
- Zero Eutrophication and
- a Balanced Marine Environment, Flourishing Coastal Areas and Archipelagos.

Since food production and, as such, the environmental impact thereof is global, the national environmental objectives have been interpreted from a global perspective. Consumers are given advice on how they can influence the environmental and climate impacts of their consumption through their food choices. The material is based on scientific assessments published in two reports by the National Food Administration, SLV Report 9/2008 and 10/2008.

9. Brief Statement of Grounds

The climate impact of the food chain is significant given that food's share of greenhouse gas emissions is about 20-25 percent. Food production is also of great consequence to a number of other environmental quality objectives.

The National Food Administration has been appointed as one of the public authorities with a so-called special sectoral responsibility for work on environmental objectives. This responsibility comprises efforts within the food sector to reach the 16 national environmental quality objectives. As one aspect of that work, the Swedish National Food Administration has commissioned environmental impact analyses of different food groups and has in collaboration with the Swedish Environmental Protection Agency compiled information on the environmental impact of different foodstuffs, in light of nutritional dietary guidelines. The work has interpreted national environmental objectives from a global perspective. The aim is to provide consumers with advice on how they can reduce the environmental impacts of food consumption through their food choices. The information has been developed in such way that its use by consumers when planning or carrying out food purchases is relatively easy.

[available from <http://tinyurl.com/mskedo>]

The panel below shows the 'headline' advice for consumers, for each of the six food categories. The Swedish authorities are the first in Europe to develop such recommendations. They will be sent out to other EU countries to gauge reactions before being released.

"Provided there are no serious objections," the process should be completed within three months, the authorities noted, hoping that the guidelines will inspire authorities in other countries to follow Sweden's example.

"Consumers make important environmental choices when

they are food-shopping, so they need a sound basis on which to make their decisions. Food production accounts for roughly a quarter of Swedish consumers' climate-impacting emissions, and also contributes to other harmful environmental effects, for example through the use of pesticides," said Inger Andersson, director-general

of the National Food Administration.

Further coverage can be found from the EurActiv website at <http://tinyurl.com/lr8b4j>. This also provides a link to the original Swedish document (available in English at <http://tinyurl.com/ljee9c>)

Extract from **The National Food Administration's environmentally effective food choices**

Meat – beef, lamb, pork and chicken

Do you want to eat intelligently for the environment and your health?

- By all means, eat meat, but reduce the amount. Try replacing one or a few meals of beef, lamb, pork or chicken with vegetarian meals each week, or reduce meat portion sizes.
- Try to choose locally produced beef and lamb meat, preferably from animals which have grazed on natural grasslands. Look for "naturally grass fed meat" in your supermarket.
- Try to choose locally produced pork and chicken

Fish and shellfish

Do you want to eat smart for the environment and your health?

- Choose fish and shellfish from stable stocks, see the National Food Administration's fish list*.
- Choose fish that is fished or farmed sustainably, for example fish with MSC or Krav eco-labels.
- Dare to try something new! When you try other types of fish than those you are used to, you help to lessen the load on certain species.

Fruits and berries, vegetables and leguminous plants

Do you want to eat intelligently for the environment and your health?

- Choose seasonal and locally grown vegetables.
- Try to choose pesticide-free vegetables, for example organic.
- Choose fibre-rich vegetables such as root vegetables, broccoli, white cabbage and onion. They have less of an impact on the environment than tomatoes, salad and cucumber, can be stored for long periods and are locally produced all year round.
- Eat more beans, lentils and peas – these are good choices regardless of whether they are dried or canned, especially if they replace part of your meat consumption.
- Choose locally produced fruits and berries, when available.
- Try to choose pesticide-free fruits and berries, for example organic. Bananas, citrus fruits and grapes are fruits that are treated with the most pesticides – it is therefore particularly important to choose pesticide-free for these fruits.
- Fruits and vegetables are delicate foods. Reduce waste by storing them properly and not buying more than you use!

Potatoes, cereals and rice

Do you want to eat intelligently for the environment and your health?

- Try to choose locally grown potatoes.
- Try to choose locally produced cereal products, such as bread, flakes, grains and pasta.
- Try to choose pesticide-free cereal products and rice, for example organic alternatives, when available.
- Rice has a greater impact on the environment than cereals and potatoes. Instead of rice, try wheat germ or oats.

Cooking fat

Do you want to eat intelligently for the environment and your health?

- Choose rapeseed oil and cooking fats which contain a lot of rapeseed oil, or olive oil. Rapeseed oil is best from an environmental perspective and is also healthy.
- Reduce the use of palm oil, which is found in some cooking fats. Read package labels and rather choose products containing rapeseed oil.

Water

Do you want to make intelligent choices for the environment and your health?

- Choose tap water whenever possible – it is of high quality and is also inexpensive.
- If you buy packaged water, choose locally produced water.

There is also news of a new labelling initiative in Sweden to identify products with at least 25% greenhouse gas savings in each food category, starting with plant products, dairy and fish products.

This is a joint initiative by the Federation of Swedish Farmers, two food labelling organisations and various dairy and meat co-operatives. Again coverage from EurActiv is available at <http://tinyurl.com/nmza8d>

Interested readers may also wish see two EU research reports from the Institute for Prospective and Technological Studies. These are described as scientific

contributions to the European Commission's Integrated Product Policy framework ("which seeks to minimise the environmental degradation caused throughout the life cycle of products").

- **Environmental Impacts of Diet Changes in the EU** (June 2009), available from <http://tinyurl.com/Int4vd>
- **Environmental Improvement Potentials of Meat and Dairy Products** (August 2008), available from <http://tinyurl.com/m72fml>

Fish Labelling Regulations 2009

The Food Standards Agency has published consultation papers on the Fish Labelling Regulations 2009. There are separate but parallel consultations in England, Scotland, Wales and Northern Ireland. Full details are available from the FSA website at www.food.gov.uk/consultations

The new regulations will update and consolidate the Fish Labelling Regulations 2003 and the Fish Labelling (Amendment) Regulations 2006, both of which will be revoked.

The deadline for responses is 1 October 2009.

Most importantly, the new regulations will include a significantly updated schedule of commercial designations for fish.

There are a number of specific questions asked in relation to the consultation (reproduced below), some of which are addressed to all stakeholders, others to individual stakeholder groups (including several addressed to 'fish businesses and trade associations').

Specific questions asked in this consultation:

Fish Labelling (England) Regulations 2009

- Q1: (all) Are you content with the wording of the draft Fish Labelling (England) Regulations 2009? If not, what amendments would you like to see made and why?
- Q2: (all) In the Schedule of Commercial Designations, are you content that *Scomberomorus commerson*, *Scomberomorus maculatus* and *Scomberomorus regalis* be designated as Kingfish as well as Spanish Mackerel; and that *Acanthocybium Solandri* is designated as Kingfish as well as Wahoo?
- Q3: (all) In the Schedule, the family Hemiramphidae is given the designation "Halfbeak". Are you content with this, or do you think they should also be allowed the new designation "Needlefish", and if so why?
- Q4: (all) Are there any other additions, amendments or deletions you would like to see made to the Schedule. If so, what changes would you like to be made and why?

- Q5: (all) In the Schedule, for ease of reference, we have amended the way in which the designations are presented, so as to list the fish alphabetically by their first name rather than to group them by family as was done in the current 2003 Regulations. This has been done to make it easier to find the designated names. Are you content with this approach? If not, why not? Would you prefer a different approach and if so, please explain why.

Impact Assessment

- Q6: (fish businesses and trade associations) Will there be any one-off costs for your business or those that you represent as a result of the new Regulations? If so, how much? Will there be costs from changing labelling or new labels and if so, could you please quantify them?
- Q7: (fish businesses and trade associations) Will the new Regulations result in ongoing costs or benefits to your business or the businesses you represent? If so, could you please quantify them?
- Q8: (fish businesses and trade associations) Will there be any other effects of the new Regulations for your business or those that you represent? If so, could you please quantify them?
- Q9: (fish businesses and trade associations) Are you content that there should be no transitional period for the introduction of the Regulations, which are due to come into effect in December 2009? If not, please explain what difficulties may arise from the lack of a transitional period.
- Q10: (enforcement agencies) What costs or benefits will you incur as a result of the new Regulations? Please quantify these costs or benefits if you can.
- Q11: (consumers and consumer groups) Will there be any benefits or disadvantages to you or the people you represent as a result of the new Regulations? Please provide details.
- Q12: (small businesses and their representative organisations) To what extent will you or the businesses you represent be affected by the new Regulations? Please provide details of benefits and

costs if you can.

- Q13: (minority ethnic businesses and their representative organisations) To what extent will you or the businesses you represent be affected by the new Regulations? Please provide details of benefits and costs if you can.
- Q14: (all businesses) Will the new Regulations have any effect on competition between you and other businesses? If so, please specify.

- Q15: (all businesses) Do you agree that it is better for simplification purposes to have new Regulations rather than further Amendment Regulations?

The full consultation document also includes a detailed listing showing where the proposed schedule of commercial designations will include additional species or amendments to existing species – also reproduced below.

Annex 1	
Fish Labelling Regulations 2009 – Additional Species and Amendments to Species	
New species	
i) Sea Fish	
African sole	<i>Solea senegalensis</i>
Alaska plaice	<i>Pleuronectes quadrituberculatus</i>
Black bream <i>or</i> Black seabream	<i>Spondyllosoma cantharus</i>
Black oreo <i>or</i> Oreo	<i>Allocyttus niger</i>
Bombay duck	All species of the family <i>Harpadontinae</i>
Doctor fish, Surgeon fish <i>or</i> Tangs	All species of the family <i>Acanthuridae</i>
Flatheads	All species of the family <i>Platycephalidae</i>
Flathead sole	<i>Hippoglossoides elassodon</i>
Halfbeak	All species of the family <i>Hemiramphidae</i>
Indian halibut	<i>Psettodes erumei</i>
Longfin codling	<i>Laemonema longipes</i>
Northern rock sole	<i>Lepidopsetta polyxystra</i>
Ponyfish <i>or</i> Thirali	All species of the family <i>Leiognathidae</i>
Rabbitfish	All species of the family <i>Siganidae</i>
Sillago	All species of the family <i>Sillaginidae</i>
Smooth oreo <i>or</i> Oreo	<i>Pseudocyttus maculatus</i>
Soldier fish <i>or</i> Squirrel fish	All species of the family <i>Holocentridae</i>
Spadefish	All species of the family <i>Ephippidae</i>
Striped bass	<i>Morone saxatilis</i>
Threadfin	<i>Polynemus tetradactylum</i>
Wolf herring	<i>Chirocentrus dorab</i>
ii) Freshwater Fish	
Snakeheads	All species of the family <i>Channidae</i>
Additional designations	
i) Sea Fish	
Bonito	All species of <i>Sarda</i> All species of <i>Euthynnus</i> , with the exception of <i>Euthynnus (Katsuwonus) pelamis</i> All species of <i>Auxis</i>
Alternatively the following may be used: Bullet tuna <i>or</i> Melva	<i>Auxis rochei</i> (Bullet tuna <i>or</i> Melva is a new alternative)
Kingfish	All species of the family <i>Scomberomoridae</i>
Alternatively: Kingfish/ King mackerel	<i>Scomberomorus cavalla</i>
Kingfish/ Spanish mackerel	<i>Scomberomorus commerson</i> <i>Scomberomorus maculatus</i>

Kingfish/ Wahoo	<i>Scomberomorus regalis</i>
Sierra mackerel or Pacific sierra	<i>Acanthocybium solandri</i>
	<i>Scomberomorus sierra</i>
	(Kingfish was previously <i>Scomberomorus cavalla</i> only, Spanish Mackerel is a new designation)
Needlefish or Garfish	All species of the family <i>Belonidae</i>
	(Needlefish is new designation, Garfish was previously <i>Belone belone</i> only)
Scabbard fish or Cutlassfish or Ribbonfish	All species of the family <i>Trichiuridae</i>
Alternatively, the following may be used:	
Black sabre or Black scabbard fish	<i>Aphanopus carbo</i>
Black sabre or Sabre or Sabre fish or Silver saber	<i>Lepidopus caudatus</i>
	(Cutlassfish and Ribbonfish are new designations, Scabbard Fish was previously <i>Lepidopus caudatus</i> or <i>Aphanopus carbo</i> only)
ii) Salmon and Freshwater Fish	
Carp	All species of the family <i>Cyprinidae</i>
Alternatively, the following may be used	
Banspata	<i>Danio devario</i>
Barbel	<i>Barbus barbus</i>
Bata	<i>Labeo bata</i>
Chelapata	<i>Salmostoma bacaila</i>
Freshwater bream	<i>Abramis brama</i>
Ghania	<i>Labeo gonius</i>
Kalibous	<i>Labeo calbasu</i>
Mowrala	<i>Amblypharyngodon mola</i>
Punti	<i>Puntius sarana</i>
Roach	<i>Rutilus rutilus</i>
Rohu or Ruhi	<i>Labeo rohita</i>
Tench	<i>Tinca tinca</i>
	(Rohu is a new alternative designation for <i>Labeo rohita</i>).
Chum salmon or Keta salmon or Pacific salmon	<i>Oncorhynchus keta</i>
	(Pacific salmon is a new designation for <i>Oncorhynchus keta</i>)
Coho salmon or Medium red salmon or Silver salmon or Pacific salmon	<i>Oncorhynchus kisutch</i>
	(Pacific salmon is a new designation for <i>Oncorhynchus kisutch</i>)
Dry star baim or Largebaim or Patabaim	All species in the family <i>Mastacembelidae</i>
	(Previously Largebaim was allowed as a designation for <i>Mastacembelus armatus</i> and Patabaim for <i>Macrognathus aculeatus</i>)
Pacific salmon or Red salmon or Sockeye salmon	<i>Oncorhynchus nerka</i>
	(Pacific salmon is a new designation for <i>Oncorhynchus nerka</i>)
Pacific salmon or Pink salmon	<i>Oncorhynchus gorbuscha</i>
	(Pacific salmon is a new designation for <i>Oncorhynchus gorbuscha</i>)
River cobbler or Basa, or Pangasius, or Panga(s) or any of these together with the additional word 'catfish'	All species in the family <i>Pangasiidae</i>
Alternatively, the following may be used	
Royal basa	<i>Pangasianodon Bocourti</i>
	(Previously River cobbler etc. could be applied to all species of <i>Pangasius</i> rather than <i>Pangasiidae</i>, Royal Basa is a new designation)
Deletions	
Sea Fish	
Scabbard fish, Sabre, Sabre fish or Silver sabre are no longer allowed designations for <i>Aphanopus carbo</i> .	

Review of Regulatory Framework

In December 2006, the FSA published its Framework for Regulatory Decision Making. The framework document stated that the FSA would review the framework and the FSA's performance against the framework two years after adoption.

The FSA is therefore now trying to gauge both awareness of the Regulatory Framework document (especially among FSA policy makers), and stakeholders' perception of its performance against the framework.

The key proposals are listed as

- to gauge awareness of the Regulatory Framework, especially among FSA policy makers
- to collate stakeholders' views of how the FSA performs as a regulator
- to revise the framework document and reissue for a four-week public consultation
- to republish the revised document in early 2010.

There are separate but parallel consultations in England, Scotland, Wales and Northern Ireland. Responses are required by 9 October 2009. Full details are available from the FSA website at www.food.gov.uk/consultations

Appointment of the Chair of the Food Standards Agency

Lord Rooker has been confirmed as the next Chair of the Food Standards Agency, succeeding Dame Deirdre Hutton. He will take up his duties on 27 July.

The selection process included a pre-appointment hearing by the House of Commons Health Committee. The hearing took place on 6 July and the report from the Committee can be downloaded as <http://tinyurl.com/mu6ftr>. It is also possible to see a video recording (1 hour 19 minutes) of the hearing at <http://tinyurl.com/lhc83s>

Lord Rooker is an engineer by training. He worked in the engineering industry through the 1960s before serving as a Member of House of Commons for Birmingham Perry Barr from 1974 to 2001.

He has held various government positions, but importantly he was Minister for Food Safety in MAFF from 1997–99, and Minister for Food & Farming in DEFRA from 2006–08. He is now to resign the Labour whip after 35 years in Parliament as MP and peer

Tim Smith, Chief Executive of the FSA, welcomed the appointment: "I am delighted that Lord Rooker will be joining us in this role and personally I very much look forward to working with him. His political experience and understanding of food issues make him an excellent choice for this challenging position. He brings with him a wealth of expertise that will help us continue the good work overseen by Dame Deirdre on behalf of consumers in achieving our twin objectives of safe food and healthy eating for all."

Responding to his appointment Lord Rooker said: "I am very pleased to have been offered this position particularly as I was involved in setting up the Agency in the late 1990s when I was a Minister at MAFF (Ministry of Agriculture, Fisheries and Food). I believe it is vital we have an independent, non-ministerial department responsible for food safety, which is open and transparent. I am very excited about my new role and look forward to joining the Agency, which bases its work on sound science and puts the interests of consumers first."

Food Labelling (Declaration of Allergens) Regulations 2009

As part of the EU legal requirement to declare the presence of certain ingredients that are known to cause allergies or intolerances, temporary exemptions from compulsory labelling were provided for a number of derived products.

Following consideration by EFSA and formal opinions from EFSA's Scientific Panel on dietetic products, nutrition and allergies, many of the temporary exemptions were later made permanent. However a number of the derived products were not given permanent exemptions and these have now become subject to compulsory labelling, since 31 May 2009 (although products placed on the market or labelled before 31 May 2009 that comply with EC Directive 2005/26 may continue to be marketed until stocks are exhausted).

One of the temporary exemptions from compulsory allergen labelling that expired at the end of May 2009 covered the use of wine fining agents based on egg or milk. This specific exemption has however been extended to 31 December 2010 by Commission Regulation (EC) No. 415/2009 (OJ No L125, 21.05.2009, p.52) – available to download as <http://tinyurl.com/lx8l9u>

The purpose of the extension is to align the allergen labelling change with other changes required by Council Regulation (EC) No 479/2008 (on the common organisation of the market in wine)

In itself this is of little relevance to BFFF members, except that readers should be aware that the extension to December 2010 does not apply to wine used as an ingredient in other foods (e.g. sauces; Christmas puddings), which are required to declare the relevant allergen information from 31 May 2009.

UK trade interests have explained to LACORS that as the decision not to extend the wine extension to ingredient use was made at a late stage, it is not possible for all producers across all products to meet the implementation deadline.

LACORS has agreed to ask local authorities to adopt a pragmatic approach, with the understanding that producers are either making the necessary labelling changes or are re-formulating to remove egg and milk based fining agents. Details are available from <http://tinyurl.com/l9tqr9>

The FSA consultation will bring national law back into line with the latest Commission Decision. There are separate but parallel consultations in England, Scotland, Wales and Northern Ireland. Details are available from the FSA website at www.food.gov.uk/consultations

Readers should also be aware that the FSA's consultation package provides a (draft) revised version of the Agency's guidance document in this area - **Guidance on Allergen and Miscellaneous Labelling Provisions**, replacing the document that was published in June 2008

The guidance provides full details of the ingredients that were given temporary exemption but which since 31 May are subject to compulsory allergen labelling. These include:

- celery leaf and seed oil
- celery seed oleoresin
- fish gelatine as a carrier for flavours
- mustard oil
- mustard seed oil
- mustard seed oleoresin

Any products that have been labelled under the old rules and are still on the market after 31 May may continue to be sold until stocks are exhausted.

New European Regulation on IUU fishing

The new EU regulation 'to prevent, deter and eliminate illegal, unreported and unregulated fishing' will enter into force on 1 January 2010. This has been described in some detail in previous issues of this newsletter (**T&L update 50 and 51**). At the heart of the Regulation, and of major significance for importers of fishery products from third countries, is the catch certification scheme.

The timetable for implementation of the Regulation is acknowledged to be extremely tight. The Commission is currently working on an implementing regulation to set up important technical provisions. The target date for adoption of the implementing regulation was originally mid-2009, but this is now expected to be in September. This will be complemented by a document giving practical guidelines on how to actually apply the IUU Regulation, including the catch certification scheme and the procedures to be followed by third country fishing vessels landing their catches in the EU.

The Regulation also allows for the granting of 'approved economic operator' (APEO) status to qualifying importers, for whom a simplified procedure will be available in respect of the presentation of catch certificates.

Unfortunately, the Commission's draft implementing rules would make qualification for APEO status onerous and in practice available only to a limited number of importers.

The Commission is proposing that an applicant for APEO

status must first have received Authorised Economic Operator (AEO) status from customs authorities. This is considered both disappointing and unhelpful, by both industry and Government in the UK.

An Authorised Economic Operator (AEO) is an economic operator who, by virtue of satisfying certain criteria, is considered to be reliable in their customs related operations throughout the European Community and is therefore entitled to certain benefits. Depending on the type of AEO certificate applied for and authorised, these can include either easier access to certain customs simplifications or certain facilitations from customs security and safety controls, or both.

The concept of AEO was introduced by an amendment to the Community Customs Code in April 2005 (Council Regulation 648/2005, The Security Amendment). The detailed implementing provisions are contained in Commission Regulation 1875/2006 published in December 2006. AEO status entered into force on 1 January 2008 across the EU.

At the end of the first year of operation the UK customs authorities (HMRC) reported that there were 140 applications for AEO status registered in the UK, with 37 certificates issued. Two-thirds of applications were from small medium enterprises with the majority from freight agents / forwarders. On average it took HMRC 125 days to process an application and assess the AEO criteria, from receipt of all the relevant information through to the date of the decision.

For more information:

- **Council Regulation (EC) No 1005/2008** of 29 September 2008 establishing a Community system to prevent, deter and eliminate illegal, unreported and unregulated fishing, amending Regulations (EEC) No 2847/93, (EC) No 1936/2001 and (EC) No 601/2004 and repealing Regulations (EC) No 1093/94 and (EC) No 1447/1999 can be downloaded from the Eur-Lex website at <http://tinyurl.com/6qko89> (or directly as <http://tinyurl.com/5ub6sd>).

More information is available on the European Commission Fisheries website (Combating illegal fishing) at <http://tinyurl.com/2edmx2>, including a series of **information papers** (which have been updated from those originally published on the website):

- Information note - **state of play and summary of main provisions of the IUU Regulation**
- EC Control measures - Information on the EC Proposal of **control measures applicable to EC vessels**
- Technical note - **detailed description of the catch certification scheme**
- Cooperation note - possibilities of **international cooperation in the fight against IUU fishing** and the implementation of the IUU regulation

Also available from the Commission website are:

- The final report from a study completed for the

Commission by Megapesca Lda of the **consequences for developing countries of the IUU Regulation**

- Analysis of Expected Consequences for Developing Countries of the IUU Fishing Proposed Regulation and Identification of Measures Needed to Implement the Regulation (Phase 2, Final Report May 2009)

This report includes a series of individual country case studies:

- Namibia
 - Indonesia
 - Thailand
 - Morocco
 - Ecuador
 - Senegal
 - Mauritius
 - Mauritania
- Presentations and meeting reports from various meetings held with stakeholders. These have included a series of **regional seminars** held by the Commission around the world that have been attended by representatives from a large number of exporting countries. Seminars have been held in Cameroon, Vietnam, Colombia, South Africa. There has also been an information meeting with representatives from the Missions of Pacific Island countries in Brussels

Also available are reports and presentations from stakeholder meetings held in Brussels.

The **customs Authorised Economic Operator (AEO) system** was described in an earlier issue of this newsletter T&L update 42. Full information is available from the HMRC website:

- Authorised Economic Operator HMRC Notice 117 (revised Notice published in April 2009, canceling and replacing earlier Notices) - <http://tinyurl.com/cyxdjv>
- Customs Information Paper (08) 80 - Authorised Economic Operators (10 December 2008) Reference JCCC CIP (08) 80 - <http://tinyurl.com/cqzrru>

What 's Next

Commission: Crucial is the timing for the adoption and publication of the implementing rules and guidance. This has been delayed and is likely to be September at best, or even running into October

Defra: Negotiations continue with the Commission and other member states over the content of the implementing rules and guidance.

Defra are expecting to publish an initial information note on their website around the end of July, with further guidance available once the implementing rules are decided. **A series of seminars will be held around the country to cover the main import centres**

Third countries must notify the Commission of details of their competent authority in respect of the IUU regulation. The Commission will publish details via their website and in the Official Journal

Importers are advised to check with their trading partners in third countries the level of knowledge concerning the IUU regulation. There should be a real awareness and preparedness among both exporters and competent authorities, even though it is not yet possible to put detailed systems in place.

Excluded products

The IUU regulation will apply to "fishery products" defined generally with reference to the **Customs Combined Nomenclature, to include any products which fall under Chapter 03 and Tariff headings 1604 and 1605.**

However, a number of specific products are excluded from the scope of the regulation, listed in Annex I. Excluded products include:

- Freshwater fishery products
- Aquaculture products obtained from fry or larvae
- Oysters, live
- Scallops including queen scallops, of the genera Pecten, Chlamys or Placopecten, live, fresh or chilled
- Coquilles St Jacques (Pecten maximus), frozen
- Other scallops, fresh or chilled
- Mussels
- Prepared and preserved molluscs

Food Standards Agency annual report

The Food Standards Agency annual report and consolidated resource accounts 2008/09 has been presented to Parliament under Section 4 of the Food Standards Act. It is available to download from the TSO website at <http://tinyurl.com/n2ag5y>

Also available are the FSA Westminster resource accounts 2008-09 (for the year ended 31 March 2009), available to download from <http://tinyurl.com/l9kqxd>

Accelerated shelf- life tests

Leatherhead Food Research is launching a series of new collaborative initiatives which will offer companies the opportunity to look at health and stability issues within the food and drink industry. One of the studies that has been prioritised concerns accelerated shelf- life tests for frozen products.

Details are available from the Leatherhead website at www.leatherheadfood.com/accelerated, which offers the following by way of background:

"Frozen foods are relatively stable and tend to have long shelf-lives, typically more than 12 months. Quality changes in frozen products are mainly caused by physico-chemical reactions, which can be responsible

for deterioration of colour, flavour and texture. Shelf-life testing needs to be carried out to assess changes to formulations and to determine the stability of new products. However, this is difficult in the case of products with a long shelf-life as it is not possible to test products to the end of their lives. Therefore the shelf-life needs to be based on accelerated tests which can assess the stability of the products. In order to accurately predict shelf-life/stability of frozen products validated accelerated tests need to be developed. The principle of these tests is to accelerate, under controlled conditions, the key deteriorative processes occurring in a product and to relate the results to those occurring under normal storage conditions.

Although accelerated tests have been suggested in published literature, Leatherhead Food Research (Leatherhead) has identified that there is still a real need to establish tests for frozen foods. This confidential, collaborative project will investigate on behalf of its participating companies (the Consortium), test conditions for predicting the stability and shelf-life of frozen products which are of interest to the companies involved.”

The aim of the project is said to be to produce validated accelerated tests for single and multi-component frozen foods for prediction of shelf-life and stability.

It is intended that the project will be carried out in 3 stages:

- Stage 1 - Review of Accelerated Tests for Frozen

Products

- Stage 2 - Assessment of Potential Accelerated Tests for Shelf-life Prediction
- Stage 3 - Confidential Assessment of Products

Rapid Alert System for Food and Feed

DG SANCO has established a new publicly available Portal website for the Rapid Alert System for Food and Feed (RASFF) and a **new online searchable database of RASFF notifications**. The database replaces the weekly summary of notifications. Users of the RASFF Portal database can now produce their own tables based on a various criteria.

“RASFF notifications shown in the RASFF portal are so-called "original notifications", representing a new case reported on a health risk detected in one or more consignments of a food or feed. On these cases, control authorities transmit follow-up notifications on measures taken and outcome of investigations. These follow-up notifications do not appear in the RASFF portal database”

The RASFF database can be accessed from the DG SANCO website at <http://tinyurl.com/lrpb6v> or directly at <https://webgate.ec.europa.eu/rasff-window/portal/>

Food & Veterinary Office

DG SANCO's Food & Veterinary Office (FVO) has recently published its programme of inspections for the second half of 2009. This can be accessed from the DG SANCO website at <http://tinyurl.com/mn5f6z>

Recent reports of interest from the FVO include

Country	Inspection number	Title	Inspection Period
Sri Lanka	2009-8053	Fishery and aquaculture products and residues	Jan 2009
El Salvador	2009-8040	Fishery products	Feb-Mar 2009
Latvia	2009-8068	Poultry meat and poultry meat products	Mar 2009
Dominican Republic	2009-8038	Fishery products	Feb 2009
Malaysia	2009-8319	Fishery products	Mar 2009
United Kingdom	2008-7761	Import/Transit Controls and Border Inspection Posts	Nov 2008
Indonesia	2009-8044	Fishery products	Feb-Mar 2009

These can be accessed from http://ec.europa.eu/food/fvo/ir_search_en.cfm

Members of the British Frozen Food Federation requiring further information about any item in this newsletter should contact Ian Farley, Technical and Legislative Co-ordinator

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