

British Frozen Food Federation



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Highlights in this edition:

The Food Information Regulation is published; New Regulations for the Frozen Food Supply Chain from July; Newly published lists of approved additives; The EU Ban on Battery Cage Eggs comes into effect.

Contents

Health and Nutrition Claims Guidance / Legislation	2	London Position on Packaging Waste	15
New Supply Chain Regulations for Frozen	2	BIS Launches Manufacturing Advisory Service	16
Food Information for Consumers Regulation	4	More Support for Medium Sized Businesses	16
FSA Updates E coli Guidance	5	Vision for UK e-Infrastructure	17
FSA Publishes Survey on Mycotoxins	5	Citizens Forums Look at Earned Recognition	17
EU Action Plan on Antimicrobial Resistance	6	EU TAC's versus ICES Advice	18
Seafish Guidance on Legislation Changes for Fish	7	Handling and Preparing Live Oysters	18
EHEC O104:H4 Guidance for Handling Sprouted Seeds	7	Control Options for Norovirus in Oysters	19
UK Rural Economy Growth Review	8	EC Animal Welfare Strategy 2012 - 2015	29
Japanese Import Control Measures Extended	8	Standard Animal Welfare Risk Assessments	20
EU Ban on Battery Hen Cages	8	FSA Guidance on Gluten Claims	20
FSA Research on Poultry Biosecurity Training	9	Additives Approved for Use in Foods	20
Campylobacter Risk from Chicken Liver Pate	10	Draft UK Regulations - Food Additive	21
Oxford Report on Campylobacter in Poultry	10	Enforcement and the Future of LBRO	21
Proposals to Strengthen EU Cross Border Protection	10	Foodservice Waste Voluntary Agreement	23
FSA Advice on Durability Dates for Shell Eggs	11	Draft Regulation on FHR Scheme (Wales)	24
Defra Guidance on Animal By-Product Controls	11	Lactic Acid as Carcass Decontaminant	24
FSA "Bite" Magazine Discusses Animal Feed	12	EU Presidential - Ag and Fisheries Work Plan	25
New WebPages for Imports, Exports and Trade in Animal Products	12	FSA Audits and Cause for Concern Plants	25
EU Avian Influenza Surveillance Report	12	Food, Drink and Farming Exports Promoted	26
EU Directive Consolidates Lot Marking Legislation	13	Tariff Preference Change for Kosovo	27
Defra Launches Farming Advice Service	13	Draft Modernised Customs Code	27
Fish Parasites, Freezing Controls Update	13	Changes to Business Approval Requirements	28
Changes to the Definition of the Kelvin	14	Amendments to Import Legislation	29
Listings for Approved EU Establishments	14		
HMRC Guide to G.S.P.	14		

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Health and Nutrition Claims Guidance and Legislation Update

The Department of Health has published updated guidance on Regulation 1924/2006 on Nutrition and Health claims. European Regulation 1924/2006 on nutrition and health claims made on foods seeks to protect consumers from misleading or false claims. It also makes it easier for manufacturers to identify nutrition and health claims that can be used on any specific food product. For example, a product, which claims to be 'low fat', must contain no more than 3g of fat/100g (for a solid) or no more than 1.5g fat/100ml (for a liquid).

The first version of the guidance was published by the FSA in April 2008. The Department of Health, to whom responsibility for legislation on nutrition and health claims in England transferred on 1 October 2010, have revised the guidance and also published a new, quick start guide

The guidance gives both regulatory and best practice advice, with best practice guidance indicated through the use of shaded boxes. The guidance begins with an outline of the requirements of the Regulation.

The documents are intended to help food businesses comply with the nutrition and health claims Regulation. They may also be of use to others with an interest in the legislation, such as food law enforcement officers.

Both the full updated guidance and the quick start guide can be accessed from the Department of Health website through: <http://tinyurl.com/cu2vv6g>

New legislation updating the lists of approved Article 13 Health is also imminent. The draft Regulation (SANCO/12826/2011) authorising Article 13.1 health claims was presented and adopted at the Standing Committee on the Food Chain and Animal Health on 5 December. The draft Regulation, and the annex listing the claims to be authorised, can be accessed through these links:

Draft Regulation <http://tinyurl.com/6n7ekx6>

The Annex: <http://tinyurl.com/7lwow8g>

The Regulation authorising Article 13.1 claims will apply six months after the date of its entry into force; rejected claims will not be permitted from that date. The list of rejected claims will be published on the day the Regulation appears in the Official Journal of the European Union; its exact form and wording are yet to be finalised.

Claims neither in the rejected list nor in the Annex to the authorising Regulation will be 'on hold'. Claims on hold are likely to be those for botanicals (including those that have already received negative opinions); claims for which submissions have been made under the further assessment process; claims without conditions of use; and claims over which unresolved questions remain.

The measure now needs to pass the scrutiny of the European Parliament and the Council, and only then is officially adopted. It will then be published in the Official Journal

New Regulations for Frozen Food Supply Chain Apply from July

At the end of 2005, following a number of high profile frozen food incidents across Europe, involving mainly meat products, the European Commission asked for a survey of cold stores and their activities to be carried out.

The original incident occurred in Germany and a second followed in 2006. During the autumn 2005, around 1800 tonnes of poultry/ pork meat, unfit for human consumption were illegally channelled into the food chain in Germany, as well as being delivered to other European Countries using forged documentation. The incident was detected totally by chance. Later, at the end of 2005, at least 500-600 tonnes of meat and meat products were detected, again in Germany, in cold stores storing both products fit and unfit for human consumption. The maximum durability date of the products had been changed.

There were three further cases during 2006 and in the survey that took place across all member states similar issues were highlighted and the situation did

not appear to be fully under control. The Member States' investigations revealed a catalogue of failures in connection with, but not exclusively confined to, foodstuffs of animal origin. The failures related in the main to labelling and marking, hygiene, traceability, cold store construction, records and documentation, as well as illegal practices such as date alteration.

The Commission concluded that EU Regulatory requirements needed to be reinforced. Their view was that food businesses must be able to identify the businesses from whom they had been supplied and the businesses to whom they in turn had supplied their products and that this information must be quickly and easily to hand. Also that there must be a requirement for food business operators to indicate at least the freezing date for cold storage. The two legislative proposals developed as a result relate to information that must be made available through the supply chain up to the point at which product is packed for marketing to the consumer.

Both Regulations will apply from 1 July this year. For the purposes of the Regulation this means that it will apply to any affected products **produced** on or after the 1 July. Enforcement Authorities will be aware that this Regulation is coming into force so they would not expect to see compliance immediately on products (i.e. at border inspection posts for food being imported, but Food Business Operators producing products after 1 July would need to demonstrate compliance.

1) Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin

931/2011 was published in the Official Journal on 20 September 2011. The Regulation concerns traceability requirements for food businesses in respect of any food products, both fresh and frozen, that contain processed or unprocessed fish, meat, eggs and dairy materials. It does not concern composite products that contain material of both animal and plant origin. The Regulation requires the list of information below to be made available to the food business operator to whom the food is supplied (and, upon request, to the competent authority):

- An accurate description of the food;
- The volume or quantity of the food;
- The name and address of the food business operator from which the food has been dispatched;
- The name and address of the consignor (owner) if this is different from the food business operator from which the food has been dispatched;
- The name and address of the food business operator to whom the food is dispatched;
- The name and address of the consignee (owner), if this different from the food business operator to whom the food is dispatched;
- A reference identifying the lot, batch or consignment, as appropriate;
- The date of dispatch.

The regulation is not specific on how this information needs to be made available and it appears that businesses can choose whether to pass it on through commercial documents, labelling or on a receipt. It does not have to be a complex system. It must, however, be updated daily, be available without “undue” delay and be “clearly and unequivocally available to and **retrievable by the business operator to whom the food is supplied**”.

There is also a requirement that the information should be kept at least until it can be reasonably assumed that the food has been consumed.

2) Commission Regulation (EU) No 16/2012 of 11 January 2012 amending Annex II to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the requirements concerning frozen food of animal origin intended for human consumption

The second Regulation is specifically aimed at Frozen Food of Animal Origin. It concerns frozen products through the supply chain and up to the stage at which the food is packaged and labelled for the consumer or used for further processing. The information that is required in this instance for the operator to whom the food is supplied (and, upon request, to the competent authority) are **the dates of production and of freezing**.

The legislation defines the “date of production”, which means the date of harvesting / catching in the case of fishery products, the date of slaughter for carcasses or the date of processing for any other food of animal origin. The date of freezing needs only to be provided if it is different from the date of production. Recital 2 in the preamble to the Regulation refers to the date of initial freezing; this is being interpreted to mean that the date of first freezing is the date that needs to be made available down the supply chain.

The date of production will change as the food changes through the supply chain. For example: A supplier (food business operator (FBO) 1) of frozen, headed and gutted fish will make available the date that he headed and gutted the fish (date of production) and the date of initial freezing (if different) to his customer (FBO 2). FBO 2 is defrosting and filleting the fish, then refreezing it. When he supplies this to another business (FBO 3) the production date that he will make available is the date that he, (FBO 2) filleted the fish along with the initial date of freezing that he received from FBO 1. The Regulation also provides that when a food is made from a batch of raw materials of different dates of production or freezing the oldest date should be made available. Again The decision on how the information must be made available is up to the supplier, so this could be on accompanying documentation, on the label or potentially even on request. It must again, however, be clearly available and retrievable to the business operator to whom it

is supplied.

There does come a point in the supply chain when the Regulation no longer applies. The scope takes products up to the stage at which the product is labelled for marketing to the consumer or used for further processing. "Further processing" is the point at which a "processed" product of animal origin is incorporated into another product. Using the same example again, if FBO 3 'processes' the fish (this would be cooking or curing, as per the definition of 'processing' in Article 1(1)(m) of Regulation (EC) No 852/2004) they would have to make available the initial date of freezing (from FBO 1) along with the date they processed the fish (i.e. the "date of production") to FBO 4. If FBO 4 processes the fish, thereby 'further processing' it, this would take them outside the scope of the requirements and they

would not need to make any dates available to FBO 5 as the product he has produced now falls under a different Regulation i.e. it is now 852/2004 not 853/2004.

The information provided is based on the current FSA interpretation. They will be consulting on the new Regulations shortly and seeking information from industry on whether, in practical terms, the Regulation is likely to entail any unforeseen burdens for business. Ahead of this please do contact Su Dakin at the BFFF office if you have any queries or issues as a result of the new rules. The full text of the Regulations can be found through the following links:
Regulation 931/2011: <http://tinyurl.com/6o55jls>
Regulation 16/2012: <http://tinyurl.com/788oc2f>

Food Information for Consumers Regulation

The food Information Regulation has now been published in the Official Journal of the European Union as 1169/2011:

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, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004

Published on 22 November the Regulation entered into force on the 12 December. It will apply from 13 December 2014, with the exception of point (l) of Article 9(1), on mandatory nutrition declarations, which apply from 13 December 2016, and Part B of Annex VI, that concern minced meat, which applies from 1 January 2014.

The Regulation will change all food labelling and includes key elements that:

- Extends mandatory allergy labelling to non prepacked food and foods sold in food catering outlets
- Extends origin labelling to the meat of pigs, sheep, poultry and goats
- Introduces mandatory nutrition labelling
- Introduces standards for legibility including minimum font sizes
- Introduces a requirement for the Date of First Freezing for frozen meat, meat

preparations and unprocessed fishery products.

- Introduce rules on what needs to accompany the name of the food in relation to treatment (defrosting) water, the origin of proteins and when ingredients are substituted
- Mean the net weight of glazed products will be the product without the weight of the glaze

The final published document is available at this link <http://tinyurl.com/7vhme3q>

Defra have consistently indicated that the current Food Labelling Regulations 1996 and the Food Information Regulation will run in parallel for 3 years. Though there are still many areas where interpretation is needed. BFFF continue to have a dialogue with Defra on these issues. The team at Defra are working towards having a process to feedback on the large number of queries that have been raised, but we are yet to see this.

If you have any issues with the Regulation that you would like us to raise with Defra, please do let me know

FSA Updates E. coli Guidance Q & A.

The Food Standards Agency has published a second edition of the Q&A on its guidance document 'E.coli O157: control of cross-contamination'. The new version of the Q&A addresses a number of issues that have arisen since the original document was published, in June 2011. Among the issues addressed are:

- expanded information on the scientific basis of the guidance
- a definition of 'complex equipment'
- detailed advice on 'temporary clean areas' applicable to ALL food businesses
- advice on the preparation and use of fruit and vegetables for ready-to-eat foods
- advice on the use of probe thermometers

The guidance was originally published in February 2011 to clarify the steps food businesses needed to take to control the risk of food becoming contaminated by E.coli O157 and; what businesses should be doing to protect their customers. The

guidance was developed in response to the serious outbreaks of E.coli O157 in Scotland in 1996 and Wales in 2005, which were attributed to cross-contamination arising from poor handling of food and following Professor Hugh Pennington's report. The FSA have said that they will continue to respond to all enquiries about the guidance, and have set up a dedicated mailbox at:

Controllingecoli@foodstandards.gsi.gov.uk

The update document can be accessed at:

<http://tinyurl.com/64oqj4r>

The original guidance document can be found at:

<http://tinyurl.com/7zwxwvk>

The FSA has also launched a new campaign in response to the E.coli outbreaks reminding people to wash raw vegetables to help minimise the risk of food poisoning. Advertisements will run in Scotland, Wales, and Northern Ireland that will include advice on the hygienic preparation of vegetables. The campaign will be supported by more limited PR activity across the UK as funding for a TV promotional campaign was not approved. For more information <http://tinyurl.com/72sozk9>

Survey on Levels of Mycotoxins

The Food Standards Agency has published the results of a survey looking at levels of mycotoxins in food. Mycotoxins are chemicals produced by certain moulds.

Mycotoxins are naturally-occurring chemicals produced by certain fungi and can occur in a wide range of foods, including cereals, nuts, spices, fruit, coffee, milk and alcoholic beverages, and at any stage throughout the food chain. The mycotoxins of most concern from a food safety perspective include the aflatoxins (B1, B2, G1, G2 and M1), ochratoxin A, patulin and toxins produced by Fusarium moulds, including fumonisins (B1, B2 and B3), trichothecenes (principally nivalenol, deoxynivalenol, T-2 and HT-2 toxin) and zearalenone.

Mycotoxins can cause a variety of adverse health effects in humans. Aflatoxins, including aflatoxin B1 are the most toxic and have been shown to be genotoxic i.e. can damage DNA and cause cancer in animal species. There is also evidence that they can cause liver cancer in humans. Other mycotoxins have a range of other health effects including kidney damage, gastrointestinal disturbances, reproductive disorders or suppression of the immune system. For most mycotoxins, a tolerable daily intake (TDI) has been established, which estimates the quantity of mycotoxin that someone can be exposed to daily

over a lifetime without it posing a significant risk to health.

In order to protect consumer safety, rules and strict legislative limits for aflatoxins, ochratoxin A, patulin and Fusarium toxins in certain foodstuffs are set out in European Commission legislation.

The Food Standards Agency has commissioned a four-year rolling surveillance programme to quantify a number of mycotoxins in a variety of foods. The report is the second year of the surveillance, which comprised three surveys:

- Survey 1: Mycotoxins in food products for infants and young children
- Survey 2: Ergot alkaloids in cereals and cereal products
- Survey 3: Patulin in apple juice

The surveys show that the vast majority of the samples tested contained levels of mycotoxins below the regulatory limits, with only one sample found to contain a level of mycotoxin above the regulatory limit.

Overall, the results of the three surveys are reassuring and did not raise concerns for consumer health in the UK. A copy of the report can be

accessed through the FSA website:
<http://tinyurl.com/8xojut>

An introduction and overview on the European legislation around mycotoxins can be found at the link: <http://tinyurl.com/6sflzx>

EU Commission Action Plan on Antimicrobial Resistance

With about 25,000 patients dying each year in the EU from infections caused by drug resistant bacteria and related costs of over 1.5 billion euros in healthcare expenses and productivity losses, antimicrobial resistance is a growing health problem in the EU. The European Commission has tabled an Action Plan on Antimicrobial resistance (AMR) to be implemented in close cooperation with Member States. Antimicrobials comprise **antibiotics**, which are essential medicines for humans and animals, and can also be used as disinfectants and antiseptics. Antibiotics have substantially decreased the threat of infectious diseases and have become an indispensable tool in medicine. The European Centre for Disease Prevention and Control (ECDC) has published data on antibiotic resistance, which shows that resistance to last-line antibiotics is increasing in Europe. For example, resistance to pathogens causing pneumonia and urinary tract infections in hospitals is increasing and is now established in several countries. For more information the ECDC site can be accessed through: <http://tinyurl.com/7gq3n85>

Since the 1990s, when AMR was recognised as a serious threat to public health, the Commission has launched various initiatives and actions. The Action Plan announced is the latest in a series of measures taken by the Commission and sets out 12 actions to:

- Raise awareness on the appropriate use of antimicrobials
- Strengthen EU law on veterinary medicines and on medicated feed
- Introduce recommendations for prudent use of antimicrobials in veterinary medicine, including follow-up reports
- Strengthen infection prevention and control in hospitals, clinics, etc.
- Introduce legal tools to tighten prevention and control of infections in animals in the new EU Animal Health Law
- Promote unprecedented collaboration to bring new antimicrobials to patients

- Promote efforts to analyse the need for new antibiotics in veterinary medicine
- Develop and/or strengthen multilateral and bilateral commitments for the prevention and control of AMR
- Strengthen surveillance systems on AMR and antimicrobial consumption in human medicines
- Strengthen surveillance systems on AMR and antimicrobial consumption in animal medicines
- Reinforce and co-ordinate research
- Improve communication on AMR to the public.

For more information on the Commission Initiative go to: <http://tinyurl.com/7p7pkaq> and for Commission policy and additional reports go to: <http://tinyurl.com/6r4pwqx>

The Commission is also funding several projects related to antimicrobial resistance through its Health Programme with the support of the European Centre for Disease Prevention and Control and the European Food Safety Authority. Additionally a Transatlantic task force on antimicrobial resistance issues was created by a 2009 EU-US Summit. In September 2011 it published recommendations for future collaboration between the US and the EU. The Report can be accessed through this URL: <http://tinyurl.com/6p26se7>

A new alliance, consisting of Compassion in World Farming, The Soil Association and Sustain has called for the EU to cut the use of antibiotics by 50 per cent by 2015. For more detail on the alliance, campaign information and background reports go to: <http://tinyurl.com/864uw8w>

The Department of Health welcomes the EU the five-year action plan and commits to reviewing and updating its strategy (in place in the UK since 2000) for antimicrobial resistance in order to integrate with the European Union Action Plan. Follow this link to the DoH Website: <http://tinyurl.com/776etoy>

Seafish Guidance on Labelling and Traceability Changes for Fish

There are currently changes being introduced, and proposed, that will impact significantly on seafood labelling requirements throughout the food chain. It is easy to understand how the supply chain may well become confused. Much of the legislation seems to overlap and it can be hard to understand exactly which products it will apply to. To help seafood

operators understand what impact each piece of the legislation will have, and, how they all fit together, Seafish have published guidance on their website. As the new legislation becomes clarified the guide will be updated. A copy of the guide can be accessed through this link: <http://tinyurl.com/822t44r>

EHEC outbreak 2011: Recommendations on the handling of sprouts

In Germany and the European Union, the investigations on the EHEC O104:H4 outbreak 2011 have now been completed. The authorities involved in the investigation have concluded that the outbreak was caused by fenugreek seeds imported from Egypt which were then used by a horticultural business in Lower Saxony and also by private individuals to produce sprouts. Where and how the seeds came into contact with the pathogen leading to the outbreak could not be determined. "This outbreak was one of the most devastating food-related outbreaks of the post-war years in Europe", says BfR President Professor Andreas Hensel. "We will make use of the insights gained in the course of the investigations into the outbreak to ensure that we are optimally prepared for future crises in Germany and Europe."

As the outbreak was unfolding, the German Federal Institute for Risk Assessment (BfR) continually provided scientific assessments of the latest consumer safety situation. On that basis, the Institute made recommendations to the competent state and federal authorities, business representatives, and consumers, while also providing information to its counterparts in all EU countries. The National Reference Laboratory (NRL) for *E.coli* which is based at the BfR made a significant contribution to the microbiological investigations into the outbreak and, in cooperation with an international cooperation partner (ANSES, France), developed the research methodology required for this purpose. In addition, the BfR cooperated with the EHEC Task Force based at the Federal Office of Consumer Protection and Food Safety (BVL) as well as the European Task Force, meaning that it was actively involved in the investigation of the outbreak in Germany and Europe.

On the basis of the knowledge gained in the course of the now completed investigation the BfR has updated its recommendations. The recommendations seek to prevent infection after consumption of sprouts and seedlings and are aimed at consumers as well as those who bring sprouts and sprout seeds into circulation:

When cultivating, storing, treating and transporting

seeds used in the production of sprouts, companies must observe strict hygienic standards in order to minimise the risk of contamination to the greatest extent possible. In addition, producers of sprouts are advised to use only seeds that have been cultivated specifically for the purpose of sprout production. Where possible, sprout seeds should be treated using suitable germ-reducing procedures, especially where the resulting sprouts are intended for raw consumption. The production process and the produced sprouts should be tested by means of microbiological analysis at regular intervals. The BfR points out to consumers that sprouts may be contaminated with pathogens which, however, are eliminated by cooking and frying. Persons with a weak immune system should, to be on the safe side, therefore only eat sprouts after they have been sufficiently heated. In order to reduce contamination by germs, sprouts that are eaten raw should be washed thoroughly and consumed as quickly as possible. Germs cannot be safely eliminated by washing the sprouts, however. As a precaution, fenugreek seeds purchased before October 2011 should not be cultivated. They should instead be used in thoroughly cooked dishes or disposed of as household rubbish.

For the detailed report go to:

<http://tinyurl.com/82edmvz>

Rural Economy Growth Review

On 29 November 2011, the Government announced a package of measures designed to stimulate sustainable growth in the rural economy and help rural businesses to reach their full potential. The package, led by Defra, was produced as part of Government's "Growth Review". The measures announced are to address the key barriers identified in the Review and help rural businesses take advantage of the opportunities available to them. They fall into five main themes:

- Enabling Rural Businesses to Grow and Diversify
- Supporting Rural Tourism
- Expanding our Food and Drink Sector
- Delivering Green Growth
- Reducing Regulation on Farms

With respect to the food and drink sector, the review identifies an £18.4bn gap between exports and

imports and removing obstacles to exports will help re-balance this. Defra have announced a Joint government/industry food and drink export action plan in January 2012 to include:

- Development of a cross-Government strategy on removing animal health trade barriers in key markets
- A series of "Explore Exporting" regional road shows, run by UK Trade & Investment in early 2012,
- Extending the Business Ambassador network to include a food and drink
- An 'Innovation for Growth' summit to highlight opportunities for growth through innovation in the agri-food sector and to showcase support available, e.g. from the Technology Strategy Board. This will include a number of regional events.

For more information follow the link:

<http://tinyurl.com/8xqeu6o>

EU Measures on Japan Imports Extended to March 2012

EU Food Safety measures on imports from Japan have been extended until the end of March 2012. The European Union extended for another three months the measures on imports of food and feed from Japan originally adopted on March 24 2011 after the incident at the Fukushima Daiichi nuclear power plant. At a meeting of the Standing Committee on the Food Chain and Animal Health (SCoFCAH), Member States endorsed the Commission proposal on measures which will be applicable until March 31, 2012. The Japanese authorities intensively monitor the presence of radioactivity in feed and food. From the reported analytical results it was clear that certain feed and food in prefectures close to the Fukushima Daichii nuclear power station continued to contain levels of radioactivity above the maximum levels. Taking into

account the extensive information received in the past few months however there has also been some relaxation of restrictions.

The prefecture Nagano is delisted from the zone with EU restrictions, so the 100 % testing on radioactivity before export of feed and foods is no longer required from this area.

Also the testing of Iodine-131 is no longer required. Given that the half-life of iodine-131 is short (about 8 days) and no new releases of iodine-131 to the environment have been recently reported, the presence of iodine-131 is no longer observed in feed and food or the environment.

The Commission remains vigilant and has been active in ensuring that food and feed entering the EU from Japan is safe. The measures adopted will continue to be reviewed on a monthly basis.

EU Ban on Battery Cage Eggs from 1 January 2012

An EU ban on battery cages came into effect on 1 January 2012, from when egg producers were required to provide hens with larger and more comfortable cages that include nesting and scratching areas to allow more natural behaviour. Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens introduced the provision giving producers 13 years to comply. The directive only concerns egg production and does not concern itself with any products made with eggs as an ingredient. The Eggs cannot be marketed as A Grade, but there are fears that this will occur. The UK Egg Industry has invested heavily to become fully compliant but 14 Member States are still not,

meaning that an estimated 50 million hens are still housed in battery cages.

The UK is largely self sufficient in eggs with 82% of eggs consumed being produced in this country. Of the 18% of egg and egg products being imported, approximately half will be imported as shell egg and half as egg product (liquid or powder).

There is a UK campaign headed up by Defra to try and stop non compliant countries from being able to trade non compliant eggs and egg products (i.e. liquid egg) beyond their own national borders, however the European Commission is not minded to do this and the UK does not have the legal power prevent the imports. Letters have been sent to the 14 non-compliant states who are Belgium, Bulgaria,

Cyprus, France, Greece, Hungary, Italy, Latvia, Netherlands, Malta, Poland, Portugal, Romania and Spain urging them to take action to ensure compliance in as short a time as possible and warning them that action will be taken if they continue not to. These countries represent around 45 million laying hens, that is, 14 per cent of egg production in the EU

The UK campaign is encouraging businesses and caterers who are sourcing egg or egg products from outside the UK to ensure that they are coming from a higher welfare source.

Many retailers, food manufacturers and food service companies and processors have come out publically in support of UK egg producers. The British Retail Consortium has guaranteed that the major retailers will not buy conventional caged eggs or use them as ingredients in their own-brand products. They have put in place stringent traceability tests to ensure that they will not be buying conventional cage eggs. Retailers that have made this guarantee are Marks and Spencer, Morrisons, Asda, J Sainsbury, Co-operative Group, Tesco, Waitrose, Iceland Foods, Greggs, Starbucks and McDonald's.

Many food manufacturers and food service companies have given a similar guarantee for eggs or egg products. They include: Premier Foods plc,

Marlow Foods Ltd, United Biscuits, Ferrero UK, Apetito, Allied Mills, Allied Bakeries, Burton's Biscuit Company, Speedibake, Dairy Crest, The Silver Spoon Company, Westmill Foods, Compass, Baxter Storey, and Sodexo.

The following egg processors have also signed up to not sourcing conventional caged eggs from 1 January: Manton's, Noble Foods, Framptons, Fridays, Oaklands Farm Eggs, Lowrie Foods, and the UK Egg Centre. Defra is in discussion with others and hopes to be able to add further names to this list. Pressure is being applied to companies who are not making positive statements to support the campaign.

If non-compliant shell eggs are identified in the UK, Animal Health and Veterinary Laboratories Agency will contact the Competent Authority in the originating Member State and ask for confirmation of the system of production. If they are found to be from an illegal system, they will be prevented from being marketed as Class A eggs and would be sent for processing (i.e. be treated as Class B eggs). If the eggs were found to be from a compliant system, the eggs would be released. For more information go to the Defra website: <http://tinyurl.com/7gfo9qn>
The Directive can be accessed through this URL: <http://tinyurl.com/7t6x7at>

FSA Research into the Effectiveness of Biosecurity Training in Poultry Catching Teams

Between October 2010 and March 2011 FSA commissioned a project to assess whether biosecurity training delivered in 2008 was effective in providing an adequate response to the control of campylobacter in poultry flocks in Scotland and Northern Ireland

Part of FSA's strategic plan for 2010-2015 was to reduce foodborne disease by tackling campylobacter in chicken as a priority.

Previous studies have indicated that the consistent application of stringent biosecurity measures is essential for the control of campylobacter colonisation in poultry flocks. Therefore an FSA-funded initiative undertaken between January and April 2008, resulted in more than 90% of the poultry catching industry in Scotland and Northern Ireland receiving training on the key biosecurity messages. This project was commissioned to assess whether the training delivered in 2008 had had an impact and whether the messages delivered have been applied in a consistent manner.

The research found that poultry catchers appear to have an improved knowledge on the principles of biosecurity with 78% in 2011 having a good understanding compared with fewer than 50% in 2008. Most catchers (more than 90%) had heard of salmonella, compared with only 43% having heard of

campylobacter. However this was an improvement on the level of understanding in 2008 when it was estimated that fewer than 25% had heard of campylobacter.

The report of the 2008 training sessions identified a number of biosecurity-related issues, including the common practice of not disinfecting vehicles onto and off site, the failure to use boot dips routinely, the absence of company-supplied clothing and the lack of on-farm access to toilet and effective handwashing facilities. The majority of teams reported that they had not changed their working practices following the training in 2008. However on further discussion it became apparent that there have been some areas of significant improvement such as the use of boot-dips and access to and use of toilets and handwashing facilities.

Many of the areas where some teams can still make further improvements (such as disinfecting vehicles onto and off sites and wearing clean clothing onto the farm) are targeted by the amended Red Tractor Farm Assurance Poultry Standards, although the report highlighted further areas where the standard may be tightened. In particular, the authors highlighted that the practice of allowing crews to take a rest break in their vehicles should be prohibited or there should be a requirement that

crews do not wear contaminated clothing in the crew vehicle. For more information and the full

report go to: <http://tinyurl.com/73yul4a>

Campylobacter Risk from Chicken Liver Pate

New figures from the Health Protection Agency (HPA) reveal that 90 per cent of campylobacter outbreaks at catering venues in the UK were linked to undercooked chicken liver pâté. Campylobacter is the most common cause of food poisoning in the UK. HPA investigations into these outbreaks revealed that livers used to make the pâté were not thoroughly cooked, allowing the liver to remain pink in the centre. As a result the Food Standards Agency has issued a reminder to chefs and other caterers to ensure that campylobacter is killed through proper cooking. They should also follow good food hygiene practices when handling and cooking poultry livers, to avoid contaminating other foods with campylobacter, the FSA says.

Bob Martin, head of foodborne disease strategy at the Food Standards Agency, said: "Unfortunately, levels of campylobacter in raw chicken are high, so it's really important that chefs thoroughly cook chicken livers fully to kill any bacteria, until there is no pinkness left in the centre, even if recipes call for them to be seared and left pink in the middle. It's the only way of ensuring the pâté will be safe to serve to their customers."

The Agency is also working closely with the UK poultry industry and retailers to develop targeted actions along the food chain to reduce levels of campylobacter in UK-produced poultry. Poultry livers carry a high risk of campylobacter. The bacteria can be present throughout the liver, not just on the surface as is the case for poultry meat, and may remain a source of infection if they are not cooked sufficiently.

It is estimated that there were more than 370,000 cases of campylobacter infection 2009 in England. Symptoms include diarrhoea, stomach pains and cramps, fever, and generally feeling unwell, though vomiting is uncommon. Illness suffered by most cases start to clear up after two to three days of diarrhoea and 80 to 90% recover within one week. Severe long-term after-effects following infections are rare but do occur.

For more information go to the FSA Website <http://tinyurl.com/7cx2mdk>

Oxford Report - Campylobacter in Chicken Affected by Age

Campylobacter successfully colonizes broiler chickens, but little is known about the longer term natural history of colonization, since most flocks are slaughtered at an immature age. In this study, the prevalence and genetic diversity of *Campylobacter* colonizing a single free-range broiler breeder flock was investigated over the course of a year. The age of the flock was the most important factor in determining both the prevalence and diversity of *Campylobacter* over time. There was no correlation with season, temperature, the amount of rain and sunshine, or the dynamics of colonization amongst geographically and temporally matched broiler flocks. The higher prevalence rates coincided with

the age at which broiler chickens are typically slaughtered, but then in the absence of bio-security or other intervention methods, and despite changes in flock management, the prevalence fell to significantly lower levels for the remainder of the study. The genetic diversity of *Campylobacter* increased as the flock aged, implying that genotypes were accumulated within the flock and may persist for a long time. A better understanding of the ecology of *Campylobacter* within commercial chicken flocks will allow the design of more effective farm-based interventions

For the full report go to : <http://tinyurl.com/7cd34qb>

Commission Adopts Proposal to Strengthen EU Provision for Cross Border Health Threats

On 8 December 2011, the European Commission adopted a legal proposal to better protect European citizens from a wide range of serious cross-border health threats. Building on lessons learned with recent crises such as the H1N1 pandemic in 2009, the volcanic ash cloud in 2010 and the outbreak of E. coli in 2011, the Commission is proposing to beef up the means to prepare for and to address such crises. The present proposal builds on existing structures and further strengthens them through the following:

- Extends the assessment of risks and the co-ordination of measures from communicable diseases to all health threats caused by biological, chemical or environmental causes. During a health crisis it is essential to know the nature of the threat, how it is spreading, how fast and widely, to be able to limit the spread and health effects, and to provide up-to-date information and advice to citizens. There is already a network in place for the epidemiological surveillance of communicable diseases composed of the European Commission, the *European Centre for*

Disease Prevention and Control (ECDC) and national authorities. With the new proposal, this expertise is extended to other serious cross-border health threats. Should such a threat occur, networks can be set up on an ad hoc basis to exchange information, assess the risks involved, pooling scientists and expertise.

- Strengthens the role of the Health Security Committee to better co-ordinate measures to fight a health crisis: The *EU Health Security Committee* was set up by EU Health Ministers in 2001, after the terrorist attacks and release of anthrax toxins in the United States. The proposal formalises and gives a broader mandate to the Committee, which includes providing advice to Member States and the Commission on both policy and technical issues relating to health security.

- Beefs up preparedness to fight a crisis. Having a preparedness plan in place on what do to when a health crisis strikes is essential to halt the crisis. The Commission's proposal foresees that every Member State coordinates its efforts to develop, strengthen and maintain its national preparedness and response plan, in consultation with other Member States. Such plans include e.g. measures to improve access to medical countermeasures, and co-ordination with other key sectors. Member States also respect guidelines put forward by the Commission, which will co-ordinate the process. Such guidelines may

relate to health measures or communication with the public.

- Provides the means to recognise a European "health emergency situation" for the purpose of making medicines (needed to curb a crisis) available faster. The proposal foresees that, when a life threatening disease that can be prevented by vaccines or cured by medicines is spreading rapidly in Europe and the World Health Organisation has not yet declared the "emergency" situation, the EU can recognise a European health emergency, for the sole purpose of authorizing new medicines faster or changing the indication of a medicine. Under existing EU legislation, the European Commission needs to wait for the WHO to declare an international emergency across continents.

-European emergency cross border measures. The proposal foresees that, in very specific emergency situations, resulting in people dying or hospitalised in a large scale, and when Member States' measures prove insufficient to control the spread across borders, the Commission adopts emergency cross border measures e.g. related to containment of an outbreak, or the screening of infected citizens.

For more information please visit:

<http://tinyurl.com/82u4f98>

The proposal document can be accessed through: <http://tinyurl.com/86chcrq>

FSA Updates Advice on Eating Eggs beyond the Best Before Date

As part of a drive to cut food waste, the Food Standards Agency has revised its advice on using eggs after their 'best before' date. The advice now is that, providing the eggs are cooked thoroughly, they can be eaten a day or two after their 'best before' date.

Previously, the advice was that eggs should not be eaten after their 'best before' date, as eggs can sometimes contain salmonella bacteria. If salmonella is present in eggs, it could multiply to high levels and cause food poisoning. But salmonella contamination levels in UK-produced eggs are low, and salmonella is killed by thorough cooking.

This is why the advice is now that eggs can be eaten

after their 'best before' date, as long as they are cooked thoroughly until both yolk and white are solid, or if they are used in dishes where they will be fully cooked, such as a cake.

Apart from eggs, most foods can be eaten safely after the 'best before' date, as this is mostly about quality rather than safety. Past this date, it doesn't mean that the food will be harmful, rather that its flavour, colour or texture might begin to deteriorate.

For links to further information on eggs:

<http://tinyurl.com/76syqlj>

Defra Guidance on Animal By-Product Controls

Regulation (EC) 1069/2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and its accompanying implementing Regulation (EC) 142/2011 applied from 4 March 2011.

In England these Regulations are administered and enforced by the Animal By-Products (Enforcement) (England) Regulations 2011, with the devolved administrations having parallel legislation. The

Department for Environment, Food and Rural Affairs (Defra) has now produced guidance to provide informal advice on how to comply with the legal requirements of the EU legislation and the domestic Animal By-Products (Enforcement) (England) Regulations, which administer and enforce the EU Regulations. The Regulations are wide reaching and cover a number of diverse sectors. This guidance explains the different categories of animal by-products, how they should be used or disposed of,

and where this can safely be done. It also explains which animal by-products fall outside the Regulations. For a copy of the guidelines go to:

<http://tinyurl.com/7aqqggh>

FSA "Bite" Magazine Winter 2011, Animal Feed

The latest issue of the Food Standards Agency's Bite magazine, published just before Christmas, looks at the complex issue of animal feed and the enforcement mechanisms that are in place to ensure that it is safe for animals to consume. Animal feed is a rarely discussed topic that is extremely important because, as the editorial in Bite says: 'We are what they eat.' The FSA's Bite magazine was launched to discuss cutting edge issues related to food safety. The

seventh issue of the magazine includes an overview of feed production worldwide and articles highlighting the crucial safety work carried out by enforcement officers and scientific experts. It also touches on recent debates about what should be included in animal feed, post-BSE. The Feed issue of Bite is available through the link below:
<http://tinyurl.com/7uvo6jn>

Defra Notify of New WebPages for Imports, Exports and EU Trade in Animal Products

The Defra Imports and EU Trade Team have issued a customer information note to notify of new webpages for the animal and public health aspects of Imports, Exports and EU trade in animals and animal products. Defra has been reviewing the information provided on the department's website. Basic information on international trade moved over from the old website some time ago but detailed information has been held on the Defra archive site. The main pages for international trade have now moved over and the remainder will be transferred over in the next few weeks. The old site will still be available in the meantime. From 19 December, Customer Information Notes

will only be published on the new site and not on the archive site. CINs will not be listed in a table but there is a search facility using key words that should enable stakeholders to find relevant information easily. To do this click on one of the categories/tag on the right-hand side of the page. Importer Information Notes will be transferred over the new few weeks but links to the archive site will be provided on the new site until the transfer is complete. The CIN can be found through this link:
<http://tinyurl.com/7m8d6pr>
Follow this link to the new webpage on which CIN's will be published: <http://tinyurl.com/78x7ngf>

EU Avian Influenza Surveillance Report

Since 1 July 2007 when Council Directive 2005/94/EC had to be fully implemented by Member States. All Member States are required to carry out surveillance for avian influenza (AI) to enable early detection and rapid response in the event of an outbreak. Member States must report the results of their surveillance to the Commission. A summary of surveillance reports for January to June 2011 has recently been published. A disease notification must be sent to the European Commission and World Organisation for Animal Health when highly pathogenic avian influenza virus is detected in poultry or wild birds and when low pathogenic avian influenza virus of the subtype H5 and H7 is isolated from poultry. To limit the spread, infected poultry must be killed in a humane way and disposed of safely. Feeding stuffs, contaminated equipment and manure must be destroyed or treated to render the virus inactive. To prevent further spread of disease the veterinary authorities are required to immediately put in place movement restrictions on the affected holdings and

on all farms in a radius of at least 10 km around these holdings, the so called surveillance zone.

The summary of surveillance reports can be accessed through the links below:
For poultry: <http://tinyurl.com/7j2msp5>
For wild birds: <http://tinyurl.com/7lno37n>

EU Directive Consolidates Lot Marking Legislation

DIRECTIVE 2011/91/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 on indications or marks identifying the lot to which a foodstuff belongs was published in the Official Journal of the European Union on 16 December and entered into force 20 days later. The Legislative Act repeals an earlier Council Directive 89/396/EEC of 14 June 1989 on Lot Marking. The new Directive does not introduce any additional provisions. It was introduced as the previous Directive had been substantially amended several times and in the interest of clarity should be codified (consolidated)
As before a derogation is provided for individual ice creams, where the lot identification is required to appear on the outer combined package only.

The Lot coding requirement does not apply to agricultural products that are destined for storage, preparation, packaging stations, producer's organizations or collected for immediate preparation or processing.
Small packages (where the largest side has an area of less than 10cm²) are also exempt from the requirements.
When a minimum durability date appears on the labelling in uncoded form giving at least an indication of the day and month (in that order) again the separate Lot code is not required.
For the full legislative instrument follow the link below: <http://tinyurl.com/7c85ybc>

Defra Launches Farming Advice Service

Farmers wanting professional advice will no longer have to ring around dozens of organisations before getting through to the right source, said Agriculture Minister Jim Paice as he announced that a new, simpler Government advice service launched in the New Year.
Defra's new Farming Advice Service (FAS) offers a one-stop-shop to farmers needing advice on subjects including cross compliance, nutrient management, competitiveness, climate change adaption and mitigation.
The new service replaces the old cross compliance

advice programme and covers a broader range of subjects, with a central contact point to help farmers find specialist advice on improving their economic and environmental performance.
Defra is working with industry and other stakeholders such as the NFU and CLA to set up the new service which launched on January 3 2012.
The helpline number for technical questions and advice is 0845 345 1302 and the new website address is: www.defra.gov.uk/farming-advice.
For more information go to:
<http://tinyurl.com/6re575c>

Changed Requirements for Freezing of Fishery Products to Kill Parasites

Commission Regulation (EU) No 1276/2011 of 8 December 2011 amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the treatment to kill viable parasites in fishery products for human consumption has been published in the Official Journal of the European Union.
Part D of Chapter III of Section VIII of Annex III to Regulation (EC) No 853/2004 provides that food business operators must ensure that certain fishery products, including those to be consumed raw or almost raw, undergo a freezing treatment to kill viable parasites that may represent a risk to the health of the consumer. Following an EFSA opinion adopted in April 2010, the new regulation updates this annex.
The conditions of the freezing treatment are now more flexible to allow freezing that achieves at least:
a) – 20 °C for not less than 24 hours; or
b) – 35 °C for not less than 15 hours.
Also food business operators need not carry out the

freezing treatment if the food:
1) Will undergo before consumption a heat treatment that kills the viable parasite.
2) Has been preserved as frozen fishery products for a sufficiently long period to kill the viable parasites;
Though the EFSA Opinion indicates that all wild caught seawater and freshwater fish must be considered at risk of containing viable parasites of human health hazard if these products are to be eaten raw or almost raw, in the case that epidemiological data show that the fishing grounds do not represent a health hazard with regard to the presence of parasites, the competent authority may adopt national measures which authorise an exemption from the required freezing treatment on fishery products derived from wild catches.
The EFSA opinion specifically concludes that where farmed Atlantic salmon is reared in floating cages or onshore tanks, and fed compound feedstuffs, which

are unlikely to contain live parasites, the risk of infection with larval anisakids is negligible unless changes in farming practices occur. Criteria for the risk assessment was laid down to allow other species to be considered for exemption from the freezing requirements

The amending regulation comes into force from the 29 December 2011 and can be accessed by following this link:

<http://tinyurl.com/7k7ur6n>

Update on the Definition of the Kelvin

The international measurement community, through the International Committee for Weights and Measures, (CIPM) is considering updating the International System of Units (SI). This update, which will probably occur in 2012, will redefine the kilogram, the ampere and the kelvin in terms of fundamental physical constants. The kelvin, instead of being defined by the triple point of water as it is currently, will be defined by assigning an exact numerical value to Boltzmann's constant. The change would generalise the definition, making it independent of any material substance, measurement technique, and temperature range, to ensure the long-term stability of the unit. For almost all users of temperature measurements, the redefinition will pass unnoticed; water will still freeze at 0 °C, and thermometers calibrated before the change will continue to indicate the correct temperature. The immediate benefits of the redefinition will be to encourage the use of direct

measurements of thermodynamic temperatures in parallel with the methods described in the International Temperature Scale. In the longer term, the new definition will allow the accuracy of temperature measurements to gradually improve without the limitations associated with the manufacture and use of triple point of water cells. In 2005 The International Committee for Weights and Measures (CIPM) recommended new definitions of the kilogram, the ampere, the kelvin and the mole in terms of fundamental constants. The Consultative Committee for Thermometry (CCT), a task group (TG-SI) was formed to consider the implications of changing the definitions of the above-mentioned base units of the SI, with particular emphasis on the kelvin and the impact of the changes on metrology in thermometry. For more information follow the link below, from where you can also access the TG-SI report <http://tinyurl.com/7y5da8x>

Listings for Approved EU Establishments

The European Commission has updated details on its website of approved EU establishments. Plants handling products intended or not intended for human consumption must generally be registered in each Member State. In specific cases, Community legislation further stipulates that establishments cannot operate unless the competent authority of each Member State has approved them. In such

cases, Member States must make up-to-date lists of approved plants available to other Member States and to the public. The links below provides access to links for each EU member state where lists for approved plants in the Food and Feed sectors and the Animal By-products sector are available. <http://tinyurl.com/686drh> and <http://tinyurl.com/7lzantx>

HMRC Guide to Generalised System of Preferences

HMRC have recently published: **A Guide to the EC's Generalised System of Preferences (GSP)** initially it covered the period 1 January 2009 to 31 December 2011. That has now been extended until 31 December 2013 (though this date may change if a new scheme that is under discussion at present enters into force before 31 December 2013.) The guide provides information in respect of the preferences which are available for products originating in the beneficiary countries of the GSP, including details of the additional preferential benefits which the scheme provides for certain countries and a list of those products which are excluded from the arrangements. European Council Regulation 732/2008 lays down the scope and coverage of the European Community's Generalised System of Preferences the scheme provides for:

- General arrangement for standard GSP beneficiary countries
- Special arrangements for the least developed countries (LDCs)
- Special incentives (better GSP rates of duty) for beneficiary countries which can demonstrate good governance and advances in sustainable development - a feature commonly known as GSP+

The general arrangement applies to the standard GSP beneficiary Countries (listed in Annex A to the Guide) Annex E provides a list of the products covered by the general arrangement. The Tariff is split into two Sectors covering Non-sensitive and Sensitive products.

- Eligible Non-sensitive products attract a nil preferential rate of duty

- Eligible Sensitive products, with a number of exceptions, these attract a reduction of 3.5 percentage points in the full ad valorem rate of customs duty payable (i.e. if the full rate of duty is 10 per cent, 6.5 per cent will be payable under the GSP).

For a copy of the Guide go to:

<http://tinyurl.com/6mf86jx>

HMRC have also issued Notice 830 on New GSP Rules of origin. The Notice replaces GSP Notes in Notice 828 and Section 10 of Notice 826

The notice explains the rules of origin that must be satisfied if goods are to qualify for:

- Tariff preference on importation into the EU under GSP, or
- Export to GSP countries for further processing and inclusion in finished products to be exported to the EU under the GSP – a

feature known as Bilateral Cumulation of origin.

It also supplements Notices 826 and 827 which provide general information about importing and exporting under preference. The Notice is split into two parts:

- Part A – the rules and provisions which will apply to goods exported on or after 1 January 2011, and
- Part B – changes to documentary requirements including the new Registered Exporter System (REX) which will apply from 1 January 2017.

A copy of the notice can be found through this link:

<http://tinyurl.com/7yycl4u>

Packaging Waste: London Borough's Position Statement

The London Boroughs have become increasingly concerned at the amount of packaging entering household waste streams and the costs incurred by local authorities in collecting and disposing of these items. They held a breakfast workshop in May 2011. It brought together key stakeholders from the local authority, packaging and retail sectors. The meeting discussed what could be rolled out on a pan-London basis to move London towards significant reductions in packaging waste generation and increase recycling.

The London Boroughs have now published a position paper that outlines the key points raised during the breakfast meeting and sets out London Councils' position on these issues.

Within the report, it calls for:

- Government "to ensure that packaging can be recycled under systems which producers and retailers have to support financially"
- "explore the potential for pilots with a major retailer along the lines of the M&S work in Somerset whereby the retailer directly funds enhanced recovery of recyclable materials and reuses a proportion of the materials collected";
- "research on the potential of corn starch plastic bags"
- "research the use of refillables and deposits schemes"
- "The government should use taxation to incentivise packaging made out of more environmentally-friendly materials and to

penalise over-packaging and single-use packaging".

The final section of this paper identifies four key priorities, which emerged for London Councils, and sets out some proposed ways forward for 2011 - 2013. The report can be accessed through the following link: <http://tinyurl.com/79h4zps>

The report coincides with a Defra consultation which started: 16 December 2011 and closed on 10 February 2012

The consultation sought views on proposals by the Department of Environment, Food and Rural Affairs, the Scottish Government, the Welsh Assembly Government and the Department of the Environment for Northern Ireland, for new recovery and recycling targets for 2013-17 in the Producer Responsibility Obligations (Packaging Waste) Regulations 2007 (as amended) and the Producer Responsibility (Packaging Waste) Obligations (Northern Ireland) Regulations 2007 (as amended).

More details can be found on the Defra website:

<http://tinyurl.com/77aooaz>

BIS Launches the Manufacturing Advisory Service

A new national programme which will focus on helping small and medium manufacturing businesses to grow has been launched by Business Minister Mark Prisk and the Manufacturing Advisory Consortium (MAC) .

The new Manufacturing Advisory Service (MAS) is now available to all manufacturing businesses across England. It will be delivered by the MAC, which is comprised of Grant Thornton, Pera, WM Manufacturing Consortium Ltd and SWMAS Ltd. It has been estimated that the new MAS will help to generate £1.5 billion in economic growth, 23,000 jobs and safeguard 50,000 jobs.

Businesses interested in finding out more about the programme should visit www.mymas.org or call an advisor on 0845 658 9600.

Small manufacturing businesses will also have access to a new initiative recently announced by the Government to improve the global competitiveness of UK advanced manufacturing supply chains. The up to £125 million fund will cover the whole of England and will help to support the UK supply chain, encourage new suppliers to invest in the UK and support economic growth.

The new MAS offer will comprise:

Level 1 (Enquiries)

Provided by a small team of experienced advisors geographically dispersed round England. This will ensure detailed local knowledge supported by an enhanced website offering a range of online support packages.

Level 2 (Manufacturing Review)

Provide 1 day (2 day for more complex businesses), on-site specialist manufacturing diagnostic review. MAC will use a new diagnostic tool based on the principles of “Manufacturing

Excellence” developed in conjunction with the Warwick Manufacturing Group which includes comparisons against best-in-class. In addition, a “Fast Track” over the ‘phone Level 2 will be introduced for common, well understood issues.

Level 3 (Events)

Provide training and networking events, including best practice visits. These will be an integral part of delivering the Business Improvement actions identified at Level 2 . This will be complemented by a Sustainable Improvement Community using best practice social networking tools to provide peer-led best practice examples and lower cost forms of self help.

Level 4 (Consultancy)

A three tier Level 4 project structure:

- MAS Foundation Service: Funding up to £1,000 (or a maximum of 50%) towards an improvement project - targeted at companies who need basic low level help.
- MAS Step Change Service: Funding of up to £3,000 (or 50% maximum) towards a more significant improvement programme.
- MAS Transformation Service: Funding of up to £10,000 (or 50% maximum) for a strategic change to the business.

Level 5 (Referrals)

MAS advisors are responsible for identifying partner organisation support but retain responsibility for referral until it is demonstrated and confirmed by the client that the partner organisation has addressed the client need.

For more information go to:

<http://tinyurl.com/77y2yx6>

Government Launches Campaign to Support Mid Sized Businesses

Mid-sized businesses’ (MSBs) describes the 10,000 or so firms in the UK that do not fall into the category of either SMEs or the biggest firms.

They represent just 0.2% of all UK firms – yet account for around one fifth of private sector employment and turnover. A diverse population, they cover a range of sectors and regions and are often well-established, successful companies.

The Department for Business Innovation and Skills has published the government’s Medium sized business Growth Review which marks the start of a joint campaign to support the UK’s MSBs.

Business and Enterprise Minister Mark Prisk said: “Mid-sized businesses are a powerful force in their local economies and nationally, employing one in five private sector workers. MSBs have immense

potential and we want to help them to be recognised for what they do and to raise their sights to the opportunities that exist.

"So I'm very pleased that the Government and organisations such as the Confederation of British Industry, Institute of Directors, Institute of Family Business and others including the Daily Telegraph are working together on a series of practical measures to promote the support available for MSBs."

The review identifies evidence of untapped growth potential in many of these businesses, compared with other businesses in the UK and internationally. The CBI suggests that up to £50bn extra could be added to GDP within ten years if this potential were unlocked.

The campaign aims to unlock this potential by:

- Celebrating our Hidden Champions
- Helping businesses to support businesses
- Harnessing leadership capability
- Encouraging export as a strategy for growth
- Supporting access to finance for investment and growth
- Promoting greater resource efficiency

Measures include:

- A delegation of MSBs will accompany Trade and Investment Minister Lord Green and John Cridland Director General of the CBI to

Turkey the first-ever trade visit to focus exclusively on the opportunities for MSB businesses in an emerging market.

- Providing tailored support to MSBs to target new export markets, through an additional £10m funding for UKTI.
- Working with Local Enterprise Partnerships (LEPs) to help MSBs develop.
- Government working with large businesses, including Microsoft, Centrica and Diageo, to support and strengthen their supply chains of which MSBs are often a vital link.
- The Institute of Family Business will provide countrywide seminars dedicated to MSB, including on entrepreneurialism, succession planning and professionalising the board.
- A package of credit easing measures to protect the flow of credit to smaller and mid-sized businesses.
- £1 billion through a Business Finance Partnership, which will invest in smaller and mid-sized businesses in the UK through non-bank channels.

For more information go to:

<http://tinyurl.com/86rnpjx>

A strategic vision for UK e-infrastructure

On the 13th July 2011, David Willetts, BIS Minister for Universities and Science, invited academics, industrialists, hardware and software suppliers and experts from the Research Councils to discuss the establishment of an e-infrastructure for the UK. The UK is experiencing a paradigm shift where the scientific process is beginning in a virtual world of modelling and simulation before moving to the real world of the laboratory. This is a shift in which sophisticated analysis and visualisation software are being used to mine massive amounts of experimental data from the life and environmental sciences to uncover new hypotheses and trends. The discussion also concluded that to exploit this revolution we would require a fresh, collaborative approach to software development to bring scientific, industrial and public sector users and hardware and software developers and vendors

closer together.

The objective of this report is to present a ten-year strategy for the development and management of the UK's e-infrastructure. Such an infrastructure, comprising networks, data repositories, computers, software and skills is an essential tool for research and development both in industry and across a wide range of fundamental science. There is a clear correlation between investment in such infrastructure and long-term growth. Pilot studies suggest that for every £1 of public spending in the industrial exploitation of e-infrastructure, £10 of net GVA will be generated within two years rising to £25 after five.

For more detailed information follow the link:

<http://tinyurl.com/76zq7ok>

FSA Citizens Forums look at Earned Recognition

The national citizens' forums convened by the FSA explored consumers' views about changes to food business regulation under the proposed 'Earned Recognition' scheme. Under the Earned Recognition food businesses that are able to demonstrate a history of good compliance with the legislation, or

that are members of a certified assurance scheme, would receive a lighter touch in terms of the number and type of official inspections. The proposed changes would improve food safety by concentrating resources where improvement is most needed, for

example on businesses that are less compliant or higher risk.

The format was nine workshops, each comprising groups of approximately 10 participants, held in seven locations across the UK and convened over three waves between June and August 2011. Key findings were that the principle of Earned Recognition was generally supported by participants, and perceived to be a sensible approach for improving the efficiency of the current system of food regulation.

It made sense to participants that resources should be targeted at higher risk businesses and those unable to demonstrate compliance with legal standards. However, confidence in Earned Recognition was contingent on how it would be managed in practice.

Ensuring the continuation of regulatory oversight by government inspectors was considered important to reassure consumers that businesses would not be left to 'self-police' under Earned Recognition.

Ongoing light-touch' inspections, random and unannounced spot check inspections, and responses to trigger points were all felt to be ways in which regulatory oversight could be maintained. Participants also suggested that minimum inspection criteria should be set by government to ensure standards. In summary Earned Recognition was considered a positive move, on condition that:

- regulatory oversight was maintained between businesses and regulators
- information about food safety was communicated to consumers
- the system was applied fairly across the industry

More information can be found on the FSA website at: <http://tinyurl.com/7rkjqlk>

Seafish Report Compares EU TAC's with ICES Advice

During January, Seafish published an analysis of the 2012 total allowable catches (TACs) agreed on by the European Union compared to the scientific recommendations made by the International Council for the Exploration of the Sea (ICES).

The EU Council in December reached an agreement on fishing opportunities for 2012. But the council's release does not compare the TACs to ICES recommendations, according to the UK seafood industry organization.

The Seafish analysis, which covers 97 fish stocks, categories 54 stocks as green (either below of complying exactly with IES advice), nine stocks as yellow (within 10 percent of ICES advice), six stocks as red (more than 10 percent above ICES advice)

and 28 stocks with no color (the information is incomplete).

"On this basis we can say that around two-thirds of TACs follow scientific advice pretty closely. There has been a strong trend over the last few years towards greater compliance, with more TACs being in line with the scientific advice or with less discrepancy from the advice," said Phil MacMullen, head of environmental responsibility for Seafish. "The processes that lead to TACs being decided seem to be working much better, and when this is combined with the moves to long term and ecosystem-based management it augers well for the future."

For the report go to: <http://tinyurl.com/76j96aj>

FSA Guidance on Handling and Preparing Live Oysters

The FSA have issued a note to all local Authorities on the consumption of raw oysters and other raw shellfish. The note is timed to coincide with what has historically been peak season for norovirus infections in the UK. While not all cases of norovirus are foodborne, in the past the FSA has seen an increase in the number of incidents of foodborne illness associated with consumption of raw shellfish during the winter months. The FSA have recommended advice issued by the Shellfish Association of Great Britain (SAGB) on the best practice for handling and preparing live oysters at retail and catering outlets. And have advised LA's to bring it to the attention of

all catering and retail outlets in their areas that may handle or serve live oysters.

For a copy of the FSA note including the SAGB best practise document go to:

<http://tinyurl.com/7ogj343>

EFSA Risk Assessment on Control Options for Norovirus in Oysters

EFSA's Panel on Biological Hazards (BIOHAZ Panel) concludes in its risk assessment that the most effective public health measures to protect consumers from exposure to norovirus in oysters are to produce oysters in areas which are not contaminated or to prevent contamination of mollusc production areas. EFSA also concludes that current methods used to remove norovirus in shellfish are not an effective means of reducing contamination. The Panel recommends establishing acceptable limits for the presence of virus in oysters that are harvested and placed on the market in the European Union. In addition they say an EU-wide baseline survey on norovirus in oysters should be carried out to provide information on overall consumer exposure as well as the public health impact of control measures.

Norovirus, sometimes referred to in the media as the "winter vomiting bug", is a major cause of acute gastroenteritis in Europe often causing diarrhoea and vomiting. The virus is transmitted through the consumption of food or water contaminated with faecal matter or more often through person-to-person contact or contact with infected surfaces. Bivalve molluscs such as oysters and scallops are a well documented source of infection as they can accumulate and concentrate virus particles. Oysters contaminated with norovirus pose a particular risk to human health as they are often consumed raw. The Panel recommends, in line with its previous

general recommendation for food-borne viruses, that measures to reduce norovirus in oysters should focus on preventing initial contamination of production areas rather than attempting to remove the virus from contaminated foods

For the EFSA report go to:

<http://tinyurl.com/7lcumqm>

In the European Union, protection of shellfish waters currently comprises a combination of environmental surveys of the area surrounding production beds and the monitoring of human faecal contamination of waters by testing bivalve molluscs for levels of *E. coli* above a specified limit. However, norovirus is frequently detected in oysters which otherwise comply with the control standards for bivalve molluscs. To date, it has not been possible to establish criteria for the re-opening of closed shellfish production areas linked to outbreaks of norovirus, making it difficult for national authorities to take such decisions.

To this end, the Food Safety Authority of Ireland requested EFSA to carry out this risk assessment in order to advise on whether it would be possible to define an acceptable limit for norovirus in oysters that could provide a scientific basis for the re-opening of production areas.

More information can be found at:

<http://tinyurl.com/7m4qaqd>

European Commission Animal Welfare Strategy 2012 - 2015

The European Commission has adopted a new four-year strategy (2012-2015) that is geared to further improve the protection and welfare of animals in the European Union.

The Strategy will provide the basis for an overhaul of the animal welfare legislative framework. The focus will increasingly be on providing information and educating all concerned parties as well as ensuring effective enforcement mechanisms. Furthermore, the strategy highlights the importance of reinforcing actions that the Commission already carries out such as:

- enhance tools to strengthen Member State compliance with existing legislation,
- provide consumers with better information enabling them to make more informed and empowered choices and
- develop further marketing strategies including with EU trading partners.

The Commission first adopted an Animal Welfare Strategy in 2006. The Community Action Plan on the Protection and Welfare of Animals 2006-2010, which grouped the various aspects of EU policy on animal welfare governing the keeping of billions of animals for economic purposes.

The new Strategy builds on the old one and, in particular, on lessons learned during the five-year implementation period of the first Action Plan. For the full strategy document, impact assessment and press release follow this link to the Commission website: <http://tinyurl.com/hwuuh>

EFSA Publish Standardised Methodology for Animal Welfare Risk Assessment

The European Food Safety Authority (EFSA) has published pioneering guidelines laying out, for the first time, a standardised methodology for the risk assessment of animal welfare.

The methodology, which follows a step-by-step approach, is designed to be applicable to all animal species and all factors that affect animal welfare, including housing, transport, stunning and killing. The development of the guidelines supports EFSA's commitment to ensure that all its work on animal welfare is underpinned by a strong scientific approach. They will be applied by EFSA's Panel on Animal Health and Welfare (AHAW) to the future scientific advice it gives on risks associated with animal welfare. The guidelines support the implementation of the EU Animal Welfare Strategy 2012-2015 discussed above.

Risk assessment is a specialised field of applied science that involves the evaluation of risks associated with specific factors (or hazards). In the case of animal welfare, a factor is something that has the potential to impact on the animal's welfare, such as the conditions that it is housed in, how it is

transported from the farm to the slaughterhouse or the way in which it is killed. Until now, there have been no specific international guidelines on risk assessment for animal welfare meaning different approaches have been followed by scientific experts involved with this type of work.

The methodological framework proposed in the new guidance document begins with problem formulation, an important process in which the risk assessor and risk manager work together to define the purpose, breadth and focus of the animal welfare risk assessment. After problem formulation, the risk assessment follows three key steps: exposure assessment, in which the level and duration of exposure to factors are defined; consequence characterisation, which describes what effect exposure to factors will have on welfare; and risk characterisation, which outlines the likelihood of occurrence and magnitude of adverse welfare effects, including any uncertainties and assumptions related to the risk assessment. For a copy go to: <http://tinyurl.com/7x8svgz>

FSA Updated Guidance on Gluten Claims

COMMISSION REGULATION (EC) No 41/2009 of 20 January 2009 concerning the composition and labelling of foodstuffs suitable for people intolerant to gluten set levels for foods claiming to be either 'gluten-free' or 'very low gluten' and came fully into force on 1 January 2012.

To coincide with this the FSA has updated its guidance and produced a factsheet for caterers on how to provide information to customers on the new rules.

The Regulation set levels for Claims:

- 'gluten-free': at 20 parts per million of gluten or less

- 'very low gluten': at 100 parts per million of gluten or less - however, only foods with cereal ingredients that have been specially processed to remove the gluten may make a 'very low gluten' claim

The Regulation applies to all foods, pre-packed or sold loose, including foods sold in foodservice and catering establishments. From 1 January foods making these claims but not meeting the standards can no longer be legally sold.

Further information including the updated guidance and factsheet for caterers are available on the FSA website through the link below:

<http://tinyurl.com/69gjvlw>

New Lists of Additives Approved for Use in Foods

Three regulations have been published in the Official Journal of the European Union amending Regulation 1333/2008 on Food Additives:

1) Commission Regulation (EU) No 1129/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council by establishing a Union list of food additives.

Access it through: <http://tinyurl.com/7cd4mz8>

The new Annex II explains what foods certain additives are authorised for use in and their

conditions for use. It replaces the current Annex II and applies from 1 June 2013. Though there are derogations for certain additives that mean they will apply from the date of entry of 2 December 2011. The new annex consolidates and reviews current additive lists spread across three Directives, the provisions in these will cease to apply from 1 June 2013 when this comes fully into effect. These are:

- Article 2(1), (2) and (4) of Directive 94/35/EC;

- Article 2(1) to (6), (8), (9) and (10) of Directive 94/36/EC, and;
- Articles 2 and 4 of Directive 95/2/EC
- The Annexes to those Directives.

Regulation (EC) No 884/2007 is repealed, as from 1 June 2013 this was an emergency measure that suspended the use of E 128 Red 2G as a food colour. Foods that have been lawfully placed on the market before 1 June 2013, but do not comply with this regulation, may continue to be marketed until their date of minimal durability.

2) Commission Regulation (EU) No 1131/2011 of 11 November 2011 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council with regard to steviol glycosides

Access it through: <http://tinyurl.com/6uteef8>

This regulation is an amendment to Annex II, it permits the use of steviol glycosides as sweeteners across the European Union and will apply from 2 December 2011.

Following the European Food Safety Authority EFSA evaluation of the safety of steviol glycosides, and the establishment of an Acceptable Daily Intake (ADI), expressed as steviol equivalents, of 4 mg/kg bodyweight/day, the additive has been approved for use in soft drinks, confectionary and other foodstuffs.

Steviol glycosides are extracted from the leaves of the *Stevia rebaudiana* Bertoni plant, and are used as a sweetener. Its newly assigned number is E960.

Its use in many foodstuffs is restricted to energy reduced products or those products that have no added sugar.

There remains a concern that steviol glycosides intake, both in adults and in children, could be exceeded at maximum proposed use levels for high level use consumers, particularly of soft drinks, despite the final permitted levels being lower than those first proposed. As a result the Commission will request information from producers and users to allow EFSA to review exposure limits

3) Commission Regulation (EU) No 1130/2011 of 11 November 2011 amending Annex III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives by establishing a Union list of food additives approved for use in food additives, food enzymes, food flavourings and nutrients

Access it through: <http://tinyurl.com/7jhwykk>

This third piece of legislation published on 12 November, Annex III specifies the food additives approved for use in food additives, enzymes, flavourings and nutrients.

The Commission have also launched a database on Food Additives which is available through this link: <http://tinyurl.com/bwgjrov>

Draft Food Additives (England) (Amendment) Regulations 2012

The FSA have been consulting on the Draft The Food Additives (England) (Amendment) and the Extraction Solvents in Food (Amendment) (England) Regulations 2012

These are National Regulations relating to England to provide for the execution and enforcement of the European Commission Regulations discussed above and to:

- Set down specifications for the food additives in the lists above. (As yet unpublished)

- Rectify an omission from the Extraction Solvents in Food (Amendment) (England) Regulations 2011 to include *Dimethyl ether* in the list of permitted extraction solvents in Schedule 1, Part 1, of the Extraction Solvents in Food Regulations 1993 in so far as they relate to England.

Separate consultations were carried out in Scotland, Wales and Northern Ireland. The consultations closed on 15 February 2012. Full information, including the draft Regulation can be found on the FSA website <http://tinyurl.com/7ezrlh4>

Regulatory Enforcement and the Future of the LBRO

During the summer the Department for Business Innovation and Skills (BIS) published two papers for discussion they were:

- Transforming Regulatory Enforcement
- The future of the Local Better Regulation Office (LBRO) and the Primary Authority scheme

The Department for Business, Innovation and Skills (BIS) have now published separate responses on both. Copies are available through this link: <http://tinyurl.com/7ygkr4y>

Transforming Regulatory Enforcement:

Mark Prisk, Minister of State for Business and Enterprise, reiterates the Governments commitment to creating the conditions for a business-led

economic recovery by doing everything possible to remove unnecessary burdens on business, whilst ensuring that the important protections provided by regulators continue.

Key strategies already in place to support the commitment are:

- Pushing within the EU to take deregulation seriously;
- The new controls on the flow of domestic regulation (one in one out policy,)
- The Red Tape Challenge review of existing regulation.

This response covers a further critical element, that of how businesses experience regulatory enforcement at the front line. It sets out their plan to build a more mature relationship with business, working with rather than against – the grain of all the good practice already out there.

This will be achieved through:

- A review of all regulators, to significantly reduce state-led enforcement activity and introduce a sun-setting clause for their review. Business will have the opportunity to input into the reviews.
- A presumption towards co-regulation, business co-designing enforcement strategies with the regulator
- Much more use of “earned recognition”. Strategies to incentivise and reflect businesses’ own efforts to comply with the law.
- A more prominent role for Local Enterprise Partnerships to promote better local regulation. Aimed a transforming the relationship between regulators and business
- A presumption that regulators should help businesses comply with the law.
- No business facing a sanction for simply having asked a regulatory authority for advice.
- Putting LBRO at the heart of the regulatory system creating a new partnership between government, regulators and businesses,
- Extend the Primary Authority scheme by:
 - Strengthening inspection plans to deliver earned recognition for business
 - Allowing more organizations’ to participate such as franchises, company groups and trade associations
 - Including specific policy areas, which are currently out of scope, including age-related sales of gambling and

knives.

The future of the Local Better Regulation Office (LBRO)

The Government response recognises the value businesses place on the role of the LBRO in representing business views and interests. The response confirms that the organisation will continue to be supported by key stakeholder groups, which include the Business Reference Panel on which the BFFF sit. Based on the feedback received, and subject to Parliamentary approval, the Government will now push ahead to make the planned regulatory changes that will:

- Reconstitute the LBRO as the Better Regulation Delivery Office (BRDO) within BIS, operating alongside the Better Regulation Executive to deliver a coherent programme of regulatory reform, and providing comprehensive advice and support to UK and Welsh Ministers;
- Ensure that BRDO continues to operate the Primary Authority scheme, provide guidance and support to regulators, provide informed advice to the UK and Welsh Governments, and drive improvements in the delivery of regulation and simplification in the regulatory system;
- Put in place a Representative Steering Group, supported by expert panels, that enables key stakeholders to inform the work and strategic direction of BRDO, and to provide a strong evidence base from which to deliver well-informed, impartial and independent advice; LBRO are asking for suggestions for the three business representatives on the panel. They are looking for director level individuals and want representatives from across the supply chain including micro enterprises – if you know anyone?
- Ensure that BRDO’s capacity to provide independent advice within government and to local authorities is preserved;

Put in place effective working arrangements with the Welsh Government.

Hospitality and Foodservice Voluntary Agreement on Reducing Waste

WRAP has recently established a programme; supported by all four UK governments, to work with the Hospitality and Food Service sector to reduce food waste, optimise packaging and increase recycling rates. As part of this programme they want to work closely with the sector to support change that delivers both commercial and environmental benefits. A voluntary agreement on food and packaging waste is one of the options. Following input from industry workshops held in September, WRAP have been working with UK Governments to develop proposals for such an Agreement and they have now published a discussion paper on a proposed Voluntary Agreement for the Hospitality and Food Service sector. The purpose of the paper is to:

- Outline proposals for a Voluntary Agreement with the sector to prevent food and packaging waste arising and to recycle more.
- Seek feedback on the proposal. The Voluntary Agreement will then be revised with the aim to launch the agreement in Spring 2012.

The Proposed vision is to work towards zero waste to landfill in the Hospitality and Food Service sector through actively encouraging staff, customers and suppliers to prevent waste arising and reuse and recycle more. Two targets that support the delivery of this vision are:

- A Prevention target: Reduce food and associated packaging waste arising by 5% by the end of 2015. This would be against a 2011 baseline and be measured by CO₂e emissions.
- Waste management target: Increase the overall rate of food and packaging waste being recycled, sent to Anaerobic Digestion (AD) or composted to at least 70% by the end of 2015.

The Targets are in line with Government targets for greenhouse gas emissions reduction, waste, recycling and resource efficiency.

The Voluntary agreement is aimed at any size of organization in both profit and cost sectors, including wholesalers. The mechanism for sign up and reporting will vary depending on the size and type of business with much simplified reporting requirements for small businesses. A UK wide Supporters Group would also be established to allow cost sector clients, trade associations, food and drink manufacturers,

tourist boards, waste management companies, etc, to demonstrate their support through a public commitment to help support delivery of the targets.

To assist in the delivery of the voluntary agreement a project: "Product and Packaging Mapping in the UK Hospitality & Foodservice Supply Chain" has also been launched and is supported by a number of organisations including Compass, Whitbread and MacDonalds. WRAP are happy to welcome further supporters to the project, which started in November, runs through to the summer 2012 and has 3 objectives:

- Identify opportunities to reduce the carbon impacts of the supply of food and drink to end customers in the UK Hospitality and Foodservice sector, through packaging optimisation, without negatively impacting on food and drink waste;
- Review the approaches taken for reporting packaging usage and waste by the Hospitality and Foodservice Sector with recommendations on how this could be improved. This will inform the systems to be established to gather data for packaging within the Voluntary Agreement;
- Review the decision processes for developing packaging specifications across the whole sector and its supply chain. This will identify gaps in understanding and recommend interventions.

You can access the draft proposal on the WRAP website, where you will also find further information: <http://www.wrap.org.uk/hospitality/>

Consultation on the Food Hygiene Rating (Wales) Bill

The Welsh FSA are consulting on a proposed Food Hygiene Rating (Wales) Bill that will introduce a statutory Food Hygiene Rating Scheme. The Bill will make it compulsory for food businesses in Wales to display information on their food hygiene rating in a prominent position.

The Food Standards Agency (FSA) in Wales together with local authorities has operated the Food Hygiene Rating Scheme (FHRS) on a voluntary basis in Wales since October 2010, but consider that it has a weakness in that businesses are not required to display their rating. Local Authorities are finding that some food businesses are not displaying them.

Although ratings for all inspected establishments are published on the FSA website (which can be accessed at food.gov.uk/ratings) this is not always accessible to consumers when they need it.

The proposal will require food businesses to display their food hygiene rating stickers and local authorities to continue to implement the scheme.

The FSA states that they are bringing the Bill as food hygiene rating schemes in other countries have shown they improve food hygiene standards and reduce the risk of food poisoning.

The scope of the mandatory requirement will cover all establishments currently under the voluntary scheme and will apply to all places where consumers eat out (including restaurants, takeaways, mobile caterers, cafés, hotels, pubs, schools, hospitals and residential care homes) as well as places where

consumers shop for food (such as supermarkets, bakeries, and delicatessens).

It is expected that the earliest a mandatory scheme will come into operation will be late 2013 to include a period to allow businesses time to prepare. With respect to penalties the legislation proposes the introduction of fixed penalty notices of £200 for offences such as non-display of a rating with discounts for early payment. There are also powers proposed to prosecute with a maximum fine of £1000.

You will find attached:

- FSA Consultation Document: Proposal for a Food Hygiene Rating (Wales) Bill
- Draft Food Hygiene Rating (Wales) Bill
- Draft Regulatory Assessment

Responses are requested by 07 March 2012, and can be submitted either by on line form that can be accessed through this link:

<http://tinyurl.com/6s3u6ap>

Or by post to:

Health Protection Division
Department for Public Health and Health Professions
Welsh Government
Freepost NAT 8910
Cathays Park, Cardiff
CF10 3BR

Use of Lactic Acid as Carcass Decontaminant

The European Commission is set to relax Regulations over the use of lactic acid as a decontamination treatment for beef carcasses. The draft Commission proposal on the use of lactic acid in processing plants as a food safety and hygiene measure is expected to be voted on later this year.

The Food Standards Agency recommended to Government Ministers not to oppose the use of decontamination treatments, including lactic acid, in raw meat production provided their safety can be proven and they are not used as a substitute for good hygiene practices. The FSA is to recommend that the use of lactic acid should be included in good hygiene practices and HACCP-based systems.

The FSA also believes that it is not appropriate that products where lactic acid had been used to treat the carcasses should be labelled because it could lead to enforcement issues.

The move by the European Commission will overturn the regulation that requires that no substances other than potable water can be used to remove contaminants from the surface of carcasses.

Moves to allow the use of chlorine treatments in meat plants were thrown out in 2008 because of concerns over the environmental impacts they might have.

The decision by the EC to consider the use of lactic acid follows a submission by the USDA to the commission. The US maintains that the use of these post slaughter decontamination treatments is both safe and effective in reducing a number of pathogens on the surface of the meat.

In December 2010 the USDA submitted a dossier to the EU for evaluation, hoping for the approval of lactic acid for the decontamination of beef carcasses and meat.

The European Food Safety Authority published a scientific opinion in July last year that concluded there would be no safety concern in its use and it showed that it would be efficient in reducing the prevalence of *Salmonella*, *Verocytotoxin* producing *E.coli* and naturally occurring *Enterobacteriaceae*. The FSA Paper on the subject can be accessed through: <http://tinyurl.com/6s2vo7a>

EU Agriculture and Fisheries Presidential Work Programme

23 January saw a presentation by the Danish Presidency to the 3140th Agriculture and Fisheries Council meeting outlining its work programme for these sectors the policy priorities are set to include:

- The Common Agricultural Policy (CAP) Reform Package:

- Identifying key elements for a compromise on the four main regulations (direct payments, rural development, single common market organisation (CMO) and financing the CAP);
- Organising focussed debates on thematic issues such as innovation, greening or simplification;
- Seeking agreement with the European Parliament on the proposals concerning transitional measures for the direct payments and the wine sector.
- The alignment of the agricultural legislation to Lisbon-Treaty, for which the Presidency hope to reach an agreement with the European Parliament;
- Debate on the amendment of financing the CAP in relation to transparency and a Commission communication on the promotion of agricultural products;

- Fisheries policy will focus on:

- The reform of the Common fisheries Policy Continuing the discussion and concluding the debate on certain parts of the CFP reform package (new basic regulation, new common market organisation and new European maritime and fisheries fund 2014-2020)
- Working on diminishing unwanted catches and effectively bring discards to an end;

- Promoting the sustainability of the external dimension of the CFP;
- The conclusion of proposals for the renewal of several bilateral protocols to fisheries partnership agreements;
- Specific conditions for fishing for deep sea stocks;
- Debate about the yearly communication from the Commission on fishing opportunities for 2013.

Other important proposals:

- Reaching agreement with the European Parliament on the proposal on food intended for infants and young children and on food for special medical purposes
- Prioritizing organic production and confidence with organic products;
- Working on the Commission package on food quality for reaching and agreement with the European Parliament;
- Focussing on antimicrobial resistance and on the use of antimicrobials in both human and veterinary medicine (Presidency conference on 14-15/03/2012 - Copenhagen);
- Working on the modernisation of the official meat control systems towards a risk assessment based approach
- Working on the EU strategy for animal welfare
- Seeking to reach consensus on Council conclusions on the protection of animals during transport.

For more information about the subsequent debate on these subjects go to: <http://tinyurl.com/7amskrq>

FSA Publish Audit Reports and “Cause for Concern” Meat Plants

On 17 January The Food Standards Agency started the regular publication of audit reports of approved meat plants in England, Scotland and Wales (not Northern Ireland currently) This marks the beginning of the routine publication of these reports, in line with the FSA's commitment to transparency. The FSA discussed and agreed its intention regarding the publication of audits of meat plants at it's open board meeting of 7th September.

More than 200 audit reports have been published, covering audits that were completed in November 2011. FSA commit to the publication of them at the end of each month (estimated to be about 200 each month). Once the audit reports are issued to the meat plant operators, they have up to 28 days to appeal against anything that they disagree with. The

FSA won't publish an audit report on the website before this time has passed so it will take a while for the website to have audits for each and every approved meat plant.

There are 1,200 FSA-approved meat plants in Great Britain, and 60 in Northern Ireland. The report posted is not a summary but the full report as made with information taken out that the FSA consider to be potentially sensitive such as a personal details, detailed technical information and comments.

The FSA is currently reviewing the audit report format with the aim of making it easier to understand, particularly for the people not involved in the meat industry. This will be linked to developing a rating scheme akin to the Food Hygiene Rating Scheme in use for catering and retail outlets.

Once the review is complete, the Agency will publish audits for all approved meat plants across the UK, to include Northern Ireland.

Establishments are listed by their approval number, name and type (red or white meat slaughterhouse, red or white meat cutting plant or approved game handling establishment), their town, county and country. The link below will take you to a separate Excel worksheet. Clicking on the links in the final column of the worksheet will take you to the individual audit report for the selected establishment.

As audit reports are technical documents, the FSA has produced explanatory notes to accompany their publication. The reports and guidelines can be found at the link below. For access to the FSA spreadsheet follow this link: <http://tinyurl.com/8x4ujd2>

On 25 January the FSA also started its routine publication of the full list of those meat plants that, on the basis of their audit reports, are considered 'cause for concern'.

'Cause for concern' is a process developed in response to Professor Pennington's report on the 2005 E.coli outbreak in Wales, which recommended that there needed to be improved management oversight of poorer performing meat plants. The process makes it clear which plants need to improve their standards to ensure risks to public health are kept to a minimum.

There are currently eight premises on the list. This will be updated, initially on a weekly basis, to reflect changes as meat plants move on or off the list. To see the current list follow the link to the FSA website <http://tinyurl.com/8578zcz>

Action Plan to Drive Food, Drink and Farming Exports

The Farming, Food and Drink Exports Action Plan, published on 27 January by Defra, sets out how Government and industry will work together to open up and take advantage of key markets like India and China.

With rapid world population growth and booming consumer demand for Western products in high growth economies, there are significant opportunities for British producers to increase profits. UK food and drink exports grew by 12 per cent in 2010 to £16.1 billion, but the UK still exports more food to Belgium than to Brazil, Russia, India, China and Mexico put together.

The reports includes plans for a domestic drive to encourage and support manufacturers to succeed overseas, as well as an overseas campaign to champion British food abroad.

Launching the action plan, Mr Paice said:

"British food is already known the world over for its quality, and with surging world population growth and demand for western products, there are huge opportunities for our producers to tap into emerging markets. I'm convinced the sector can become an engine for growth for our economic recovery. It's crucial we get the right support to business at home as well as championing British products abroad."

- The exports plan was developed by Defra, UK Trade and Investment, industry trade associations (including BFFF), and top exporting companies. The Exports Action Plan includes plans to:
- Hold regional road shows and business-to-business networking events to share best practice and encourage companies to export;

- Make it far easier for companies to access the range of advice and support already available;
- Make food export paperwork simpler and easier to access;
- Better advertise the financial safeguards available to protect smaller companies from not being paid, which is a key concern;
- Work across government and industry to get other countries to remove bans on British meat, such as beef and lamb to China.
- Support inexperienced agri-food companies to showcase products at international tradeshows and trade missions;
- Ministers and a new international business ambassador to provide high-level support and promote the best of British produce abroad;
- Showcase British food and drink at the London Olympics 2012 to attract international buyers.

Key facts:

- Food and farming is worth £85 billion to the UK economy national, employing 3.5 million people;
- UK food exports grew for the sixth year in a row to but still imports more food than it exports – with a trade gap of £18.5 billion in 2009;
- The UK exported more to Belgium than Brazil, Russia, India, China and Mexico, which make up 44 per cent of the world's population (£422m in 2010);
- China, India, Russia and Brazil are all expected to be in the top five retail grocery markets by 2015, accounting for almost €2.2bn;

- The UK exports most to the Republic of Ireland (£2,692m), France (£1,925m), USA (£1,239m), Germany (£1,032m) and Spain (£963m);
- Top British exports include whisky (£3,514m), beer (£536m), chocolate (£376m), breakfast cereals (£367m) and soft drinks (£327m);
- Despite China's economy growing by 10.3 per cent in 2010 and importing far more food, the UK's share declined to less than 1%;

More information and a copy of the report can be accessed through the Defra website:
<http://tinyurl.com/7ohj29u>

Tariff Preferences for Western Balkans and Kosovo CIP Paper (12) 02

EU Council Regulation No. 1215/2009 applies to eligible products originating in the Western Balkan countries and provided for the cessation, with effect from midnight on 31 December 2010, of the autonomous tariff preferences to this area. As a result, Kosovo has not received any preferential rates of duty for its products since 1 January 2011. The other Western Balkan countries have continued to benefit from the preferences provided by the Stabilisation and Association Agreements, which they concluded with the European Union at the time. Kosovo had no such agreement in place.

A new Regulation (EC) 1336/2011 was published on 30 December 2011 and entered into force on the same date. It extends on a retrospective basis, the provisions of Regulation 1215/2009 until 31 December 2015.

The extension means that Kosovo again receives preferential rates of duty for eligible products, which were released to free circulation in the EU on or after 1 January 2011. Entitlement to preference is

subject to all normal conditions, including compliance with the appropriate product specific rules of origin and direct transport requirements. Claims to preference must also be supported by valid proof of preferential origin - a form EUR1 issued in Kosovo or a preferential origin declaration inserted by an exporter in Kosovo on an invoice or other commercial document.

HM Revenue & Customs (HMRC) will consider retrospective claims to preference on eligible Kosovan products which were released to free circulation on or after 1 January 2011, and which are covered by a valid retrospectively issued EUR1 or invoice declaration.

If you have already paid the full rate of customs duty on eligible products, which were released on or after 1 January 2011, you can send the retrospective EUR1 or Invoice declaration with a claim for repayment (on form C285) to: HM Revenue & Customs National Duty Repayment Centre Building 72 Priory Court St John's Road Dover CT17 9SH

You can see the full notice at:
<http://tinyurl.com/84o784l>

Draft Modernised Customs Code (MCC) Published

The current legislative deadline for full implementation of the Modernised Customs Code (MCC) and its Implementing Provisions (MCCIPs) is 24 June 2013.

During negotiations with the Commission it became increasingly clear that this deadline was under serious pressure and was not likely to be achieved. This was due to major changes proposed in some areas and the impact of the continuing financial constraints that Member States and the Trade face, particularly in respect of the delivery of IT systems necessary to fully support the proposed changes. Some areas of the existing MCC text have also been found to require amendment in order to reflect the emerging consensus.

Additionally, the Lisbon Treaty makes technical changes to how the Commission can be empowered

to introduce the MCCIPs and this will require further changes to be made to the MCC to reflect the new legal basis.

Taking the above factors into account, it has been agreed that it is necessary to recast the MCC to make the necessary changes: The latest versions of the preliminary drafts of the recast MCC and consolidated MCCIPs are now available. Whilst the preliminary drafts are not a proposed legal text they are a useful indicator. The draft recast MCC does not, however, include the changes needed under the Lisbon Treaty. A formal Commission proposal in complete form is not expected until Mid February 2012

Within the draft consolidated MCCIP each Article indicates the equivalent provision and the empowering provision in the current Customs Code

and draft MCC. Where appropriate, there are references to existing Implementing Provisions to the current Customs Code. The latest version of the

MCCIPs along with the updated draft MCC can be found through following this link:
<http://tinyurl.com/7zl7djn>

FSA Guidance on Changes to Business Approval Requirements

In August last year the Food Standards Agency put out a notification about changes to the approvals process for establishments that require approval under European Union food or feed hygiene legislation.

A High Court judgement and Judicial Review had established that premises that change ownership require a new approval in order to operate. The judgment also established that this had been a requirement since the hygiene legislation was introduced on 1 January 2006. Consequently businesses which have changed ownership since January 2006 are required to be reapproved and all those that do so in future.

The ruling applies to all approved establishments, such as slaughterhouses, fish processing establishments and game handling establishments, and whether or not the nature of their business has changed.

To allow time for interested parties to adjust to the ruling, there was a delay in the time that changes would be implemented up until 31 January 2012. FSA have now issued further advice affirming that food businesses approved by the Food Standards Agency that change food business operator (FBO) after 31 January 2012 will need a new approval **before** they can undertake any approvable activities. The new FBO can continue to operate existing procedures under the existing approval for a short period of time, but not exceeding a maximum of four weeks after the change of FBO, until a new assessment is undertaken.

The change will also apply to FSA approved businesses placed under administration and purchased as 'going concerns' (where the premises, equipment used and activities remain unchanged after sale).

Businesses will need to meet the following conditions:

- The FSA must receive an application for a new approval within one calendar week after a change of FBO.
- No changes to the food safety control arrangements or activities being carried out on the premises, such as the type of animals slaughtered or products being produced, must take place before the approval visit.
- FBOs are asked to give the FSA as much notice as possible of a potential change of FBO.

The FSA will re-assess for approval all establishments that have changed FBO since 2006 and have not subsequently been re-approved. The approval assessment will be undertaken as soon as possible and in all cases within three weeks of receiving an approval application from the new FBO. Failure to notify the authorities of a change or submit an approval application could result in withdrawal of inspectors and revocation of a premises' approval. In planning for a change of FBO, a pre-change advisory assessment, provided by the FSA may help to identify any potential issues that may cause a problem in getting a new approval. Although a new approval would not be guaranteed if this route were followed.

FSA approved establishments requiring a new approval due to a change of FBO are asked to contact the relevant approvals team:

England, Scotland and Wales
Approvals Manager
Room 112 Foss House
Kings Pool, Peasholme Green
York YO1 7PR
tel: 01904 456182
fax: 01904 455420
email: approvals@foodstandards.gov.uk

Northern Ireland
Mrs Joy Cresswell
FSA Northern Ireland,
10A-C Clarendon Road
Belfast BT1 3BG
tel: 02890 417759
fax: 02890 417726
email: joy.cresswell@foodstandards.gsi.gov.uk

The FSA have produced example scenarios to explain in more detail how they will implement this process in slaughterhouses, meat cutting plants, game handling establishments and on-farm slaughter facilities. Other competent authorities across the UK, that are responsible for the approval of food/feed establishments, have been asked to take a similar approach for establishments for which they have enforcement responsibility. Further Information and links to relevant documents can be found on the FSA Website: <http://tinyurl.com/7xvaj36>

Changes to Legislation on Imports

Two pieces of legislation have recently been published in the Official Journal concerning the import certification requirements for composite products and amending the lists of animals and products subject to border inspection.

1. COMMISSION REGULATION (EU) No 28/2012 of 11 January 2012 laying down requirements for the certification for imports into and transit through the Union of certain composite products and amending Decision 2007/275/EC and Regulation (EC) No 1162/2009

was published in the Official Journal on 14 January.

The Regulation was introduced to ensure that imported composite products meet the requirements of Article 6.4 of Regulation (EC) No 853/2004. A composite product is a food containing both products of plant origin and processed products of animal origin. Article 6.4 requires that importers of composite products ensure that the animal content of a composite product complies with the requirements of paragraphs 1 to 3 of Article 6 of Regulation 853/2004 including coming from an approved third country and where applicable an approved establishment, furthermore they must be able to demonstrate that they have done so (for example, through appropriate documentation or certification).

There is currently a derogation exempting importers from complying with Article 6.4 which lasts until 31 December 2013 (from Commission Regulation (EC) No 1162/2009)."

The new Regulation means that for certain products the derogation will cease from 1 March 2012. Though transition arrangements mean that until 30 September 2012, consignments of composite products for which the relevant certificates have been issued before 1 March 2012 in accordance with Article 5 of Decision 2007/275/EC will be accepted.

The new Regulation 28/2012 States that:

In Regulation (EC) No 1162/2009, the first subparagraph of Article 3(2) is replaced by the following:

'2. By way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing both products of plant origin and processed products of animal origin, other than those referred to in Article 3(1) of Regulation (EU) No 28/2012 (*), shall be exempt from the obligation provided for in that Article.

Article 3.1 lists the composite products subject to the new import requirements:

- a) Composite products containing processed meat products,
- b) Composite products containing processed milk products
- c) Composite products 50% or more of processed fishery or egg products

These products will need to be accompanied by a health certificate, a model of which is provided in Annex I to the Regulation. The Regulation also covers the requirements for products if they are transiting through the EU from and to a third country. A health certificate will also be required and a model can be found in Annex II.

FSA are currently consulting on these changes as part of the amendments that are proposed through the Amendments to the Food Hygiene (Amendment) Regulations 2012 (see 2012/01/I of 16 December).

The deadline for responses is 2 March 2012. For more information on the consultation go to the FSA Website: <http://tinyurl.com/85osob8>

For the Regulation go to:

<http://tinyurl.com/77b8254>

2. COMMISSION IMPLEMENTING DECISION 2012/31/EU of 21 December 2011 amending Annex I to Decision 2007/275/EC concerning the lists of animals and products to be subject to controls at border inspection posts under Council Directives 91/496/EEC and 97/78/EC

was published in the Official Journal on 24 January

This updates the list of animals and products that are subject to border inspection when imported from a third country into the EU. The list found in Annex I of Decision 2007/275/EC is being amended to take into account recent changes to CN codes and other legislative references, consolidating and replacing the current list. The Commission Decision is already in force and applied from 1 January 2012.

Access the Regulation through:

<http://tinyurl.com/6lt7mmy>

Members of the British Frozen Food Federation requiring further information about any item in this newsletter should contact Su Dakin, Technical Manager
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