

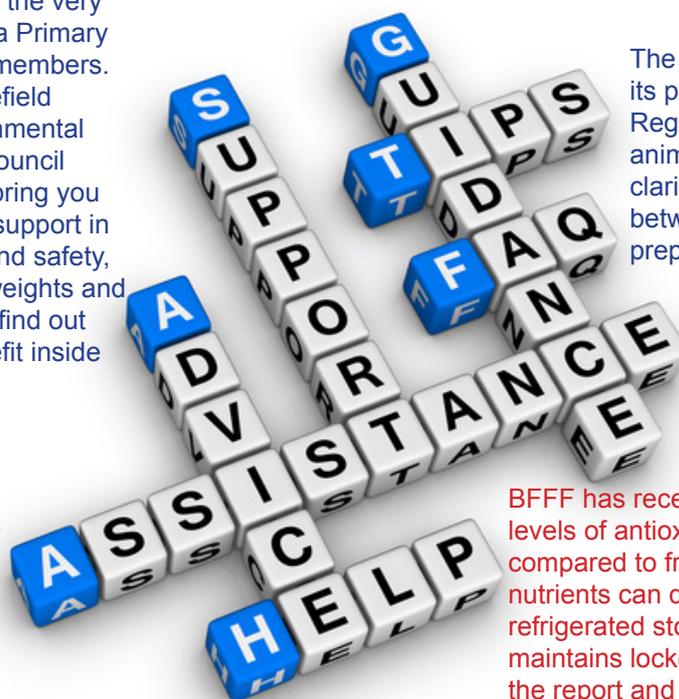
T&L *UPDATE*

It has been a very busy summer and I hope that you will find the updates on current issues, information on recent regulatory developments and links to the latest research in this issue helpful and informative. We value your feedback so if you have any comments on how the T&L could be even better please do let me know sudakin@bfff.co.uk

BFFF are delighted to have been the very first Trade Association to launch a Primary Authority Benefit Scheme for its members. We are now partnered with Wakefield Metropolitan City Council Environmental Health and Cambridge County Council Trading Standards to be able to bring you "Assured" advice, guidance and support in the areas of food safety, health and safety, labelling, food composition and weights and measures. Its free to participate, find out how to get this exciting new benefit inside this edition.

FoodDrinkEurope and Eurocommerce have joined forces to publish guidance on the Food Information to Consumers Regulation EU FIC

Unhappy with the how you are being treated by Enforcement? find out what you should expect from Regulators in the newly published "Regulators Compliance Code"



The European Commission has updated its published Guidance on Hygiene Regulation 853/2004 on products of animal origin, the update is to provide clarity on the definitions and distinctions between meat products and meat preparations

BFFF has recently published research comparing levels of antioxidants in frozen fruit and vegetables compared to fresh. The research demonstrates how nutrients can deteriorate during refrigerated storage whilst frozen maintains locked in goodness. Read the report and see the full catalogue of BFFF research available to members on our website.



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



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MEMBER BENEFIT

Primary Authority Scheme

BFFF is delighted to be able to offer a new Benefit Scheme exclusively for members

The Scheme

BFFF can now offer agreed Industry advice for members under a new scheme called Primary Authority. The advice is 'assured' which means it is backed by law and cannot be challenged.

The scheme is free for members to join and will help support members to stay on the right side of regulation.

To take part Members can choose to sign up to any combination of the regulatory categories below:

- *Health and Safety*
- *Food Safety*
- *Food Standards (Labelling & Composition)*
- *Weights and Measures*

BFFF partners to deliver this service are the Environmental Health team in Wakefield and the Trading Standards team in Cambridgeshire. Both of these Local Authorities specialise in Primary Authority and have expertise in the frozen food industry.



Key benefits for signed up members include:

- Advice and guidance has Regulatory backing, if you follow it, you cannot be asked to do something different.
- Access to the advice of dedicated Environmental Health and Trading Standards Professionals who are experts in the Frozen Food Sector and know how enforcement works!
- It is free to join the scheme and the key benefits of assured advice and guidance with legal backing are also free. Support through any enforcement action or business specific queries do attract a modest 'at cost' charge.

If you have any queries about the scheme please contact:



Su Dakin
 Tel: 01400 283094
 Email: sudakin@bfff.co.uk

- Food Safety
- Food Standards (labelling & composition)
- Weights and Measures



Joanna Hancock
 Tel: 01400 283096
 Email: joannahancock@bfff.co.uk

- Health and Safety

ACTIVITY OF EUROPEAN INSTITUTIONS

Frozen Potatoes Sector to Receive Extra Emission Allowances

Frozen potatoes, prepared or preserved (including potatoes cooked or partly cooked in oil and then frozen; excluding by vinegar or acetic acid) have been added to the list of sectors which are considered to bear a significant risk of carbon leakage. The Commission's decision aims at protecting the competitiveness of this sector by allowing a higher level of emissions.

- Carbon leakage describes the situation that companies relocate their production plants due to environmental cost reasons. The EU climate policies such as the EU Emissions Trading Scheme (ETS) only allow for a certain level of greenhouse gas emissions produced by each industry sector. Any company exceeding the granted limit must pay for the extra pollution.
- To boost competitiveness, the frozen potatoes sector will receive a higher share of free greenhouse gas emission allowances in the third trading period between 2013 and 2020.
- The decision still needs to be approved by the Council and the European Parliament which have both 3 months to react to the Commission. If there are no objections, the Commission will adopt the measure.

You can access the Commission decision here: <http://tinyurl.com/pbgnqq9>

2012 Report on Border Controls on Fruit and Vegetables

The European Commission have published a report on the effectiveness of EU border controls for fruit and vegetable imports from non-EU countries in protecting consumers from potential food safety risks.

In addition to the 'routine' controls carried out on these imports, some commodities are subject to an increased level of controls due to the risks associated with them. The report presents the results of controls carried out by EU countries in 2012. Over 71 000 consignments subject to reinforced controls reached EU borders, of those, 10 610 were sampled for laboratory analysis and 751 (i.e. 7.1%) were found in breach of EU legislation and were prevented from entering the EU market.

Due to the very high non-compliance levels reported in 2012, more stringent conditions were adopted for the import of groundnuts from Ghana and India, okra and curry leaves from India and watermelon seeds from Nigeria: these must now be accompanied by results of sampling and analysis and by a health certificate verified by authorised representatives of the country of origin.

The report is published in the framework of Regulation (EC) No 669/2009 on an increased level of official controls on certain imports of food and feed of non-animal origin, contains the list (reviewed on a quarterly basis) of imports subject to increased border controls

To download the report go to: <http://tinyurl.com/q95ysnc>

Commission Guidance on Hygiene of Food of Animal Origin Updated

The European Commission have updated their guidance document on the implementation of certain provisions of Regulation (EC) No 853/2004 on the hygiene of food of animal origin.

The updated guidance includes a new section (5.9) which aims to give further clarification on whether products should be considered as "meat preparations" or "meat products".

The summary recognises that some meat preparations can be classified as processed whilst others are unprocessed but to ensure that the correct hygiene requirements and marketing standards are applied it is important to clarify the conditions that allow proper categorisation of all foods of animal origin.

The guidance clarifies that in order for a food of animal origin to be considered as a meat product that processing must have taken place so that the characteristics of fresh meat are completely eliminated all the way through. The guidance provides examples to demonstrate conditions under which the definition of "meat product" or "meat preparation" applies, including, curing, marinating and flash frying. Access the new guidance from: <http://tinyurl.com/m6838l4>

Commission Report on Organic Food Standards

Consumers' trust in organic products together with a demand for stricter rules at EU level, are among the main elements coming out of the report on the public consultation on the future of organic farming published recently by the European Commission.

The on-line consultation, which took place in the first half of 2013, has attracted major interest with close to 45,000 responses. The report highlights that consumers trust organic products (71%), that they buy them mainly out of concern about the environment (83%), and because they are free from GMOs and pesticide residues (81%). The vast majority (78%) also indicated that they were prepared to pay more for organic goods. The report also shows a very strong demand for harmonized rules at EU level, with 74% of all respondents requesting European organic standard to be strengthened and 86% wishing organic rules to be uniform across the EU.

More than half of the interviewees also strongly wanted to improve the European control system for organic products. The results of the public consultation will feed the on-going review of the political and legal framework for organic agriculture in Europe, with an overall strategy to be put forward in early 2014.

More information, including the full text of the report, is available at <http://tinyurl.com/pths7th>

EU Refit Programme to Review Food Law

In a Communication on 2 October, the Commission has set out where it will take further action to simplify or withdraw EU laws, reduce the burden on businesses and make sure that implementation of EU laws becomes easier as part of the Commission's Regulatory Fitness and Performance Programme (REFIT).

With 74% of Europeans believing that the EU generates too much red tape the communication also includes the results of a screening of all EU legislation and defines a range of actions which are either already being implemented or which are proposed to the Council and the European Parliament. In addition, the Commission announced that it will publish a scoreboard to track progress at European and national level.

General Food Law and Health and Safety are included in the range of regulations that the Commission agrees to review. To find out more go to: <http://tinyurl.com/ohtocug>

Common Agricultural Policy Reform

The Common agriculture policy reform package has been approved by the Special Committee on Agriculture (SCA). The Committee approved the final compromise texts of the common agriculture policy (CAP) reform package agreed by the Council and the European Parliament representatives during the last trilogue meeting on 24 September.

The main elements of the political agreement on the CAP reform package figure in the four compromise texts prepared by the Presidency on direct payments; the common organisation of the markets in agricultural products; rural development and on the financing, management and monitoring of the CAP.

The agreement remains to be voted on in Parliament plenary at first reading but the Council have indicated that if the package is voted through by them the Council will agree to it. To view the latest texts go to: <http://tinyurl.com/p9bfgsg>

ANALYTICAL, METROLOGY, FOOD SAFETY & ZOOSES

Animal Disease Elimination Treatments for Meat

Recently published in the Official Journal of the European Union is Commission Implementing Decision of 31 July 2013 amending Annex III to Council Directive 2002/99/EC laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption as regards the addition of a treatment to eliminate certain animal health risks in meat.

The decision amends the table listing treatments that can be applied to products of animal origin in order to eliminate the animal health risks linked to meat and milk in line with the treatments recommended in the relevant chapters of the Terrestrial Animal Health Code of the World Organisation for Animal Health (OIE Terrestrial Code).

The amendment relates to the addition of conditions suitable for the elimination of the Foot and Mouth Virus.

Down load the decision here: <http://tinyurl.com/p86erow>

Zoonoses Report 2012 Published

Defra has recently published the 2012 zoonoses report for the UK.

Campylobacter continues to be the most commonly reported human gastrointestinal pathogen, but the number of reported human cases increased only slightly during 2012 compared to 2011. The number of outbreaks however was reduced from 20 in 2011 to 8 in 2012. Seven of these were foodborne outbreaks and

although six of these were associated with the consumption of chicken liver and chicken liver parfait, this was a reduction on the 13 such outbreaks reported in 2011.

For the first time Hepatitis E hepatitis was included in the report and recognised as a major zoonosis. There were 657 cases reported in the UK in 2012, a 39% increase since 2011.

More than 50% of cases are male aged over 50 years of age, thought to be associated with compromised liver function due to alcohol consumption. There is increasing evidence that hepatitis E is a food borne zoonoses, and in addition, a study has shown that 10% of pork sausages sampled at point of sale from UK retailers were positive for hepatitis E virus; the virus has also been isolated from up to 49% of pig samples. A multi-agency pig abattoir survey is planned during 2013 to aid understanding of the possible role of infection in pigs on human disease incidence.

To access the report: <http://tinyurl.com/q9dklxv>

FSA New Format e-News Letter

The FSA have published their latest e News bulletin, for this issue the format has changed. The newsletter now contains links so that more detail can be accessed on stories as well as video (eg FSA Open Board Meetings)

Articles in this issue include the recent Board meeting held in Aberdeen at which the new strategy to tackle campylobacter was debated. The Board also discussed the FSA's Incident Contingency Plan and compliance within the meat industry.

News covers the recent salmonella and E.coli outbreaks, FSA action over DNP and consumer advice on new allergen labelling rules.

Research focuses on new information on loose foods for those living with allergies and the FSA share the usual round up of consultations, events and jobs. Click on the links below to access the most recent editions, and sign up to receive them direct into your mailbox.

<http://tinyurl.com/ppcosfn> and <http://tinyurl.com/q3wxhax>

FSA Updates Allergy Advice for Consumers

Advice for people with food allergies has been updated, prior to the new EU FIC labelling rules being introduced.

The EU FIC regulations (1169/2011) will mean that information about allergenic ingredients will be made available on non-prepacked as well as prepacked foods and will apply from 13 December 2014.

To help consumers understand these changes, the Food Standards Agency has reissued its advice for food allergic consumers, after working in collaboration with Allergy UK, the Anaphylaxis Campaign, British Dietetic Association, British Retail Consortium, British Nutrition Foundation, Coeliac UK and the Food and Drink Federation.

To download the advice go to: <http://tinyurl.com/pghq4jd>

FSA Publishes the Chief Scientific Officers Report

The FSA has launched the seventh Annual Report of the Chief Scientist. The report provides an overview of how the Agency has used science and evidence during the past year. The report includes trends of foodborne disease and updates on the Agency's work to tackle the public health impact of foodborne disease. It also covers a range of other topics including food allergy and food intolerance, modernisation of meat controls, and the horse meat investigation.

Commenting on the report, the FSA's Chief Scientist Andrew Wadge said: 'It shows that while the Agency has been through many changes since it was established in 2000, it has remained true to its founding principle of being science and evidence based. In addition, it demonstrates our commitment to the other core principles on which the Agency was established – openness and transparency, and putting the consumer first.'

To download the report go to: <http://tinyurl.com/pro8add>

Increased Port Inspection on some Frozen Fruit and Vegetables

The latest update on Annex I to Regulation (EC) No 669/2009 implementing Regulation (EC) No 882/2004 of the European Parliament and of the Council as regards the increased level of official controls on imports of certain feed and food of non-animal origin has been published in the Official Journal of the European Union.

The new Commission Implementing Regulation (EU) No 925/2013 introduces increased levels of sampling and inspection for certain foods originating from specific countries that have been identified as not complying with EU food safety law.

This version includes higher pesticide residue risks identified with fresh, chilled and frozen, brassicas, aubergines and peppers. Greater levels of inspection are also required for Frozen Strawberries from China identified as higher risk for Hepatitis A and Norovirus.

For more detail the Regulation can be accessed through this link: <http://tinyurl.com/p2nemgz>

National Measurement Office Updates Verifier List

The National Measurement Office has updated the verifier list for Weighing and Measuring Equipment. The register lists those manufacturers, installer or repairers (M/I/R) who have been granted approved verifier status under the provisions of section 11A of the weights & measures act 1985 as amended.

To download the list go to: <http://tinyurl.com/qxv7pic>

Hepatitis A in Frozen Berries

The Food Safety Authority of Ireland (FSAI) has published three information notes following confirmation of 10 cases of Hepatitis A in ROI. The notes can be accessed on the FSAI website along with Hepatitis A FAQs: <http://tinyurl.com/mlolkvd> and <http://tinyurl.com/koqbnd3>

Despite the difficulty in confirming the source due to the lengthy incubation period – between 15 and 50 days and averaging 28 days and the inability to isolate the Hepatitis A virus from any samples, the FSAI has linked the outbreak to the consumption of frozen berries imported into Ireland. They have linked five of the ten cases to the consumption of imported frozen berries, such as blueberries, raspberries, redcurrants, blackberries and strawberries. The strain of the virus is the same as that isolated in Italy, where the virus HAS been isolated from frozen fruit samples.

Italy have issued a food safety alert concerning a brand of berries called Boscouono, giving the company name as Green Ice. The withdrawn product contained berries from Italy, Chile, Poland, Serbia, Sweden, Belarus and Russia.

The European Centre for Disease Prevention and Control in conjunction with European Food Safety Authority (EFSA) have updated their assessment to take account of the outbreaks. They are recommending to National Authorities that awareness of the risk should be raised. The updated assessment is attached and more information can be found: <http://tinyurl.com/ptuuk6s>

I have spoken to the Food Standards Agency who are monitoring the current situation – their position is that there is no evidence or link that suggests that frozen imports of berries into the UK affected by Hepatitis A. FSA have received only one other query to date on Hepatitis A and that was from one of the leading supermarkets. There has also been some Local Authority activity and sampling has been carried out.

Hepatitis A is a transitory infectious disease of the liver which is usually contracted by ingesting contaminated food or water, or by person to person transmission. A mild dose of Hepatitis A can last up to two weeks, but a more severe infection can last months. Symptoms include fever, loss of appetite, nausea, fatigue and abdominal pain, followed a few days later by jaundice. The severity of symptoms increases with age.

FSA Strategy to Reduce Campylobacter in Poultry Recommends Frozen

The Food Standards Agency (FSA) have recently published a paper for discussion at the FSA open board meeting on 11 September on their strategy for the reduction of Campylobacter in poultry. It shows that monitoring by the FSA has demonstrated that the prevalence of campylobacter in poultry has not significantly changed despite FSA interventions and the considerable efforts of the poultry industry.

Campylobacter reduction in poultry is identified as part of the FSA 2010 - 2015 strategy and a priority food safety issue for them.

As a consequence of the lack of progress FSA has relooked at the strategy, which clearly places a renewed emphasis on the responsibility of industry; all parts of the supply chain, producers, retailers and caterers are urged to share information on what works and engage with the actions identified in the annexes of the paper. The 2015 target of 10% incidence of campylobacter in poultry at <1,000 cfu remains unchanged

One of the most unexpected but most interesting strategies was the recognition that **frozen poultry** is inherently lower risk; proposals for Retailers and Caterers include:

- Retail to indicate products that present a lower risk to consumers ie frozen, and encourage consumers to make lower risk choices.
- Catering to recognise that frozen poultry is lower risk and promote its use.

Amongst a range of interventions FSA undertake to:

- Educate the consumer on the effectiveness of freezing as a control measure
- Facilitate the removal of regulatory burdens on business that prevent them from producing safe food.
- Support the adoption (again through regulatory change) of surface treatments proven to be safe and effective (eg lactic acid)

Find out more on the FSA website: <http://tinyurl.com/l7gddb7>

ANIMAL WELFARE

Pig Inspection System Update

Amendments to the EU pig meat inspection rules were adopted at the 22 May 2013 meeting of the Standing Committee of the Food Chain and Animal Health. The new Regulation concerns three amendments to EU Regulations 853/2004, 854/2004, 2073/2005, 2074/2005 and 2075/2005. The new rules apply from 1 June 2014 and mainly focus on Salmonella controls, post mortem inspection and Trichinella controls

Find the Draft Regulation through this link: <http://tinyurl.com/poeqmer>

The European Commission have also published a guide to accompany the new rules: <http://tinyurl.com/pahe8a4>

CHEMICALS, CONTAMINANTS AND FOOD CONTACT MATERIALS

EFSA Draft Assessment on Bisphenol A

EFSA has published a draft assessment of consumer exposure to bisphenol A (BPA) performed by the EFSA's Panel on Food Contact Materials, Enzymes, Flavourings and Processing Aids (CEF Panel). This is the Authority's first review of exposure to BPA since 2006 and the first to cover both dietary and non-dietary sources. Data on occurrence from scientific literature has been collected and considered in the exposure assessment.

Alongside the publication of the assessment EFSA also launched a consultation to seek feedback from the scientific community and stakeholders on the draft assessment.

Much concern has been raised about BPA as a Genotoxic compound. It has been used for many years as a component of packaging typically in the seals of jars and bottles and on the inside of cans. France has recently regulated to ban BPA from foods. The 2006 EFSA assessment opined that BPA was safe in food contact materials and set a tolerable daily intake limit of 0.05 mg/kgbw/day

To download the EFSA draft assessment go to: <http://tinyurl.com/o9pr45a> and to find out more about Bisphenol A go to: <http://tinyurl.com/o7zvryc>

FSA Action on Cadmium in Brown Crabmeat

The Food Standards Agency has organised a working group to look at ways to reduce cadmium levels in brown meat from crabs through different processing methods. The group will develop guidance for the crab processing industry to achieve this reduction of levels. The work centres around the potential to remove a gland in which the cadmium is concentrated. The first meeting will take place in October.

The working group has been set up, following a request from the European Commission for each European Union member state to produce guidance on the consumption of brown meat from crabs, as it can contain high levels of cadmium. The Commission has considered for some time bringing forward proposals to introduce cadmium limits but has been unable to do this as levels vary so considerably due to season, location and processing.

Alongside the FSA, industry representatives will include: BRC, National Federation of Fisherman's Organisations, Seafish, the Shellfish Association of Great Britain, the Fishmongers Company and Young's Seafood.

For more information and also to access FSA research on this topic go to: <http://tinyurl.com/pdxjrdn>

IMPORTS AND THE SUPPLY CHAIN

Colombia and Central America Trade Agreements

A comprehensive and ambitious trade deal between Colombia and the EU comes into effect on 1 August 2013, effectively removing trade barriers between the EU and Colombia. Fish and agricultural products from Colombia will enter the EU tariff-free from that date. Currently the trade in fish and agricultural constitutes only a modest proportion of the trade between Colombia and the EU.

The UK imports prepared shrimp from Colombia, to a value of just 0.2m euros. The EU and Peru, which is also part of the agreement, already took the necessary formal steps a few months ago and have been applying the agreement bilaterally since the beginning of March 2013. Italy is the largest importer of fishery products into the UK from Colombia, importing 10,000 tonnes of seafood in 2012, mostly canned tuna, amounting to 50% of the seafood imported from Colombia into the EU.

More information and the full text of the agreement is available from the European Commission website here: <http://tinyurl.com/pauvfyo>

An EU free trade agreement (FTA) with Central America, concluded in December 2012, is also due to come into effect. It is expected that the FTA with Nicaragua, Panama and Honduras will take effect very shortly (August 2013), with the result that commodities including frozen shrimp will become zero tariff rated with immediate effect. The FTA with Guatemala and Costa Rica is expected to take effect in the autumn.

Changes to the Generalised System of Preferences

The new Generalised System of Preferences (GSP) arrangements will apply from 1 Jan 2014 following changes agreed in Oct 2012. GSP is a trade-based development tool designed to make it easier for developing countries to export their products to the EU by granting reduced tariffs for their goods when entering the EU market.

UK importers should be aware that:

- There will be just 90 GSP beneficiaries, down from over 170 beneficiaries under the previous regulation,
- 87 countries will no longer benefit including 'upper middle income' countries, as listed by the World Bank, overseas territories and other countries for which bilateral trade agreements exist.

- Preferences will not be applied to certain market sectors in some beneficiary countries if they are already competitive. Poultry from Thailand is among those countries being graduated out.
- The new GSP arrangements will apply over the next 10 years.

Further details are available on the European Commission's website: <http://tinyurl.com/osn28bx>

As part of the new GSP Regulation the Commission has published a proposal to accept the applications of 10 countries who have requested and are eligible to be granted GSP+ status. In its proposal, the Commission states that Armenia, Bolivia, Cape Verde, Costa Rica, Ecuador, Georgia, Mongolia, Pakistan, Paraguay and Peru have all met the criteria necessary for them to be eligible for GSP+ beneficiary status. If approved, all 10 countries will enjoy zero tariffs on their food exports to the EU. The European Commission proposal is available here: <http://tinyurl.com/psta9zy>

Transatlantic Trade Investment Partnership (TTIP)

EU-US trade negotiations were launched in June and have now entered their second round with negotiations' on the TTIP currently underway in Brussels. EU member states agreed a negotiating mandate in early June and the deal was launched by leaders at the G8 Lough Erne Summit the following week.

Washington hosted the first negotiating round in July. Good progress was made and the early October second round looks to agree on approaches and scope for the talks.

TTIP remains a top UK Government priority due to its potential to bring a step change to the UK economy. An ambitious deal stands to bring £10 billion a year to the UK, with benefits spanning all areas of UK capability. The UK government is working closely with the EU and talking with the US and other EU member states during this process.

On 24 September the Atlantic Council, the Bertelsmann Foundation and the British Embassy in Washington announced the findings to a landmark study on the potential benefits of the Transatlantic Trade and Investment Partnership (TTIP) to each of the 50 states, to download the report: <http://tinyurl.com/k38la15>

The Department for Business, Innovation and Skills (BIS) has also published its estimate of the benefit to the UK economy of this agreement. It suggests that there could be significant gains. In the long run, UK national income could rise by between £4 billion and £10 billion annually, with the main gains being generated by the liberalisation of non-tariff barriers. To download go to: <http://tinyurl.com/czjozqk>

INCIDENTS AND CRISIS MANAGEMENT

Horsemeat Update

Likening the horse meat scandal to a rain of manure that just continues to fall, the head of the Food Safety Authority of Ireland Alan Reilly recently outlined lessons learned during the crisis for industry and regulators at the FoodRisC conference in Brussels, to find out more about what he had to say go to: <http://tinyurl.com/ondwhpz>

Following investigations 8 men have recently been arrested in France. The men were associated with the factory at the centre of ready meal production contaminated with horsemeat. The Spanghero plant closed at the height of the crisis in June but has now re-opened with a new name – La Lauragaise and with new management.

FSA Publishes Latest DNA Testing Results for Horsemeat

The FSA has published the second quarterly report industry results from the testing of beef products for horse meat or horse DNA. No results were found for horse meat/DNA at or above the 1% reporting threshold. The report includes 9,588 new results, of which 7,402 were submitted by ABP Food Group.

These figures include all test results submitted since the compilation of the first quarterly report, which was published in mid-June.

Catherine Brown, FSA Chief Executive, said: 'We have continued to work with industry and local authorities since the previous set of results were published, and there has been on-going cooperation from the food industry. This second report finds that all results are negative for horse meat/DNA at the 1% level.'

To download the report go to the FSA website: <http://tinyurl.com/o2kh7e4>

Torfaen Council Appeal in Case of Frozen Food Past "Use By"

The Supreme Court recently published a judgement, following appeal, in the case of Torfaen County Borough Council (Appellant) v Douglas Willis Limited (Respondent)

The appeal follows a case where on 29 June 2011 inspectors from the council's trading standards department visited the company's premises where they found a number of packages of frozen pigs tongues labelled with "use by" dates which had passed.

The charges were dismissed by Gwent Justices on 1 September 2011 on a submission by the company that it had no case to answer. The justices accepted the company's argument that the prosecution had to prove that at the date of the alleged offence the food was highly perishable and likely after a short period to constitute an immediate danger to human health.

The Council then appealed to the Divisional Court. Although there was no evidence as to when the food items had been labelled or frozen Torfaen held that all they had to prove was that the food was in the company's possession for sale and that the food bore a "use by" date that had passed. However, the justices concluded that since they were all frozen at the time of the inspection, they were not then highly perishable and so did not require a "use by" date under the regulations. Therefore no offence was committed under the relevant regulation.

Torfaen Council have since then further appealed to the Supreme Court which has overturned the Divisional Court judgement and stated that for enforcement to have to prove that the food was in a highly perishable state at the time of the alleged offence would seriously weaken the regulatory scheme and the protection provided to consumers. It would enable a retailer of perishable food, which had passed its "use by" date, to freeze it and then sell it without the consumer knowing how old it was at the time of freezing.

The Justices concluded that under regulation 44(1)(d) of the Food Labelling Regulations 1996 it is sufficient for the prosecution to prove that the defendant had food in its possession for the purpose of sale which was the subject of a mark or label showing a "use by" date which had passed.

The case will now be reheard in front of a new panel of justices, but the rehearing must be in accordance with the law stated in the Supreme Court Judgment. My thanks to Kathryn Gilbertson of Greenwood

Solicitors for the original information on this appeal

The case continues, but based on this new judgement, in businesses where chilled stock is frozen safely within its life for later repacking and sale they would be well advised to:

- Ensure procedures are in place to demonstrate when product has been frozen and how old it is
- Ensure that labelling practices for stored frozen stock are appropriate with respect to durability date
- Review their current frozen stock to ensure that date labelling is appropriate

Judicial Review on DSM Court Case

Following the issues last year with Mechanically Separated Meat (MSM) and De-sinewed Meat (DSM) resulting in the moratorium on MSM production from Ruminant and the reclassification of poultry and porcine DSM as MSM.

Newby Foods made an application for a Judicial review on the legality of the moratorium action taken by the Food Standards Agency (FSA)

The Judgment has now been made available. In concluding Justice Edwards-Stuart was unable to reach a definitive Judgment as in respect to certain key questions there needs to be clarity on certain rulings of the European Commission. Consequently these questions have been referred for a preliminary ruling to the Court of Justice of the European Union.

The questions to be referred (as taken from the judgement) are:

70. This court refers the following questions

i) Do the words “loss or modification of the muscle fibre structure” in paragraph

1.14 of Annex I of Regulation (EC) No 858/2004 mean “any loss or modification of the muscle fibre structure” that is visible using standard techniques of microscopy? (The same words appear also in Article 3(n) of Regulation (EC) No. 999/2001, as amended by Regulations (EC) No. 1923/2006).

ii) Can a meat product be classified as a meat preparation within paragraph 1.15 of Annex I where there has been some loss or modification of its muscle fibre structure that is visible using standard techniques of microscopy?

iii) If the answer to (i) is no and the answer to (ii) is yes, is the degree of loss or modification of the muscle fibre structure that is sufficient to require the meat product to be classified as MSM within paragraph 1.14 of Annex I the same as that required to eliminate the characteristics of fresh meat within paragraph 1.15?

iv) To what extent must the characteristics of fresh meat have been diminished before they can be said to have been eliminated within the meaning of paragraph 1.15?

v) If the answer to (i) is no, but the answer to (iii) is also no:

a) What degree of modification to the muscle fibre structure is required in order for the product in question to be classified as MSM?

b) What criteria should be used by national courts in determining whether or not the muscle fibre structure of the meat has been modified by that degree?

The judgment can be found at: <http://tinyurl.com/pr4rz83>.

A second High Court Judgement can also be accessed through this link: <http://tinyurl.com/maqdwf2>

The second judgement concerns the application by Newby foods for relief, which includes:

- **Lifting of the moratorium,**
- allowing production of Ruminant MSM for pet food;
- allowing the sale of 51 tonnes desinewed lamb for pet food;
- **a declaration that DSM pork and poultry products are meat preparations**

As the original judgement referred certain aspects to the European Court of Justice, the application for final relief cannot be concluded, but the judgement has granted leave for Newby **to produce DSM from poultry and pigs for sale as meat preparations.**

The judge has reserved judgment on two issues. First, the sale of 51 tonnes of de-sinewed lamb meat held in storage by Newby for pet food and second, in relation to a new claim Newby has made to resume the production of de-sinewed lamb meat for human consumption and/or pet food. We await feedback on these decisions

European Parliament Food Fraud Report

The ENVI Committee of the European Parliament has published a draft report on the food fraud crisis. Other members have until 29 October to comment and propose amendments before a final report is drafted and formally sent to the Commission and Council of Ministers

The draft report suggests that:

- Official controls should focus on Food fraud as well as food safety, FVO audits should also look at this issue
- Member States should not give over too much control for regulatory compliance to third parties.
- The Commission should legislate on business to business labelling
- The Commission focusses more on electronic certification systems in the food chain to replace paper certificates.
- The Commission should urgently progress with its proposals on country of origin labelling for meat and for meat as an ingredient.
- Enforcement should move from veterinary / administrative to a more policing approach
- Sanctions for food fraud should be at least double that of the benefits of the fraud itself

The report can be accessed via this link: <http://tinyurl.com/kbgejdr>

The top 10 products identified as most at risk of food fraud are:

1. Olive oil
2. Fish
3. Organic foods
4. Milk
5. Grains
6. Honey and maple syrup
7. Coffee and tea
8. Spices (such as saffron and chili powder)
9. Wine
10. Certain fruit juices

LABELLING AND FOOD LAW

Defra Guidance on Protected Food Names

In 1993 EU legislation came into force which provides for a system for the protection of food names on a geographical or traditional recipe basis.

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

Under this system a named food or drink registered at a European level will be given legal protection against imitation throughout the EU.

Producers who register their products for protection benefit from having a raised awareness of their product throughout Europe. This may in turn help them take advantage of consumers' increasing awareness of the importance of regional and speciality foods.

- Protected Designation of Origin: Open to products which are produced, processed and prepared within a particular geographical area, and with features and characteristics which must be due to the geographical area
- Protected Geographical Indication: Open to products which must be produced or processed or prepared within the geographical area and have a reputation, features or certain qualities attributable to that area
- Traditional Speciality Guaranteed: Open to products which are traditional or have customary names and have a set of features which distinguish them from other similar products. These features must not be due to the geographical area the product is produced in nor entirely based on technical advances in the method of production.

Down load the guide and find out about currently registered products at: <http://tinyurl.com/cgxgvdn>

Front of Pack Nutrition Influence on Consumer Choice

A study has been published that aimed to find out whether front-of-pack nutrition label formats influence the healthiness of consumers' food choices and what influences consumer to make more healthy choices. The study explored predictors of health motivation and perceived capability of making healthy choices.

One thousand German and Polish consumers participated in the study that manipulated the format of nutrition labels. All labels referred to the content of calories and four negative nutrients and were presented on savoury and sweet snacks. The different formats included the percentage of guideline daily amount, colour coding schemes, and text describing low, medium and high content of each nutrient.

Participants first chose from a set of 10 products and then from a set of 20 products, which was, on average, more healthful than the first choice set. The results showed that food choices were more healthy in the extended 20-product (vs. 10-product) choice set. The key findings of the study show that influence of nutrition labels on choice at the point of sale is small, but that provision of the information does increase consumer capability in making healthy choices. The study can be viewed and is available to buy from:

<http://tinyurl.com/q8t24pa>

Communicating Nutritional Labelling Changes to Consumers

The British Retail Consortium (BRC), have produced a leaflet giving advice on how to convey the key messages to consumers about the nutrition labeling changes introduced by Regulation 1169/2011 on Food Information to Consumers.

The idea is that companies, health professionals, professional organisations, Governments and non-governmental organisations use consistent messages, adapting the style, language and length of message to suit the particular situation. Retailers will be using these messages to communicate the changes to consumers through their websites, in-store magazines, posters, in-store leaflets and customer lines. By having a consistent message consumers will understand the changes more easily and quickly and are more

likely to make healthier choices.

Download the BRC leaflet from: <http://tinyurl.com/okptpwt>

Europe Wide Guidance on Food Information Regulation

The European Trade Association umbrella organisation's of FoodDrinkEurope (representing manufacturers) and Eurocommerce (representing retailers) have teamed up and published guidance on Regulation 1169/2011 on Food Information to Consumers. Access the guidance through this link: <http://tinyurl.com/ppe4osx>

Updated Fish Labelling Regulations and Guidance

Defra have issued new guidance for fish and shellfish businesses and food businesses across the whole UK to accompany the new Fish labeling (England) Regulations 2013 that have replaced previous 2010 Fish Labeling Regulations; the guidance has been updated to reflect the change, The Regulations in Scotland, Wales and Northern Ireland have also been updated and the guidance applies to them also.

The guidance is intended to provide regulatory and best practice guidance on the fish labelling requirements in the Fish Labelling Regulations 2013 and Regulations (EC) 104/2000, 2065/2001, and the consumer information elements of 1224/2009 and 404/2011.

To accompany the guidance an updated list of Commercial Designations has also been published and is available on www.gov.uk/defra

The guidance includes both the Regulation requirements and also best practice, which is clearly indicated as such. Businesses are not required to follow these parts of the guidance.

To download the new Regulation go to: <http://tinyurl.com/nje9959>

To download the updated guidance: <http://tinyurl.com/ovvokpt>

To download the commercial designations list: <http://tinyurl.com/pygozbp>

NUTRITION, ADDITIVES AND HEALTH

Rosemary Extract Approved for Low Fat Meat and Fish Products

An amendment to the additives Regulation 1333/2008 has recently been published in the Official Journal of the European Union: Commission Regulation (EU) No 723/2013 of 26 July 2013 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of extracts of rosemary (E 392) in certain low fat meat and fish products.

The amending Regulation permits the use of Rosemary Extract in certain low fat non-heat-treated and heat-treated processed meat and low fat processed fish and fishery products including molluscs and crustaceans was submitted on 3 February 2012. The new rules apply from 17 August.

For the Regulation go to: <http://tinyurl.com/pp9rgs6>

Sweetener "Advantame" Safe Says EFSA

Following a request from the European Commission, the European Food Safety Authority (EFSA) Panel on Food Additives and Nutrient Sources added to Food (ANS) was asked to provide a scientific opinion on the safety of advantame as a high-intensity sweetener.

Advantame is described by the applicant as a derivative of aspartame and it is reported to be approximately 37 000 times sweeter than sucrose.

The Panel provided a scientific opinion on the safety of advantame as a sweetener for use in the food categories specified in the dossier and found that it is stable under normal storage conditions. The

Panel noted that there is an indication of advantame instability in acidic beverages and thermally treated foods. The Panel concluded that advantame does not raised concern with regards to genotoxicity and carcinogenicity.

To find out more and download the report: <http://tinyurl.com/ogs9wj8>

Bread and Flour Fortification to be Retained

Earlier this year Defra carried out a consultation reviewing the Bread and Flour Regulations 1998 (BFR) and whether mandatory fortification of wheat flour (except wholemeal) in England should continue. (Paper 2013_02_A) The review came out of the Government's Red Tape Challenge

The Bread and Flour Regulations (BFR) are national rules, not deriving from any EU directives, which require mandatory fortification of wheat flour (except wholemeal flour) with calcium, iron, niacin and thiamin. They also lay down specifications for the addition of these nutrients to flour and control the use of the terms wholemeal and wheatgerm.

The Government has now determined that the Regulations will be retained in their existing form. According to Defra this decision takes into account an assessment of the health impacts, the impact on industry and on other parts of the UK, and the interests of consumers.

This does mean that as labels are designed to comply with the new EU FIC labelling rules any fortification of the flour would be required to be labelled in full. However, at least the uncertainty around the labelling requirement is now resolved.

A summary of responses and an interested party's letter from Defra along with information on the original consultation can be found at gov.uk: <http://tinyurl.com/kvms4n8>

UK Anti-Microbial Resistance Strategy

Following the 'Annual Report of the Chief Medical Officer, 2011', published in March 2013 the Veterinary Medicines Directorate (VMD) of the Department for Environment, Food and Rural Affairs (Defra) along with agencies of the devolved administrations and other Government Agencies have developed and published a 5 year strategy aimed at tackling the growing issue of anti-microbial resistance (AMR).

Modern medical practice relies on the widespread availability of effective antimicrobials to prevent and treat infections in humans and animals. Resistance to all antimicrobials, including antivirals and antifungals, is increasing, but of greatest concern is the rapid development of bacterial resistance to antibiotics. The strategy seeks to ensure that antibiotics are used responsibly and less often.

The strategy attempts to be holistic in that the approach spans people, animals, agriculture and the wider environment. The overarching goal is to slow the development and spread of AMR focussing around 3 strategic aims:

- improve the knowledge and understanding of AMR,
- conserve and steward the effectiveness of existing treatments,
- stimulate the development of new antibiotics, diagnostics and novel therapies.

To download the strategy go to: <http://tinyurl.com/pdowerh>

Experts Call for Global ban to Tackle Anti-microbial Resistance

A Global Group of Experts have described the number of avoidable human deaths and the costs of health care potentially caused by third-generation *cephalosporin* use in food animals as "staggering" and are calling for a global ban on their use, particularly in poultry hatcheries.

In a letter to the journal, *Emerging Infectious Diseases* entitled **«Human Deaths and Third-Generation Cephalosporin use in Poultry, Europe», the experts say: «The number of avoidable deaths and the costs of health care potentially caused by third-generation cephalosporin use in food animals is staggering.** Considering those factors, the ongoing use of these antimicrobial drugs in mass therapy

and prophylaxis should be urgently examined and stopped, particularly in poultry, not only in Europe, but worldwide.”

Globally, lead author, Peter Collignon of The Canberra Hospital in Australia and co-authors explain that antimicrobial drug resistance is rapidly rising, with resultant increased illness and death. Of particular concern is *Escherichia coli*, the most common bacterium to cause invasive disease in humans. In Europe, increasing proportions of bloodstream infections caused by *E. coli* **are resistant to third-generation cephalosporins**.

In their letter they suggest 1,518 additional deaths and an associated increase of 67,236 days of hospital admissions would be counted as a result of cephalosporin and other antimicrobial drug use in poultry alone.

To access the letter go to: <http://tinyurl.com/kv9uk9h>

Extract citation: Collignon P, Aarestrup FM, Irwin R, McEwen S. *Human deaths and third-generation cephalosporin use in poultry, Europe* [letter]. *Emerg Infect Dis* [Internet]. 2013 Aug [date cited]. <http://dx.doi.org/10.3201/eid1908.120681>

PROCESSING AND RETAIL

Consultation on Guidance for Grocery Code Adjudicator

The Groceries Code Adjudicator (GCA) has published draft guidance for consultation: <http://tinyurl.com/pg4deo8> **on how investigations into suspected breaches of the Groceries Supply Code of Practice** <http://tinyurl.com/nnod6fx> will be carried out.

The Code of Practice was established to ensure supermarkets treat their suppliers lawfully and fairly. The Adjudicator’s role is to arbitrate on disputes between retailers and suppliers and carry out investigations into suspected breaches of the Code. The Groceries Code Adjudicator can receive confidential complaints and evidence about how large supermarket retailers are treating their direct suppliers.

The guidance sets out the GCA’s criteria for starting an investigation, the procedure for carrying out investigations and its enforcement powers, which include financial penalties. The guidance is proposing that the maximum financial penalty for breaches of the Code is 1% of the retailer’s UK turnover.

The GCA cannot start investigations until the final guidance is published but it can arbitrate on disputes and receive complaints which may lead to an investigation. The guidance is available from the [GCA webpage](#) and **comments are invited from retailers, suppliers, trade bodies and any other interested parties or individuals. Responses should be sent to enquiries@gca.gsi.gov.uk.**

ASA Rules on Retail Advertising

The Advertising Standards Authority has recently published its response to a complaint made regarding an Iceland advertisement.

A national press ad, published in the 'i' newspaper, was headed "FOOD YOU CAN TRUST ... Iceland has always led the way in developing Food You Can Trust". Further text included "No horsemeat has ever been found in an Iceland product.* All our burgers are made in the UK from British beef". Text underneath stated "Recent testing by the Food Safety Authority of Ireland (FSAI) found traces of equine DNA at one tenth of one percent in two Iceland Quarter Pounder burgers. The testing method used by the FSAI was not an accredited test and the current accepted threshold level is 1% (10 times the level reported in the Iceland product). Two subsequent tests of the same batch of burgers carried out by two accredited independent laboratories found no evidence of contamination".

The complainant challenged whether:

1. the ad was misleading, because the claim "No horsemeat has ever been found in an Iceland product" was contradicted by text which stated that two Iceland burgers had been found to contain 0.1% equine DNA; the complaint was not upheld
2. the ad denigrated the FSAI, this complaint was upheld and Iceland instructed that in future they must ensure that their advertising does not denigrate or discredit organisations in future.

For the full ruling go to: <http://tinyurl.com/kx93e8z>

More recently Tesco have also been taken to task by the Advertising Standards Agency for a two page ad that suggests that all food business and the whole supply chain were involved in the horsemeat issue. The advertisement must now not be repeated in its current form. For the detail of the judgement go to: <http://tinyurl.com/nwldqjz>

Food Hygiene Rating Scheme "Toolkit" Launched

The Food Standards Agency is encouraging food business to make the most of their food hygiene rating to help attract trade. A "how to" toolkit offering guidance, images, logos and web banners is available.

FSA research has shown that customers are becoming increasingly aware of the food hygiene schemes and are actively looking for rating stickers when choosing where to eat out.

More food businesses are now displaying their hygiene rating stickers and a third of them say that this has resulted in greater customer confidence, better reputation among customers and, most importantly, more customers.

For more information and to download the toolkit: <http://tinyurl.com/pe8nqm2>

REGULATORY ENFORCEMENT AND OFFICIAL CONTROLS

New Regulators Compliance Code

A new Regulators' Code has been published by the Government Department for Business Innovation and Skills (BIS) that is intended to help shape a new partnership between regulators and the businesses and communities they serve, replacing the existing Regulators Compliance Code.

A consultation with the business community as well as regulators and local authorities found that although regulators had largely adopted the principles of the original code, its delivery was inconsistent and it had not changed regulatory culture and practice. This updated code is intended to address the concerns; it establishes how non-economic regulators should interact with those they are regulating.

Regulators should:

- carry out their activities in a transparent way that helps those they regulate comply and grow
- design simple and straightforward ways to engage with and hear the views of those they regulate
- base their regulatory activities on risk and share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities

Nearly all non-economic regulators, of which there are more than 50, including local authorities and fire and rescue services, will need to have regard to the Code when developing standards, policies or procedures that either guide their regulatory activities with businesses or apply to other regulators. Although published now the code will be provided with Regulatory backing with the publication of a Statutory Instrument in Spring 2014.

The Regulators' Code can be downloaded from: <http://tinyurl.com/ones3ft>

At the same time BIS have launched the new Accountability for Regulators Impact scheme which means that non-economic regulators that are planning a significant change in policy or practice – for example, by updating guidance or inspection regimes - will assess and quantify the impact of that change on business through discussions with trade associations and other business representatives before carrying out the proposed changes. To find out more go to: <http://tinyurl.com/kw9pjat>

Animal Welfare and Food Safety Balance of Competencies Review Published

The government has published the results of the first semester of its balance of competencies launched in July 2012. Including its review on Animal Health and Welfare and Food Safety carried out by Defra with FSA.

The Balance of Competencies review is an audit of what the EU does and how it affects the UK. In conducting the review Government departments consult Parliament and its committees, business, the devolved administrations, and civil society to look in depth at how the EU's competences (the power to act in particular areas conferred on it by the EU Treaties) work in practice.

The overall review is broken down into a number of individual reports covering specific areas of EU competence. This is being done over the course of four semesters:

- Autumn 2012 – Summer 2013
- Spring 2013 – Winter 2013
- Autumn 2013 – Summer 2014
- Spring 2014 – Autumn 2014

During the current second semester Trade and Investment, Environment and Climate Change and Transport are being reviewed To find out more about how to contribute to the balance of competencies review and download the first reports go to: <http://tinyurl.com/bgrm7xx>

Government Proposals to Cut Red Tape in Marine Regulations

Following the Water and Marine Red Tape Challenge theme in early 2013 Defra have announced the Governments' proposals to reduce and simplify regulations relating to conservation and use of the marine environment, freshwater and migratory fisheries and sea fisheries.

The proposals can be found at can be found at: <http://tinyurl.com/n6qbwlh>

The Marine element covers 196 regulations and the proposal is to scrap or improve 63% of them: 62 will be improved, mainly through simplification, consolidation and improving implementation on the ground and 63 regulations will be scrapped. The remaining 71 will be kept to maintain important environmental and public protections.

Many of the proposals to scrap or improve will require legislative changes and Defra has also produced an implementation plan for the entire Water and Marine theme setting out a timeline to roll out the proposals. This can also be found at: <http://tinyurl.com/ltvfopn>. The water and marine theme, more widely, covers drinking water quality, flood management, inland waterways, marine conservation and fisheries.

Defra Publish Earned Recognition Plan for Farming

Defra have published their plan for earned recognition in the farming sector. One of the key themes of the Farming Regulation Task Force report or the MacDonald report published in 2011 was the need for government to adopt an earned recognition approach to reduce the burden of inspections on food businesses and for farmers. In response to the Task Force report, government accepted the principle of earned recognition and committed to identifying opportunities for applying earned recognition to existing inspection regimes.

Defra have now published an Earned Recognition Plan. The plan aims to give farmers the opportunity to earn recognition, and therefore reduce the administrative burden of regulation on those who have a strong track record of reliability and adherence to standards. The food business element of the original report seems to have been somewhat lost.

To download the plan, go to the Defra website at: <http://tinyurl.com/pemkmb6>

BRDO publishes New Statutory Guidance on Primary Authority

As part of its package to drive growth, Primary Authority is being extended in three ways: to enable more businesses to join, to strengthen inspection plans and to bring more regulations in scope.

To reflect these changes the statutory guidance has been updated. Statutory guidance is issued to assist those using the scheme and sets out detail beyond the provisions in the Regulatory Enforcement and Sanctions Act 2008. BRDO recently consulted on the revision of the statutory guidance and the Government has today published its response to this consultation, alongside the new Primary Authority Statutory Guidance, which will come into effect on 1st October 2013. The revised guidance reflects:

- Changes effected by the Enterprise and Regulatory Reform Act 2013, which extends eligibility to participate in Primary Authority, and strengthens inspection plans
- The inclusion of new regulations in the scope of Primary Authority (age-restricted sales of gambling, sunbed tanning, Housing Health & Safety Rating System and Welsh regulations on single use carrier bag charging); and
- The evolution of the scheme since 2009.

You can find the Primary Authority Statutory Guidance and the new List of Primary Authority Categories (referred to in the guidance) here: <http://tinyurl.com/cj9twvm>, and the Government Response here: <http://tinyurl.com/orwt7p8>

Local Authority Approval of Stand Alone Cold Stores

Back in September 2012 BFFF, prompted by member concerns, we discussed in the Technical Committee the move by some Local Authorities to require that Wholesale Cold Stores handling meat products should apply for approval against hygiene Regulation 853/2004; even where, these cold stores have historically been registered against Regulation 852/2004 and their operations are limited to the storage and distribution of pre-packed meat products. We had several discussions with FSA on this and provided them with a position paper detailing our thoughts.

After much deliberation by the Food Standards Agency, they have now responded with an interested parties paper sent out to us and other stakeholders and have requested comments by end November.

The key points in the paper which would form the basis of revised guidance are:

- The Commission requires that the “approval” chain must be maintained up until the point at which a Frozen Product of Animal Origin (FPoAO) is packed for retail sale to the consumer.
- Retail cold stores are exempt, as are cold stores handling only composite products
- Cold stores limited to the storage and distribution of pre-packed FPoAO (ie that already bear an approval mark) ready for supply to retail are exempt
- Whether a cold store is “registered” or “approved” the requirements to demonstrate compliance will be the same. Cold stores requiring “approval” will not be required to apply their “approval” mark, unless of course they are carrying out packing or re-wrapping activities.
- FSA therefore conclude that although cold stores who handle (handling includes storage) FPoAO that are raw meat or processed or partly processed meat intended for use as an ingredient in other products will required to be “approved” this is not intended to require any additional compliance activity and should not represent an additional burden to these cold stores or to local authorities.

If you would like the FSA paper on this contact Su Dakin on sudakin@bff.co.uk

RESEARCH

Trans Fatty Acid Link to Heart Disease “Beyond Dispute”

Dutch researchers from the department of Health Sciences and the [EMGO Institute for Health Care Research of VU University, in Amsterdam](#), and the [Division of Human Nutrition of Wageningen University](#), have published a paper in the European Journal of Clinical Nutrition, concluding that detrimental effects of industrial *trans* fatty acids (TFAs) on heart health are beyond dispute and that limiting their intake will likely lower cardiovascular disease (CVD). In addition, effects specific to *trans* fatty acids that are naturally present in dairy and meat and *trans* fatty acids produced as supplements for weight loss (conjugated linoleic acid) warrant further study.

More information can be found on the European Food Information Council website: <http://tinyurl.com/pr98n84>

Researchers Preserve Cancer Fighting Phytochemical in Frozen Broccoli

University of Illinois researchers have published research to demonstrate firstly that frozen broccoli lacks the ability to form sulforaphane, the cancer-fighting phytochemical found in fresh broccoli but also in a second study demonstrated how the food industry can act to restore the frozen vegetable’s health benefits.

The loss of sulforaphane takes place during commercial blanching which destroys the enzyme myrosinase which is necessary to form the nutrient. During the second study the researchers found that when blanched at a slightly lower temperature of 76°C, 82 percent of the enzyme myrosinase in the broccoli was preserved without compromising food safety and quality.

Sulforaphane is formed when fresh broccoli is chopped or chewed, bringing its precursor glucoraphanin and the enzyme myrosinase into contact with each other. The researchers also experimented with exposing

the frozen broccoli to other food sources of myrosinase to boost broccoli's health benefits. In doing so they found that

0.25 percent of daikon radish—an amount that's invisible to the eye and undetectable to our taste buds—on the frozen broccoli, the two compounds worked together to form sulforaphane.

The full report *Modifying the processing and handling of frozen broccoli for increased sulforaphane formation* appears in the *Journal of Food Science* and can be viewed for a modest charge online through this link: <http://tinyurl.com/kulsdm2>. See also a local news article concerning the research: <http://tinyurl.com/lauw6zj>

Allergen Information on Non Pre-packed Foods

The Food Standards Agency (FSA) has published new research on the provision of information on food allergens used as ingredients on foods that are not pre-packed.

Under the EU Food Information for Consumers Regulation (EU FIC) (No.1169/2011), allergen information will have to be provided on all foods containing any of the 14 allergens listed as ingredients (whether sold prepacked or not). The new rules will apply from 13 December 2014.

The results provide a baseline measurement of information on current practices and the FSA hope they will help them to establish what support businesses may require to help them meet their obligations under the new regulation. The survey will be repeated in 2015/2016 to establish how practices have changed once the new allergen rules have been applied.

The study involved telephone surveys of 1,666 UK food businesses selling foods that had not been prepacked, for example, foods sold in restaurants, sandwich shops, hotels, bakers, delicatessens, contract caterers. It found that larger businesses were more likely to have policies in place but that relatively few (20%) were aware of the new regulation. Similarly 20% only provided the information verbally and 7% provided no information at all.

More information on allergens can be found on the FSA website: <http://tinyurl.com/pwxvqx6> and the study is available to download: <http://tinyurl.com/qz9u67o>

BFFF Launch New Research: Antioxidants in Frozen Fruit and Veg

BFFF have published the latest research that it commissioned through Chester University. The new research compares the levels of antioxidants in frozen fruit and vegetables with that of ambient and chilled stored fruit and vegetables.

Antioxidants and other key nutritional components of food are known to be affected by factors such as handling and storage conditions. The purpose of this study was to evaluate the impact of storage conditions on a range of fresh and frozen fruit and vegetables. Fresh produce were stored in a general household refrigerator at 4°C for up to 3 days and a comparison made with equivalent frozen produce stored in a domestic freezer at -20°C. Six fresh and frozen produce were sourced from local supermarkets in the Chester area which included: Blueberries, Raspberries, Peas, Green Beans, Cauliflower and Baby Sweetcorn

The fresh and frozen produce were analysed using published methods for Vitamin C, total polyphenols, total anthocyanins and carotenoids: β -carotene and lutein

From the initial data obtained, the following general conclusions can be made:

- The concentrations measured in frozen produce generally resembled those observed in the corresponding fresh produce prior to refrigerated storage.
- Analyte concentrations in fresh produce frequently exhibited a decrease during refrigerated storage, to levels below those observed in the corresponding frozen produce. The effects were most noticeable in the soft fruits.
- Concentrations were frequently lowest after 3 days of refrigerated storage..

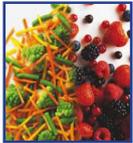
To access the full report go to: <http://tinyurl.com/phpzmtg>

This is the latest research that BFFF have added to their considerable catalogue, access the full catalogue on the BFFF website: <http://tinyurl.com/px6yiw5>

Catalogue of BFFF Research on Frozen Food



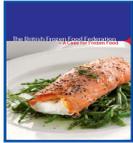
British Frozen Food Federation RESEARCH



Antioxidants in Frozen Fruit & Veg - The purpose of this study was to evaluate the impact of storage conditions on a range of fresh and frozen fruit and vegetables.



Frozen Lion: A Business Case
A Fresh/Chilled and Frozen Cost Comparison in a Typical British Pub.



A Case for Frozen – this booklet demonstrates how we are working to promote the benefits of frozen food to consumers and food service operators in the UK.



Consumer Preference Research – Pub taste tests - To discover if diners could tell the difference between two versions of the same meal - one using fresh ingredients and one using frozen.



Price Comparison – Shopping Basket Analysis
An investigation to examine price differences between fresh and frozen food available in supermarkets



Nutritional Research – Changing Consumer Perceptions Supermarket shopping - The nutritional difference between fresh & frozen.



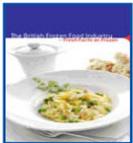
Eating Green Report - Carbon emissions from chilled and frozen cold chains for a typical UK Sunday roast chicken meal.



Perception and usage of Frozen – a study to gain an insight and understanding of the markets views on frozen food products.



Hospital Meals - An investigation was conducted in order to analyse a hospital menu and examine the effect, on nutrients, of providing the meals from fresh or frozen sources.



Fresh Facts on Frozen - The Fresh Facts on Frozen booklet brings together global information and facts about the benefits of frozen food.



N-Ice Restaurant - The effect of a gourmet 'frozen' restaurant meal on diners' perceptions of frozen food.



Cost, Waste & Taste - Cost, waste and taste comparison of frozen food versus fresh food in a Consumer market.



A Food Vision - This report evaluates the impact of the frozen food supply chain with regard to market trends, sustainability, health and innovative technologies.



Fishy Favourites - Bulletin article which examines how a product travels from sea to plate.



From Field to Plate - Bulletin article which looks at peas and how they get from field to freezer?



WHY BUY FROZEN? – Booklet 1 – Fruit & veg, bakery, fish & seafood.



WHY BUY FROZEN? – Booklet 2 – Meat & poultry, desserts & confectionery.



WHY BUY FROZEN? – Booklet 3 – Buffet, prepared meals/entrées & functions.



WHY BUY FROZEN? – Booklet 4 – Potatoes, pasta, pizza & rice.



Cost Comparison Report – Cost comparison of frozen food and fresh food in a small pub or restaurant.



Primary School Food - Use and Nutritional Acceptability in Primary School Lunch Provision.



Sensory Comparison – Frozen taste & texture – Sensory comparison of frozen food and fresh food.

All our research is available on our website at www.bfff.co.uk/promotion/media-library



SOCIAL RESPONSIBILITY, ENVIRONMENT AND SUSTAINABILITY

WRAP Resource Efficiency Tools and Training can Save you Money

A free, accredited online training tool has been launched by WRAP to help businesses across England save up to £1,000 per employee by improving the way they manage their resources. On Course For Zero Waste is a free online training course for English and Welsh small and medium-sized enterprises/organisations (SMEs).

The course has been designed to develop the skills and tools needed to improve the resource efficiency, environmental performance and save money. Developed by WRAP's business resource efficiency team, On Course for Zero Waste gives quick, structured access to tried and tested techniques as well as free tools, case studies and templates and other support material.

To register go to: <http://tinyurl.com/nrlkugv>

To view other resource efficiency tools freely available from WRAP following this link: <http://tinyurl.com/br9a5pa> _

Up to 1/3 US Fish at Retail Fraudulently Labelled

An investigation by Oceana has revealed that a third of seafood sampled in the United States is mislabeled. The investigation conducted by Oceana from 2010 to 2012, collecting more than 1,200 seafood samples from 674 retail outlets in 21 US states to determine if they were honestly labeled. Seafood fraud is economically wrong, harms the health of Oceans, cheats honest vendors and fishermen and can potentially be a health risk to consumers.

DNA testing found that one-third (33 per cent) of the 1,215 samples analysed nationwide were mislabeled, according to FDA guidelines.

Oceana identified of that the most commonly collected fish types, samples sold as snapper and tuna had the highest mislabeling rates (87 and 59 per cent, respectively), with the majority of the samples identified by DNA analysis as something other than what was found on the label. In fact, only seven of the 120 samples of red snapper purchased nationwide were actually red snapper. The other 113 samples were another fish. The report also identified that 44 per cent of all the retail outlets visited sold mislabeled fish.

Read the full Oceana report at: <http://tinyurl.com/a8eeruk>

EU Parliament Votes to Cap Biofuels

If biofuels received no EU policy support, the price of food stuffs such as vegetable oil would be 50% lower in Europe by 2020 than at present – and 15% lower elsewhere in the world – according to new research just published by the EU's Joint Research Centre (JRC). Access the report via <http://tinyurl.com/nuodhxd>

When more, rape, soy and palm oil are used for biofuels production, less is available for food use and the resulting scarcity drives food price inflation. The report was published on the eve of a European Parliament vote that approved a cap of on the use of fuels made from food crops to 6% of overall transport fuel demand in the EU in 2020. The decision effectively stops EU biofuel producers from increasing current output.

Germany, Spain, France and Italy are the EU's biggest producers of rapeseed oil – and home to the bulk of its auto industry, which actively promotes the use of biodiesel in reducing carbon dioxide emissions. European biodiesel output (up to 10 million tonnes a year) relies heavily on rapeseed oil but 2012's crop was an estimated million tonnes less than in 2011, at 18 million tonnes, forcing up prices.

In 2009, the Eu set a target for a 10% share of renewable energy in transport, with almost all of it to come from so-called first generation crop-based fuels. Biofuels, such as ethanol made from sugar or biodiesel

from rapeseed, are blended with conventional transport fuels and added to vehicle fuel tanks. They were originally intended to reduce transport carbon emissions and cut Europe's dependence on imported oil. But faced with claims that Europe's thirst for biofuels was driving up global food prices, and scientific evidence that some biofuels are more harmful to the climate than even conventional fossil fuels, the Commission was forced into a rethink.

Parliament also backed a proposal that would force energy companies from 2020 to take account of the indirect emissions caused by crop-based biofuels, a move that would effectively ban the use of biodiesel from oil crops such as rapeseed, palm and soy, which according to the EU's scientific models are more damaging than conventional diesel when their overall impact on the environment is taken into account.

The biodiesel industry says the scientific models used in the studies are highly uncertain and based on flawed assumptions. Find out more about the decision at: <http://tinyurl.com/pj3o4uf>

FAO Food Waste Toolkit

The FAO has issued a toolkit to help in the reduction of foodwaste.

According to 2011 FAO research one-third of all food produced in the world is lost or wasted from farm to fork,

This wastage not only has an enormous negative impact on the global economy and food availability, it also has major environmental impacts. The direct economic cost of food wastage of agricultural products (excluding fish and seafood), based on producer prices only, is about 750 billion USD, equivalent to the GDP of Switzerland.

The aim of the Toolkit is to showcase concrete examples of good practices for food loss and waste reduction, while pointing to information sources, guidelines and pledges favoring food wastage reduction. Examples featured throughout the Toolkit are used to demonstrate the actions that everyone, from individual households and producers, through governments, to large food industries can take that that will ultimately lead to sustainable consumption and production patterns, and thus, a better world for all. Download the report from: <http://tinyurl.com/ohgt6bh>

EU Trade Measures Protect Herring from Faroese Unsustainable Fishing

The European Commission has adopted a package of measures to address the continued unsustainable fishing of herring by the Faroe Islands.

The measures include the ban of imports of herring and mackerel from the Atlanto-Scandian stocks that has been caught under the control of the Faroe Islands as well as fishery products containing or made of such fish. The measures also include restrictions on the use of EU ports by vessels fishing for the herring and mackerel stocks under the control of the Faroe Islands. This means that some Faroese vessels will not be allowed to dock in EU ports, except in cases of emergency.

In 2013 the Faroe Islands unilaterally broke away from an international agreement controlling quotas and established an autonomous quota which more than trebled their previously agreed share. Despite the Commission's best efforts to find a negotiated solution the Faroese have refused to end their unsustainable fishing of the stock.

Whilst a similar dispute exists with Iceland on the management of the North-East Atlantic mackerel stock, the Commission has not yet adopted measures in this respect. However, the Commission is now taking the initial steps in this case as well. The measures came into force on 27 August. <http://tinyurl.com/nbwxyot>

FAO Report on Reducing Livestock Emissions

Wider use of available best practices and technologies could help reduce greenhouse gas emissions from the livestock sector by as much as 30 per cent, according to a new study released today by the United Nations Food and Agriculture Organization (FAO).

The report, "Tackling climate change through livestock: A global assessment of emissions and mitigation opportunities," represents the most comprehensive estimate to date of livestock's contribution to global warming, as well as the sector's potential to help tackle the problem.

To download the report, go to: <http://tinyurl.com/pafb62j>

TECHNOLOGY AND NOVEL FOODS

Chief EU Scientist Backs GM Report

Studies linking genetically modified crops with adverse effects on the environment or animal health are based on “contested science”, according to a recent report by the European Academies Science Advisory Council (EASAC), which received backing from Anne Glover, the EU’s chief scientific advisor.

The report from EASAC, published in June, warns of the “grave scientific, economic and social consequences of current European Union policy towards GM crops”, saying European countries should “rethink” their widespread rejection of the technology.

The study came as a blow to environmentalists opposing GMOs as it received backing from the national science academies of all EU member states, plus Norway and Switzerland.

It has now received support from the EU’s chief scientific advisor, Anne Glover, who described it as “an authoritative, joint statement of the national science academies in the EU member states.” And that “The conclusions of the report are based on the best possible evidence and I endorse its conclusions whole-heartedly,”

For the Euractive interview with Anne Glover and access to the EASAC report go to: <http://tinyurl.com/nota6m6>

Members of the British Frozen Food Federation requiring further information about any item in this newsletter should contact Su Dakin, Technical Manager
Warwick House Tel: 01400 283090 / 283094 (dir.) Fax: 01400 283098

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