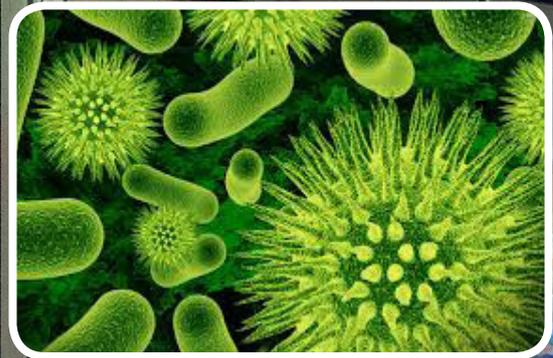


T & L UPDATE

BFFF TECHNICAL AND LEGISLATIVE UPDATE

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Frozen Food and Food Security in the UK

Cranfield
UNIVERSITY

Final Report

School of Applied Sciences
Group Project MSc.

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FOREWORD

Welcome to the latest edition of the Technical and Legislative Update

Inside this issue there are some important updates on date of freezing and the ability to label total weight on glazed frozen products destined for caterers.

BFFF have lobbied that the labelling of first date of freezing, that applies to frozen meat, meat preparations and unprocessed fish products should be that of the date of freezing of the food as it is presented to the consumer; however after a recent labelling Working Group meeting of the Commission and EU Member States Defra gave us some disappointing feedback that the Commission believes it should be the date of first freezing of the raw material. We continue to work with Defra and other Trade Associations to explore how we can change this view. In the meantime we recommend to members that they continue to follow Defra's National guidance, unless trade with other MS or customers demand otherwise.

We are also disappointed with the Commission ruling that consumers and caterers must only have net weight information given to them. BFFF have always maintained that the Food information to Consumers – FIC Regulation, whilst making Net Weight excluding glaze a mandatory indication, does not prohibit the voluntary declaration of Gross Weight including glaze. We recognise that although a single indication may be the most appropriate indication for consumers, for caterers and the foodservice supply chain the absence of a gross weight indication will cause significant trade difficulties. BFFF, working with Seafish, held an industry stakeholder forum to identify and understand the issues for members and have agreed to work with Defra to devise a workable system for UK fish businesses which are affected.

More than two years after the horsemeat scandal we tell you about the first prosecutions: including an £8000 fine for Peter Boddy and a custodial sentence for Dutch meat trader Willy Selten. To help keep your business out of trouble Defra have published practical guidance for enforcers and industry on how to ensure testing for food authenticity is reliable and consistent between laboratories, as well as on how to ensure the sampling and testing methods used are the right ones for the particular food.

BFFF working in conjunction with FSDF and FWD are discussing with the Food Standards Agency the latest guidance that they have issued to Local Authorities on the approval vs registration of standalone cold stores. We are looking for clarity on the guidance and seek to minimise the impact on members.

If you would like updates on these topics as they happen, drop me a line at: sudakin@bfff.co.uk and I will add you to the relevant Member Interest group.



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

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



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ACTIVITY OF EUROPEAN INSTITUTIONS

EFSA – RISK COMMUNICATIONS UPDATE

The European Food Safety Authority (EFSA) has issued an updated edition of the risk communications guidelines “When Food is Cooking up a Storm – Proven Recipes for Risk Communications”.

The objective of the guidelines is to provide a framework to assist decision-making about appropriate communications approaches in a wide variety of situations that can occur when assessing and communicating on risks related to food safety in Europe. The aim is to provide a common framework applicable for developing communications approaches on risk across public health authorities in different countries.



The guidelines are a collaborative effort by the Advisory Forum Communications Working Group (AFCWG) – a network through which EFSA partners with the national food safety agencies. A key aim of the AFCWG is to promote co-operation and coherence in risk communications, and the guidelines are an important tool in helping to achieve this goal.

The risk communications guidelines are available to view in full, in four languages through this link: <http://tinyurl.com/p9g3gyg>

WELFARE RISKS OF FARMING SHEEP FOR WOOL, MEAT AND MILK PRODUCTION

The European Food Safety Authority (EFSA) has published an external scientific report on preparatory work for the development of a scientific opinion on the main welfare risks related to the farming of sheep for wool, meat and milk production. It also provides a systematic review of the effect of extensive/outdoor/migratory management on lameness compared to intensive/indoor management systems in sheep raised for the production of meat, milk, or wool in Europe.

8 main welfare determinants were considered: management, environment, genetics, feeding, behaviour, health, housing, handler traits and outcomes. The review provided evidence that the management system is not associated with the prevalence or risk of lameness. However, higher stocking densities were associated with prevalence or risk lameness.

The EFSA report is available here: <http://tinyurl.com/osfjmfj>

EU RULES ON PRE-PACKAGING OF PRODUCTS

The European Commission is evaluating rules dealing with the measurement of quantities contained in pre-packaged goods and with their sizes (the Pre-packaging Directives). Out for consultation are 3 major pieces of legislation on standardised filling in bottles and pre-packed products and EU legislation on pack sizes are being examined.

To help understand how these rules work in practice and what problems people encounter, the European Commission has conducted a survey. The survey investigated whether the following Directives are fit for purpose:

- Directive 75/107/EEC on bottles used as measuring containers, the application of which is voluntary but which is widely used. The relevant marking consists of a reversed epsilon marking (“3”) next to the indication of quantity (volume) on the bottom of such bottles.
- Directive 76/211/EEC on the making-up by weight or volume of pre-packages (e-mark), which is voluntary and use is widespread. Pre-packed products bearing the e-mark can then be freely marketed throughout the EU. They are recognisable by the large lower-case “e” on the label or packaging, next to the indication of quantity (volume or weight).
- Directive 2007/45/EC on nominal quantities for pre-packed products (pack-sizes), which applies to all pre-packed products. Having liberalised pack sizes, the directive also promotes free circulation of products in the EU Single Market.

For questions, please send an e-mail to GROW-METROLOGY@ec.europa.eu

The results of the survey will be included in the final evaluation of the Directives. The Commission aims to publish the evaluation report by the end of 2015.

CONTROL OF AQUATIC DISEASES

Commission Implementing Decision (EU) 2015/278 amending Decision 2010/221/EU as regards national measures for preventing the introduction of certain aquatic animal diseases into parts of Ireland, Finland, and the United Kingdom was published in the Official Journal of the EU, L47/22, 20/2/2015.

This decision applied from 1 December 2014.

The Decision is available to view here: <http://tinyurl.com/k9fhq5z>

FOOD CATEGORIES COMMISSION GUIDE

The European Commission has published an update to its guidance describing the food categories for food additives.

Changes include the addition of section 8.3 – Meat Products. This reflects recent amendments to the additives Regulation 1333/2008 in this area: specifically Regulation (EU) No 601/2014 as regards the food categories of meat and the use of certain food additives in meat preparations. Regulation 601/2014 can be found here: <http://tinyurl.com/owmo5s7>

The guidance document describing the food categories was elaborated by Commission services after consultation with the Member States' experts on food additives and the relevant stakeholders. The descriptions of the categories are intended to be useful for Member State competent authorities and the food industry to assure correct implementation of the food additives legislation.

The guidance is available here: <http://tinyurl.com/lh6ygc5>

ANALYTICAL AND METROLOGY

BRDO SPONSOR NATIONAL MEASUREMENTS OFFICE

BRDO

Better Regulation Delivery Office

A move to simplify regulation has been announced by the Business Minister, Matthew Hancock MP, who has asked the BIS regulatory delivery directorate, Better Regulation Delivery Office (BRDO), to create a Centre of Excellence with the National Measurement Office (NMO) which also sits within BIS.

Leadership will be provided by BRDO, who will utilise their expertise in regulatory implementation, and draw on the front line enforcement skills and capabilities of NMO.

NMO will be sponsored by BRDO, as a subsidiary technical and enforcement arm, from 1st April 2015. To better reflect the breadth of work carried out by the organisation, NMO will be re-named the National Measurement and Regulation Office (NMRO).

BRDO will continue to operate within BIS, reporting to the Business Minister, with responsibility for the Centre of Excellence as well as existing regulatory delivery functions such as Primary Authority, Better Business for All, the Regulators' Code and competency. NMO's metrology and hallmarking policy, technical and enforcement work will continue through NMRO's Executive Agency status while BIS will assume responsibility for the National Measurement System and sponsorship of the National Physical Laboratory.

In a letter to NMO's Steering Board Chair, Isobel Pollock, Business Minister Matthew Hancock said he wants to ensure that Government is doing all it can to improve the regulatory environment, and that must include simplifying technical regulation, much of which originates in Europe.

The letter to Isobel Pollock is available to view here: <http://tinyurl.com/okj255b>

ANIMAL WELFARE

ELECTRICAL PARAMETERS FOR STUNNING OF SMALL RUMINANTS

EFSA's Panel on Animal Health and Welfare (AHAW) has published a Scientific Opinion on the scientific assessment of studies on electrical parameters for stunning of small ruminants (ovine and caprine species).

The Panel was asked by the European Commission to deliver a scientific opinion on three studies evaluating electrical parameters for the stunning of lambs and kid goats. Following the review of the information provided and evaluation of the stunning procedure applied and its welfare outcome, the Panel concluded that the submitted studies did not provide enough scientific information upon which to base an assessment of the scientific approach and parameters suggested.

EFSA concluded that the submitted studies were not adequate for a full welfare assessment of the alternative method studied because they do not fulfil the eligibility criteria and the reporting quality criteria defined in the EFSA guidance on the assessment criteria for studies evaluating the effectiveness of stunning interventions (EFSA AHAW Panel, 2013a) or the EFSA opinion on monitoring welfare at slaughter of small ruminants (EFSA AHAW Panel, 2013b).

The Scientific Opinion is available to view here: <http://tinyurl.com/pz3e3ym>

AVIAN INFLUENZA IN GERMANY & HUNGARY

Commission Implementing Decision (EU) 2015/315 of 25 February 2015 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Germany was published in the Official Journal of the EU, L56/68, 27/2/2015.

The protection and surveillance zones in Germany, where the animal health control measures as laid down in Directive 2005/94/EC are applied, are defined with the Decision along with the duration of the controls.

Controls have also been applied in Hungary with Commission Implementing Decision (EU) 2015/338 of 27 February 2015 concerning certain interim protective measures in relation to highly pathogenic avian influenza of subtype H5N8 in Hungary was published in the Official Journal of the EU, L58/83, 3/3/2015.

In order to prevent any unnecessary disturbance to trade within the Union and to avoid unjustified barriers to trade being imposed by third countries, the Decision defines the protection and surveillance zones established in Hungary, it applies until 26 March 2015.

Official Journal L56/68 is available here: <http://tinyurl.com/prnm823> and L58/83 can be found here: <http://tinyurl.com/pkt6qoc>

AVIAN FLU RESTRICTIONS LIFTED IN HAMPSHIRE

Defra have announced that all restrictions for the avian flu outbreak on a farm in Hampshire have been lifted.

The low severity case of avian flu was confirmed in chickens at a farm in Hampshire on 2 February 2015 and action was taken to prevent any spread of the disease, which posed very low risk to human health.

A 1 kilometre restriction zone was placed around the property. The restrictions have been lifted 21 days after the completion of an initial cleaning and disinfection of the premises, which is the earliest point allowed under EU rules to end the controls.



NON STUN ANIMAL SLAUGHTER

Religious slaughter of animals for food without pre-stunning is currently permitted in the UK for Muslim (Halal) and Jewish (Shechita) methods in line with permitted exemptions to EU slaughter regulations which require pre-stunning.

In practice, around 80% of halal meat in the UK is from animals that have been pre-stunned. The UK Government has said that it would prefer all animals to be pre-stunned before slaughter on welfare grounds but it observes the rights of religious communities. However, animal welfare groups, including the British Veterinary Association (BVA) and RSPCA are calling for an end to non-stun slaughter. All parties in the debate would like to see labelling of meat which provides more consumer information on the slaughter methods used. The debate around labelling is whether this should be on the basis of religious suitability – Halal or Kosher or on welfare grounds: stunned or not stunned.

The BVA instigated an e-petition in May 2014 on this matter and it has already had over 114,000 signatures triggering a Commons Debate. A counter petition, calling for the protection of the right to non-stun religious slaughter, has 38,000 signatures.

A back bench debate in the House of Commons took place on 23 February as a result of the petition, access the Hansard record via this link: <http://tinyurl.com/l6w3pvw>

There has also recently been a briefing report published by the House of Commons library which is accessible with a summary through this link: <http://tinyurl.com/p7gur67>



BUSINESS DEVELOPMENT, CERTIFICATION AND TRAINING

TOOLKIT LAUNCHED TO HELP BUSINESSES EXPLOIT THEIR INTELLECTUAL PROPERTY

The Department for Business, Innovation and Skills (BIS) in conjunction with the Intellectual Property Office has issued a Press Release launching a new toolkit to help businesses exploit their Intellectual Property.

The new 'IP Finance' toolkit, advises on how to understand and present the value of their Intellectual Property. Developed by the UK Intellectual Property Office (IPO), it is intended to support businesses, particularly small businesses, to use their intellectual property assets to secure the finance they need for company growth.



Department
for Business
Innovation & Skills

The toolkit has been developed to:

- help lenders and businesses talk the same language when understanding the value of IP;
- encourage and guide businesses to document their IP assets ahead of any application for finance;
- help businesses to develop more effective IP management and commercialisation strategies; and
- raise awareness of the wide variety of finance options available for IP-rich businesses.

The IP Toolkit is available here: <http://tinyurl.com/p8u5pls>

CHEMICALS, CONTAMINANTS & FOOD CONTACT MATERIALS

DVFA: NO BASIS FOR BPA LEGAL ACTION

The Danish Veterinary and Food Administration (DVFA) has said that there is no basis for legal action against their position on bisphenol A (BPA). This is after researchers in Denmark said that the safe level recommended by the European Food Safety Authority (EFSA) does not adequately protect consumers against endocrine disrupting effects.

BPA is found in the linings of water pipes and in the seals of food contact packaging.

The National Food Institute, Technical University of Denmark, revealed that it was maintaining its assessment of BPA, despite EFSA's decision. According to the Institute's calculations, the new tolerable daily intake (TDI) should be 0.7 micrograms per kilogram body weight per day or lower to be sufficiently protective. Whilst EFSA concluded that an intake of less than 4 micrograms per day does not pose a health risk.

According to the researchers, one reason for the TDI not protecting from endocrine disrupting effects is that EFSA does not apply an appropriate uncertainty factor.

It was also claimed that EFSA did not sufficiently take into account, data from animal studies showing effects on female mammary gland, the male reproductive system, and brain development and function.

Meanwhile, the American Chemistry Council (ACC) has launched a communications campaign to highlight conclusions from EFSA and the US Food and Drug Administration (FDA). Both agencies found that BPA is safe in levels people are exposed to after evaluating the substance.

More information on the EFSA decision can be found here: <http://tinyurl.com/mhatnt4>

AMENDMENT TO EU PLASTICS REGULATION

Commission Regulation (EU) 2015/174 of 5 February 2015 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food was published in the Official Journal of the EU, L30/2, 6/2/2015.

This Regulation makes a number of amendments and corrections to Annex I of the Regulation, including the inclusion of a number of newly approved substances that have been subject to favourable EFSA opinions; clarification on the substance listed as activated charcoal; amendment of the specific migration limit for phenol and clarification that the entry for tartaric acid is for L-(+)-tartaric acid.

This Regulation enters into force on 26 February 2015. Plastic materials and articles complying with the requirements of Regulation (EU) No 10/2011 as applicable before 26 February 2015 may be placed on the market until 26 February 2016. Those plastic materials and articles may remain on the market after that date until exhaustion of stocks.

The Regulation (EU) 2015/174 is available to view here: <http://tinyurl.com/oau3xa9>

DIOXINS IN IMPORTS OF GUAR GUM FROM INDIA

Commission Implementing Regulation (EU) 2015/175 of 5 February 2015 laying down special conditions applicable to the import of guar gum originating in or consigned from India due to contamination risks by pentachlorophenol and dioxins was published in the Official Journal of the EU, L30/10, 6/2/2015.

As the source of contamination is not yet eliminated, special conditions for import are to be maintained. However, it is appropriate to bring the control measures at import in line with existing control measures at import applicable to certain food and feed of non-animal origin. Given that such alignment entails several changes Regulation (EU) No 258/2010 is repealed and replaced.

This Regulation entered into force on 26 February 2015, it can be accessed via the following link: <http://tinyurl.com/pygbvzg>

PROCESSES USED TO RECYCLE HIGH-DENSITY POLYETHYLENE BOTTLES

The European Food Safety Authority's (EFSA's) CEF Panel has published a Scientific Opinion on the safety assessment of the processes 'Biffa Polymers' and 'CLRrHDPE' used to recycle high-density polyethylene bottles for use as food contact material.

These processes are used to recycle post-consumer high-density polyethylene (HDPE) bottles which have been in contact with food, mainly milk, to produce recycled HDPE pellets. Recycled pellets are blended with virgin HDPE to produce bottles (both processes) and with virgin polypropylene to produce trays (Biffa Polymers). Bottles are intended for storage of milk and fruit juices. Trays are intended for storage of animal products and raw fruits, vegetables and mushrooms.

The Panel noted the limited decontamination efficiency under the conditions of testing and concluded that the processes do not satisfy criteria set for HDPE. Therefore, the CEF Panel considered that, for the manufacture of recycled bottles for milks and fruit juices and trays for animal products, additional data should be provided before it can conclude on the safety assessment. For the manufacture of recycled trays intended for contact with whole fruits and vegetables including mushrooms, at room temperature or below, the CEF Panel concluded that recycled HDPE obtained from the process Biffa Polymers is not considered of safety concern under the restriction given in the opinion.

The Scientific Opinion of EFSA's CEF Panel is available here: <http://tinyurl.com/mobhoyj>

ACP – ANNUAL REPORT PUBLISHED

The Health and Safety Executive (HSE) has published the Annual Report of the Advisory Committee on Pesticides (ACP) for 2014.

The Annual Report summarises the pesticide regulatory system and has sections on specific pesticides and other items considered by the Committee during the year. Appendices summarise the activities of the Panels and Working Parties of the Committee, including the Working Party on Pesticide Usage Surveys, and also list the published evaluations of the Committee.



The Annual Report can be found here: <http://tinyurl.com/m6wr22j>

FOOD SAFETY AND ZOOSES

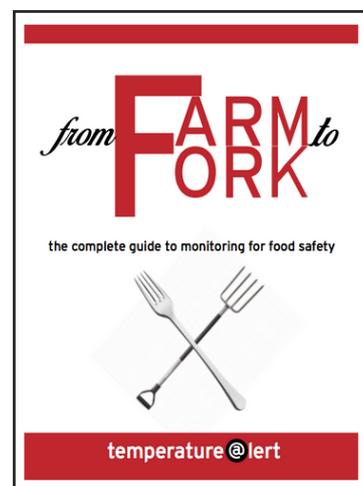
GUIDE TO MONITORING FOOD SAFETY PUBLISHED

Worldwide, refrigerated foods are one of the fastest growing segments for food service and food distribution companies every year. Temperature fluctuations at all stages of the cold chain, from production to transport, cost the food service industry hundreds of thousands pounds in spoiled or compromised products. From profit loss to food-borne illness to spoilage, the people who work in the growth and production stages of the food industry need to understand the consequences that can come from not adhering to proper temperature standards.

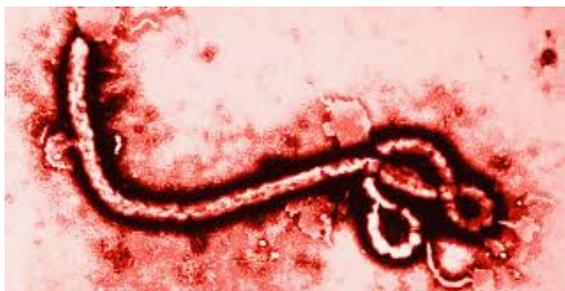
According to the U.S Food and Drug Administration (FDA), the Federal government estimates that there are roughly 48 million cases of food borne illness outbreaks annually. Not all food borne illnesses are a result of poor refrigeration practices, but they certainly don't help. The number of bacteria that cause food borne sickness in consumers can double every 20 minutes on food stored at room temperature. Each year these illnesses cause an estimated 128,000 hospitalizations and 3,000 deaths in the US alone.

These statistics are a sample of the facts contained in a recently published e-book 'From Farm to Fork'. The e-book contains facts that can help employees more clearly understand the importance of keeping food at safe temperatures at every stage of the cold chain.

'From Farm to Fork: The complete Guide to Monitoring for Food Safety' is available is full here: <http://tinyurl.com/nk4afzs>



NO EVIDENCE OF EBOLA TRANSMISSION THROUGH FOOD



There is no evidence that the Ebola virus can be transmitted through food in the European Union, according to European Food Safety Authority (EFSA) scientists.

EFSA have published a report which assesses the risk of Ebola transmission from the consumption of raw foods – such as plants, fruits and vegetables – legally imported into the EU from African countries.

To date there have been no reported human cases of Ebola infection from the consumption of these foods.

For the virus to be transmitted through food, several steps are necessary; none of these has ever been reported. The exported food should be contaminated at the point of origin; the food would need to contain a viable virus (“capable of surviving”) when it arrives into the EU; the person has to be infected following foodborne exposure.

In their risk assessment, EFSA experts identify several knowledge and data gaps – for example, for how long the virus could survive in food. The report has been developed by EFSA scientists and external experts, including two from the World Health Organization. In a previous report EFSA scientists assessed the risk of transmission of Ebola through bushmeat illegally imported into Europe from Western and Central Africa, concluding that this was low.

The EFSA report ‘An Update on the risk of transmission of Ebola virus via the food chain – Part 2’ can be found here: <http://tinyurl.com/pljav57>

FAQS ON POULTRY MEAT

Poultry meat consumption has increased significantly in recent decades. In 1952, per-capita consumption was roughly 1.2 kg. By 1978, it had gone up to over 10 kg, whereas in 2013, each person consumed about 19.4 kg of poultry meat.

Apart from the inexpensive price, the main reason identified behind the increase is that poultry meat caters to consumer demand for low-calorie and easy-to-digest food. Chicken most frequently appears on the menu, although turkey has also become much more popular. Duck, goose and other types of poultry are chosen much less often. In addition to whole poultry, poultry portions, offal and a large number of poultry meat products are available on the market.

Below, the German risk assessment institute (BfR) has compiled selected FAQs on poultry meat and the correct handling of these microbiologically sensitive foods, including:

- In what form is poultry meat offered on the market?
- What are "poultry meat products"?
- What information appears on the label of poultry meat?
- What is the difference between spoilage organisms and pathogens?
- What is a food-borne infection?
- Why does poultry meat spoil quickly?
- What happens when poultry meat "spoils"?
- What does "damp stains" mean?
- What is freezer burn or frost burn?
- How long can poultry meat be stored?
- What is the correct way of storing poultry meat?
- What are the things to watch out for when thawing frozen poultry meat?
- What rules of hygiene are particularly important when handling poultry meat?



The answers to these questions, and further information can be found here: <http://tinyurl.com/nex2gn8>

REPORTS ON VIRUSES IN THE FOOD CHAIN PUBLISHED

The Advisory Committee on the Microbiological Safety of Food (ACMSF) has published its review of viruses in the food chain. At the same time the Food Standards Agency (FSA) has issued the Chief Scientific Advisor's first Science Report, which also focusses on foodborne viruses.

The ACMSF, an independent advisory committee which provides expert advice to the FSA, set up a group to revisit the issue of foodborne viruses in light of developments in this area. The final report considered the most important viruses associated with foodborne infections - norovirus, hepatitis A, and hepatitis E.

The report makes a number of recommendations for government departments, including the need for more research in certain areas, and for clear advice for consumers, for example on cooking shellfish and pork products and information on washing leafy green vegetables and soft fruit. The government will respond in due course when the recommendations have been considered in detail.

In anticipation of the publication of the ACMSF review, the topic of foodborne viruses was chosen for the first report from the FSA's Chief Scientific Advisor. These regular updates from Professor Guy Poppy will aim to give a greater understanding of the FSA's science, with each edition focusing on a topical scientific issue.

The ACMSF report 'an update on viruses in the food chain' is available here: <http://tinyurl.com/p27svts> and the Chief Scientific Advisor's Science report: Issue One (Foodborne Viruses), is available here: <http://tinyurl.com/ouw9lyy>

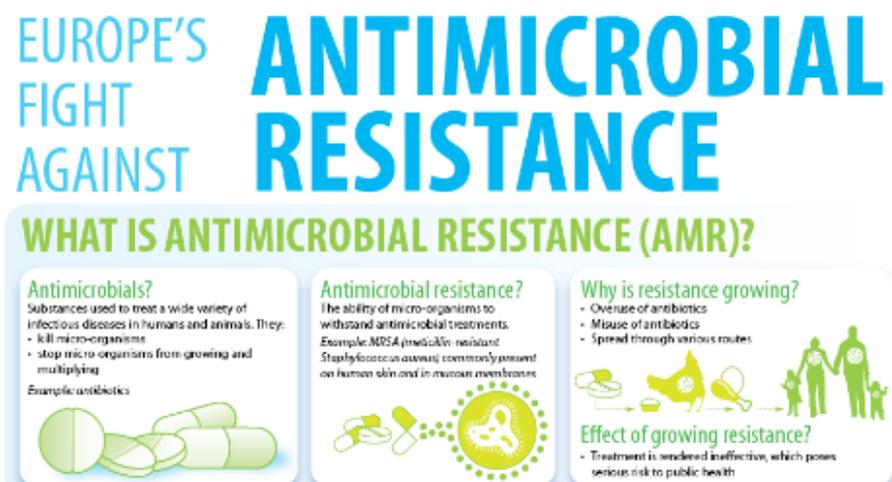
EFSA REPORTING MANUAL ON ANTIMICROBIAL RESISTANCE

The European Food Safety Authority (EFSA) has published an update of its manual for reporting on antimicrobial resistance (AMR) within the framework of Directive 2003/99/EC and Decision 2013/652/EU in animals and food.

Guidance is included for reporting on the prevalence, genetic diversity and AMR of meticillin-resistant *Staphylococcus aureus* (MRSA) from food-producing animals and food derived thereof. The objective is to harmonise and streamline the reporting made by Member States (MSs) to EFSA in order to ensure that the data collected are relevant and easy to analyse at the European Union (EU) level.

The manual applies to the bacterial agents, animal species/populations and food categories to be reported including *Salmonella*, *Campylobacter coli*, *C. jejuni*, indicator *Escherichia coli*, *Enterococcus* and MRSA. Instructions are given on the description of the sampling and monitoring schemes, as well as on the analyses of the results in the national reports.

The antimicrobial resistance reporting manual is available to view here: <http://tinyurl.com/mq2cev3>



EFSA REPORTING MANUAL ON ZOOSES

The European Food Safety Authority (EFSA) has also published its manual for reporting on zoonoses and zoonotic agents, within the framework of Directive 2003/99/EC, and on some other pathogenic microbiological agents for information deriving from the year 2014.

This reporting manual provides guidance for reporting on zoonoses and zoonotic agents in animals, food and feed under the framework of Directive 2003/99/EC. Instruction is also provided on the reporting of other pathogenic microbiological agents in food. This guidance applies to the agents, animal species and food categories to be reported on.

The zoonoses and zoonotic agents manual can be found here: <http://tinyurl.com/mvkruft>

SURVEY ON STERIGMATOCYSTIN IN FOOD

The European Food Safety Authority (EFSA) has published a report regarding the occurrence of sterigmatocystin in food. Sterigmatocystin is a mycotoxin structurally related to aflatoxin B1 that can occur in grains and grain based products as well as certain other food products due to fungal infestation especially at the postharvest stage.

This report describes the outcome of the 'Survey on sterigmatocystin in food' carried out in accordance with Article 36 of Regulation (EC) No 178/2002, which was designed to obtain representative data on the occurrence of sterigmatocystin in Europe, using validated analytical methods.

The survey found that rice and oat grains were most prone to contamination with sterigmatocystin. In processed cereal products the occurrence of sterigmatocystin was slightly lower, 9–10% compared to a 13% detection rate in cereal grains. No sterigmatocystin was detected in beer, peanuts and hazelnuts. Rice and breakfast cereals are relevant products with respect to potential exposure of the consumer to sterigmatocystin.

This study reflects the situation of (little over) one year of sampling (2013–2014). Therefore a follow up study is considered necessary to obtain information on seasonal variations. More data is also required on the occurrence of sterigmatocystin in rice grown in the EU, and on the effect of processing of the rice after harvest on the levels.

The report on the occurrence of sterigmatocystin in food is available here: <http://tinyurl.com/lj5376h>

CODEX TEXTS ON FOODBORNE ANTIMICROBIAL RESISTANCE

CODEX Alimentarius has published the first edition of a publication on Foodborne Antimicrobial Resistance.

This special publication has been prepared to support the Global Action Plan on Antimicrobial Resistance (AMR) that the World Health Organisation (WHO) is developing in collaboration with FAO and the World Organisation for Animal Health (OIE) with a view to its adoption in May 2015.

The publication compiles the two Codex specific texts on foodborne AMR: Guidelines for Risk Analysis of Foodborne Antimicrobial Resistance (CAC/GL 77-2011) and Code of Practice to Minimize and Contain Antimicrobial Resistance (CAC/RCP 61-2005). Specific standards of importance to animal production are published by the OIE.

For further information, please contact: regulatoryadvice@campdenbri.co.uk

MICROBIOLOGICAL RISKS FROM FOODS OF NON-ANIMAL ORIGIN

The European Food Safety Authority (EFSA) has published a feature story concerning the microbiological risks of foods of non-animal origin.

Over the past 4 years, EFSA has looked closely at the risks posed by foods of non-animal origin. EFSA's Panel on Biological Hazard, with the support of the working group on foods of non-animal origin, assessed the public health risks posed by pathogens (disease-causing bacteria, viruses and parasites) that may contaminate these foods.

EFSA reports that amongst raw and minimally processed foods of non-animal origin, those that pose the highest risks in the EU are leafy greens, bulb and stem vegetables, tomatoes, melons, fresh pods, legumes or grains, sprouted seeds and berries.

The feature story can be found via the following link: <http://tinyurl.com/oas8nkt>



WORLD HEALTH DAY 2015: MAKE FOOD SAFE

The World Health Organisation has dedicated its annual World Health Day to the issue of food safety.

This follows new data on the harm caused by foodborne illnesses, the global threats posed by unsafe foods, and the need for coordinated, cross-border action across the entire food supply chain.

WHO has issued the first findings from what is a broader ongoing analysis of the global burden of foodborne diseases. The full results of this research, being undertaken by WHO's Foodborne Disease Burden Epidemiology Reference Group (FERG), are expected to be released in October 2015.

Some important results are related to enteric infections caused by viruses, bacteria and protozoa that enter the body by ingestion of contaminated food. The initial FERG figures, from 2010, show that:

- there were an estimated 582 million cases of 22 different foodborne enteric diseases and 351 000 associated deaths;
- the enteric disease agents responsible for most deaths were Salmonella Typhi (52 000 deaths), enteropathogenic E. coli (37 000) and norovirus (35 000);
- the African region recorded the highest disease burden for enteric foodborne disease, followed by South-East Asia;
- over 40% people suffering from enteric diseases caused by contaminated food were children aged under 5 years.
- Unsafe food also poses major economic risks, especially in a globalized world. Germany's 2011 E.coli outbreak reportedly caused US\$ 1.3 billion in losses for farmers and industries and US\$ 236 million in emergency aid payments to 22 European Union Member States.

More information on WHO world health day can be found through this link: <http://tinyurl.com/m4r292c>

FSA CAMPYLOBACTER SURVEY RESULTS Q3 PUBLISHED

The Food Standards Agency (FSA) has published the cumulative results from the third quarters of its year-long survey of campylobacter on fresh chickens. The report can be accessed through this link: <http://tinyurl.com/lmkpjq>

Individual results by major retailer have also been published:

Retailer	Number of samples	% skin samples positive for campylobacter (95% confidence interval)	% skin samples >1,000 cfu/g campylobacter (95% confidence interval)	% pack samples positive for campylobacter (95% confidence interval)
Asda	491	78.9 (75.2 - 82.4)	31.1 (27.0 - 35.2)	13.0 (10.1 - 16.1)
Co-op	274	75.6 (70.2 - 80.6)	16.4 (12.3 - 20.9)	4.4 (2.1 - 7.0)
M&S	103	72.2 (63.0 - 80.7)	20.7 (13.0 - 29.1)	3.8 (0.8 - 8.1)
Morrison's	271	76.2 (71.4 - 80.9)	22.9 (18.0 - 28.0)	13.3 (9.5 - 17.4)
Sainsbury's	451	69.6 (65.4 - 73.7)	14.3 (11.2 - 17.6)	4.0 (2.3 - 6.0)
Tesco	925	68.2 (65.3 - 71.1)	12.3 (10.2 - 14.4)	4.1 (2.9 - 5.4)
Waitrose	96	71.7 (62.1 - 80.5)	15.6 (8.5 - 23.7)	6.2 (2.1 - 11.7)
Others	450	76.9 (72.9 - 80.7)	23.2 (19.4 - 27.2)	6.8 (4.6 - 9.2)
Total	3,061	72.9 (71.4 - 74.5)	18.9 (17.5 - 20.3)	6.8 (5.9 - 7.7)

The results to date show on average that;

- 19% of chickens tested positive for campylobacter within the highest band of contamination. (18% Q2, 16% Q1)
- 73% of chickens tested positive for the presence of campylobacter. (70% Q2, 59% Q1)
- 7% of packaging tested positive for the presence of campylobacter. (6% Q2, 4% Q1) Only three out of more than 3,000 samples of packaging tested positive at the highest band of contamination.

USE OF BENZOATES IN COOKED SHRIMPS

Commission Regulation (EU) 2015/538 of 31 March 2015 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of benzoic acid — benzoates (E 210-213) in cooked shrimps in brine has been published in the Official Journal of the EU, L88/4, 01/04/2015.

Due to concerns over the slightly increased number of listeriosis cases in humans, with ready-to-eat food samples exceeding the legal safety limit being most often found in fishery products, the permitted levels of benzoic acid – benzoates have been revised, specifically increased for use in cooked shrimps in brine.

Food category 9.2 ('Processed fish and fishery products including molluscs and crustaceans') in Regulation 1333/2008 (as amended) has therefore been amended to raise the limit for these additives in this foodstuff from 1000mg/kg to 1500mg/kg.

The Official Journal can be accessed through this link: <http://tinyurl.com/ly3shkk>



PHE PUBLISH LATEST STATS ON FOODBORNE ILLNESS OUTBREAKS

Public Health England (PHE) has published the latest statistics on Foodborne Illness Outbreaks in England and Wales.

An outbreak is classed as an incident in which two or more people, thought to have a common exposure, experience a similar illness or proven infection (at least one of them having been ill).

A general outbreak is an outbreak affecting members of more than one household or residents of an institution.

The statistics for 2015, so far, can be found here: <http://tinyurl.com/lqbxosw>

FOOD SECURITY, INTEGRITY AND AUTHENTICITY

AUTHENTICITY TESTING AND METHOD STANDARDISATION REPORT



An independent report, by the Defra Authenticity Methods Working Group, addressing method standardisation in food authenticity testing has been published. The report addresses one of the commitments resulting from the government response to the Elliott Review on better method standardisation for food authenticity testing.

It is in response to Recommendation 4 in the Elliott Review on 'Integrity and Assurance of Food Supply Networks' which focussed on laboratory services and method standardisation for carrying out food authenticity testing. The work aims to ensure that the country has a resilient network of food analytical laboratories capable of testing consistently for food authenticity using reliable methods so that consumers can have confidence in the food they buy. Defra's independent Expert Authenticity Methods Working Group advises on appropriate methods for authenticity testing in the UK.

The report recognises that there is already a robust food authenticity testing framework in place but makes recommendations for improvements. It provides practical guidance for enforcers and industry on how to ensure testing for food authenticity is reliable and consistent between laboratories, as well as on how to ensure the sampling and testing methods used are the right ones for the particular food.

The report from the Authenticity Methods Working Group is available in full here: <http://tinyurl.com/nhvosgb>

LGC DEVELOPS NEW MEAT REFERENCE MATERIALS TO SAFEGUARD FOOD CHAIN

Six new meat mixture reference materials, developed by LGC scientists to help protect consumers from food fraud went on sale in March.

The meat mixtures will enable food testing laboratories to assess the quality of their measurements and ensure they are able to detect substitutions in meat products at specified low levels.

The materials were analysed using three different approaches – DNA sequencing, a PCR based method and an immunoassay method – to confirm the expected meat species in the samples and the absence of possible species cross-contamination. The limit of detection is below 1% of one meat species in the presence of another. The reference materials were produced in direct response to the horse meat incident and subsequent reports of substitutions of cheaper meat in the food chain.

The LGC is an international life sciences measurement and testing company and in its role as the Laboratory of the Government Chemist provides advice to Government Departments and the Devolved Administrations. For the full catalogue of single meat species and meat mixtures reference materials, follow this link: <http://tinyurl.com/ntwyj8u>

FSA – FOOD CRIME UNIT



The Food Standards Agency (FSA) has published news that a new Head of the Food Crime Unit had been appointed, and started in the role on 23 March 2015.

The Food Crime Unit was established at the end of last year. It's newly appointed Head, Andy Morling, is tasked with leading the Food Crime Unit as it builds its intelligence-gathering network and collaborates with others to tackle criminal behaviour in the food chain.

Andy has extensive experience in intelligence and investigations, having spent the majority of his career working in these areas for HM Revenue & Customs, the Serious Fraud Office, the Serious and Organised Crime Agency, and latterly the National Crime Agency, where he was a Senior Intelligence Lead.

IMPORTS AND THE SUPPLY CHAIN

SETTING OUT DEPARTMENT FOR TRANSPORT COMMITMENTS

The Department for Transport (DfT) has published a document 'Reviewing Regulation: Setting out DfT's commitments'. The document sets out the DfT's commitments to review regulations as at March 2015, and updates the previous March 2014 publication.

The government wants to ensure that all regulations are fair and effective. This means striking the right balance between protecting people's rights, health and safety and freeing them from unnecessary bureaucracy. The DfT is aiming to reduce the stock of existing regulation by revoking regulations and the flow of new regulation by only regulating where necessary and ensuring that it is proportionate and targeted.

DfT has 80 Regulations that it intends to review of which 72 are EU based and for which the focus of the review will be on the burden placed on how the Regulations are enforced; 8 of the Regulations are domestic. A full list is provided in Annex A.

DfT will also be carrying out 42 Non Statutory reviews such as impact assessments and non statutory guidance

The 'Reviewing Regulation' document is available in full, and can be accessed here: <http://tinyurl.com/p8l5fdv>

TRANSATLANTIC TRADE INVESTMENT PARTNERSHIP REGULATORY STANDARDS

BIS has published a press story regarding how the Transatlantic Trade Investment Partnership (TTIP) will look at regulatory standards such as food safety, regulations to protect workers and environmental standards.

TTIP will look at regulations in the EU and US to reduce unnecessary differences, where the level of protection is equally high on both sides. In many areas regulations have similar aims but different methods. TTIP will also aim to remove unnecessary duplications which companies have to go through to comply with the different systems in the EU and US.

The aim of this is to lower the cost of trading between the EU and the US. It will be of particular benefit to smaller companies who find it most difficult to meet the different regulatory and testing requirements.

The BIS press story, covering Food Safety, Labour and Environmental standards, can be found here: <http://tinyurl.com/otu3wwwx>

UPDATE ON TARIFF RATE QUOTAS

Opening discussions, the Commission set the scene stating the EU market is in a different position to that when the current TRQ legislation had been drafted; the market is much more open and resilient and connects more easily to the global market, and as such, there should be less micro-management that enables operators to find their own markets. The intention is that the system for applying for quota is much more open to new entrants, particularly for small businesses and they also want to simplify the application and administration procedures both for Member States and for businesses. The Commission proposed ideas/legislative structure, which includes the options for:

- Changing quota periods, so that there is one quota period per year.
- Removing requirements for proof of trade.
- Use of EORI numbers as the basis for validating that companies make only one application and that related companies are not making multiple applications in order to secure a greater proportion of the quota.
- Providing long term security, at a reduced cost in the early part of the year. (this is linked to the option to have an annual quota period).
- Maximum Quantity:

More information on tariff rate quotas can be found on the EC website, here: <http://tinyurl.com/ngh4b6y>

If you would like to part of the BFFF Member Interest Group (MIG) on this topic and receive information on the development of the proposals contact sudakin@bfff.co.uk

PRODUCTS OF ANIMAL ORIGIN – IMPORTS AND EXPORTS

Defra has issued updated guidance on current issues relating to imports and exports of animals and animal products.

The update concerns the export of live crabs to China - residue testing. Intelligence has been received that the Chinese authorities are intending or are likely to introduce imminently, further restrictions on the import of live crabs from the UK due to excessive cadmium levels found on testing. Defra advises that no further exports of live crab are sent to China unless it can be proven beyond doubt that they meet the Chinese MLC for cadmium. The Chinese MLC for cadmium is 0.5 mg/kg. This is set out in 'China National Food Safety Standard GB 2762-2012: Maximum Levels of Contaminants in Food'.

Defra has also issued updated guidance related to information about a new Chinese methodology for determining cadmium levels in foods, to be used to determine cadmium levels in certain foods to be exported to China. The new methodology will come into effect on 28 July 2015 and is entitled Food Safety National Standard – Determination of cadmium in foods (GB 5009.15-2014). It replaces GB/T 5009.15-2003 "Determination of cadmium in foods".

Both sets of updated guidance can be found on the gov.uk website, here: <http://tinyurl.com/mfraoft>

LABELLING AND GENERAL FOOD LAW

ENVIRONMENTAL CLAIMS AND LABELS: GUIDANCE FOR BUSINESSES



Environmental (or 'green') claims and labels enable businesses to highlight the environmental impact and qualities of products and services to help consumers make informed buying choices. Defra has produced some guidance to support business in making clear and accurate environmental statements for their products.

Businesses can also enhance their reputation and demonstrate that they are acting responsibly to their consumers, business partners and regulators by providing credible information. Often these actions can steer the market towards products with a reduced environmental impact.

Environmental claims and labels must be credible to consumers, clearly understood, and genuinely reflect a benefit to the

environment. The Defra guide provides links to a range of tools and resources for both mandatory and voluntary schemes to help business provide useful and accurate information, which is fair and not misleading.

Defra's green claims guidance (2011) provides advice to business for clear, accurate, relevant and substantiated environmental claims on products, services or in marketing and advertising. To complement the guidance, a summary 'quick guide' gives a brief overview of the essential aspects of a good environmental claim. It can be found here: <http://tinyurl.com/p55rcmc>

Information is also available on the European Commission website, for information on the European energy label, the EU Ecolabel and false and misleading claims, please see: <http://tinyurl.com/dyfcloy>

EU ORGANIC LEGISLATION REVIEW

The European Commission has published a presentation on the review of EU legislation on organics in February 2015.

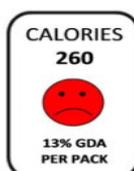
The presentation discusses the EU proposal on organic products which would repeal Regulation 834/2007 and the action plan for the future of organic production in the EU. The presentation also discusses the current situation regarding the importation of organic products and applicant countries.

For more information on Organic, including EU policy, EU funding, latest news and promotional materials, go to: <http://tinyurl.com/mchz3dy>

EMOTICONS MAY BE BETTER THAN TRAFFIC LIGHTS FOR NUTRITION MESSAGING

Recent studies report that using green labels to denote healthier foods, and red to denote less healthy foods increases consumption of green- and decreases consumption of red-labelled foods. Research now suggests that using other symbols (e.g. emoticons conveying normative approval and disapproval) could also be used to signal the healthiness and/or acceptability of consuming such products and may be more effective at altering behaviours.

The study aimed to test the relative impact of colour indication vs emoticon labels on snack perceptions and choice, expecting that emoticons would exert a larger influence than colour due to their evolutionary significance in communicating important information between people



The research can be accessed through this link: <http://tinyurl.com/q9dugtj>

DATE OF FREEZING AND GLAZED WEIGHT INDICATIONS

Following the Labelling Working Group meeting of the Commission and EU Member States on 20 March Defra have given us some disappointing feedback.

Date of Freezing:- Despite the Defra optimism, the Commission will not be moved from its view that the date of freezing should be the first date of freezing of the carcass of meat or fish in the form in which it is first frozen and that it is NOT the date of freezing of the food as it is supplied to the consumer. This is at odds with National Guidance from Defra who have always supported the understanding that Date of Freezing is that of the Food.

Businesses should make their own decisions about when to change the 'frozen on' declaration from the date of freezing of the food to the date of first freezing of the raw material in line with the Commissions confirmed position; however businesses may consider aligning the change to a change to the National FIR Guidance. There has been no indication at this time when that might be, but BFFF recommend businesses ensure that mechanisms are in place in preparation to facilitate the change when necessary.

Indication of Gross Weight on Frozen Glazed Food:- BFFF have always maintained that the Food information to Consumers – FIC Regulation, whilst making Net Weight excluding glaze a mandatory indication, does not prohibit the voluntary declaration of Gross Weight including glaze. We recognise that although a single indication may be the most appropriate indication for consumers, for caterers and the foodservice supply chain the absence of a gross weight indication will cause significant trade difficulties.

Again the Commission have ruled against our view saying that consumers and caterers must only have net weight information given to them.

For fish it may mean that the development of a whole new trading nomenclature is necessary.

BFFF are currently working closely with Seafish and industry stakeholder meeting to understand the implications and discuss a way forward. If you would like to be kept informed on this work as it occurs contact sudakin@bfff.co.uk

PROTECTED NAMES – BRAMLEY APPLE PIE / AYRSHIRE DUNLOP CHEESE

Information concerning the registration of UK Bramley Apple Pie Filling as a Traditional Speciality Guaranteed (TSG) under the EU Protected Food Name Scheme has been published in the Official Journal of the EU.

Also Traditional Ayrshire Dunlop Cheese has gained Protected Geographical Indication (PGI) status.

This 300-year-old variety of cheese is set to be given the same Protected Geographical Indication (PGI) status as, for instance, the Cornish pasty and the Melton Mowbray pork pie, benefitting cheese producers across Ayrshire.

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.

Find out more about UK products protected by the scheme on the gov.uk website: <http://tinyurl.com/cgxgvdn>

VEGETARIAN AND VEGAN PRODUCTS

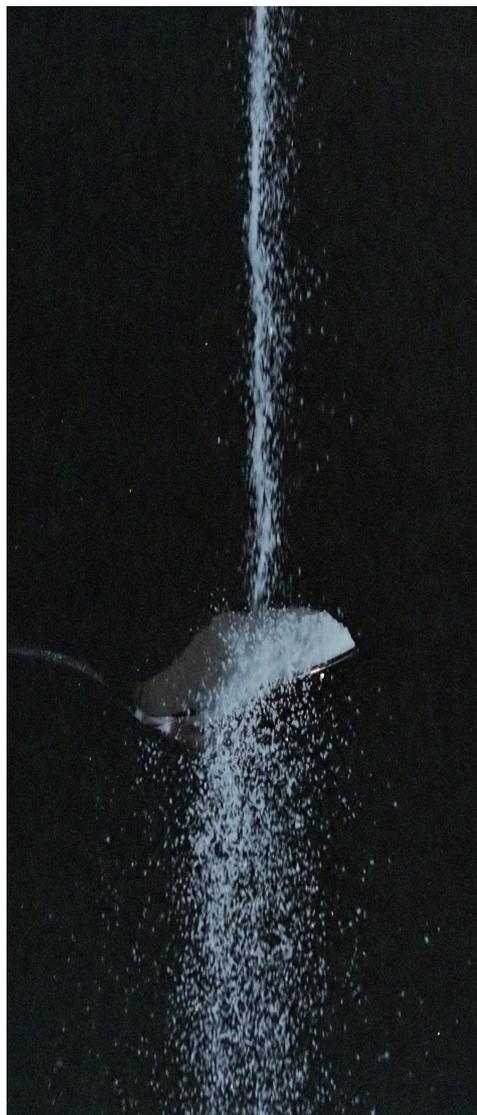
Defra has issued a letter to interested parties; it concerns the content plan for the review of 2006 Food Standards Agency (FSA) Guidance on the use of the terms 'vegetarian' and 'vegan' in food labelling.

Defra indicates that the Guidance needs to be updated in light of recent changes to food labelling legislation (namely the coming into force of EU Regulation 1169/2011 on the provision of food information to consumers (EU FIC)) and to ensure that it remains relevant and useful. The content plan is available for public comment until 8th May 2015.

The plans for future content can be accessed here: <http://tinyurl.com/p2e6bpr>

NUTRITION, ADDITIVES AND HEALTH

WHO CALLS ON COUNTRIES TO REDUCE SUGARS INTAKE



World Health Organization

A new World Health Organisation (WHO) guideline recommends adults and children reduce their daily intake of free sugars to less than 10% of their total energy intake and that a further reduction to below 5% or roughly 25 grams (6 teaspoons) per day would provide additional health benefits.

Free sugars refer to monosaccharides (such as glucose, fructose) and disaccharides (such as sucrose or table sugar) added to foods and drinks by the manufacturer, cook or consumer, and sugars naturally present in honey, syrups, fruit juices and fruit juice concentrates.

Worldwide intake of free sugars varies by age, setting and country. In Europe, intake in adults ranges from about 7-8% of total energy intake in countries like Hungary and Norway, to 16-17% in countries like Spain and the United Kingdom. Intake is much higher among children, ranging from about 12% in countries like Denmark, Slovenia and Sweden, to nearly 25% in Portugal.

The recommendations are based on analysis of the latest scientific evidence. This evidence shows, first, that adults who consume fewer sugars have lower body weight and, second, that increasing the amount of sugars in the diet is associated with a weight increase. In addition, research shows that children with the highest intakes of sugar-sweetened drinks are more likely to be overweight or obese than children with a low intake of sugar-sweetened drinks. The recommendation is further supported by evidence showing higher rates of tooth decay when the intake of free sugars is above 10% of total energy intake.

The 'Sugars intake for adult and children' guideline is available to download here: <http://tinyurl.com/kgcl3ug>

GOVERNMENT BUYING STANDARDS FOR FOOD AND CATERING SERVICES

Defra have recently published updated Government buying standards for food and catering.

The standards which were first published in 2012 are mandatory for all central government departments and their related organisations. Wider public sector organisations are also encouraged to use them for their procurement tenders.

The Government Buying Standards (GBS) are set at 2 levels.

1. **Mandatory standards:** for central government procurement. All central government departments and their related organisations must ensure that they meet the GBS when buying goods and services for those product groups covered. The mandatory standards are encouraged for the wider public sector to specify in tenders.
2. **Best practice:** voluntary standards for any organisation. Best practice standards have more or stricter criteria. They're for any organisation concerned about sustainable procurement to follow or to specify in tenders.

When setting the GBS, the Department for Environment, Food and Rural Affairs (Defra) considers: energy in use, water in use, end of life costs, reparability, upgradeability, recyclability, hazardousness of materials used and resource efficiency - quantities of scarce materials used and recycled content.

The updated GBS for food and catering services is available here: <http://tinyurl.com/pemcrtl> and the annex can be found here: <http://tinyurl.com/ppqapw7>

REVIEW OF EATWELL PLATE – SUMMARY OF COMMENTS RECEIVED

Public Health England (PHE) has published a summary of the comments received on a discussion paper and options for updating the UK's national plate model.



PHE has established an external reference group to consider the potential impact of possible new dietary reference values on the Eatwell Plate (EP) as a result of the 2014 draft Scientific Advisory Committee on Nutrition (SACN) report on Carbohydrates and Health: <http://tinyurl.com/q3dsnju>

SACN's draft recommendation is that dietary intakes of sugars should reduce, and fibre increase, from current guidelines. This reference group forms part of PHE's activities outlined in Sugar reduction – responding to the challenge.

The Eatwell Plate, summary of comments from correspondence received is available to view here: <http://tinyurl.com/l7ybrh2>

NORTHERN IRELAND NATIONAL DIET AND NUTRITION SURVEY

The Food Standards Agency (FSA) in Northern Ireland announced on 12 February 2015 that it has published results from the National Diet and Nutrition Survey (NDNS). For the first time, it contains figures specifically related to Northern Ireland.

The key findings include:

- Fruit and vegetable consumption in Northern Ireland was significantly lower than in the UK as a whole. 82% of adults, 77% of older adults and 96% of children aged 11 to 18 years in Northern Ireland did not meet the five-a-day recommendation;
- Mean intakes of non-starch polysaccharide (NSP) were significantly lower than those in the UK as a whole and for adults, were below the recommended level of 18g per day;
- Mean consumption of oil-rich fish was well below that recommended: one 140g portion per week and significantly lower than in the UK as a whole;
- Mean consumption of red and processed meat for men and boys aged 11 to 18 years exceeded the current maximum recommendation for adults;
- Mean intakes of saturated fat exceeded recommendations in all age groups and were similar to or slightly higher than mean intakes in the UK as a whole;
- A third of adults aged 19 to 64 years in Northern Ireland had low blood levels of vitamin D, a higher proportion than in the UK as a whole;
- The lowest income group had lower fruit and vegetable consumption than those in the highest income group. They also had lower intakes of NSP and some vitamins and minerals.

For more information on the background, research approach and results, visit: <http://tinyurl.com/nmktos4>

HOSPITAL FOOD STANDARDS

The Department of Health (DoH) has issued an update to the Hospital Food Standards Panel report which recommends a set of food standards that should become routine practice across NHS Hospitals.

The report looks at standards relating to patient nutrition and hydration, healthier eating across hospitals and sustainable food and catering services.

NHS adoption of the recommended standards means that they will be a requirement in NHS procurement contracts. Hospitals will have a legal duty to comply with the recommendations.

Added to the guidance is a toolkit and a hospital food report to help NHS providers comply with hospital food standards.

The Hospital Food Standards can be found here: <http://tinyurl.com/oenbh3u> and the Toolkit is available via this link: <http://tinyurl.com/oc8n5u8>



PROCESSING AND RETAIL

GROCERY SUPPLY CODE OF PRACTICE COMPLIANCE SURVEY



Following the success of the 2014 survey, the Groceries Code Adjudicator (GCA) is launching its second annual survey of the groceries sector.

The survey will be conducted by YouGov and will give the GCA a comprehensive perspective of the relationship between retailers and their direct suppliers, the impact the Groceries Supply Code of Practice (the Code) is having on the sector and how things have changed over the last 12 months.

The survey is a vital tool for suppliers to inform the GCA's current and future work programme in tackling Code-related issues. It is completely anonymous, so suppliers can speak freely about their experiences with retailers, what they think needs to change and provide their views on the GCA.

The results will be presented at the GCA Conference on 22 June 2015.

The survey opened on 23 March and will close on 1 May. For more information, or to respond to the survey, follow this link: <http://tinyurl.com/gqlzrvb>

CARRIER BAG CHARGES: RETAILERS' RESPONSIBILITIES



Carrier bag charges begin in England on 5 October 2015 as part of the Government's policy to reduce waste.

For large retailers the minimum price is 5p for most single-use plastic carrier bags; for small or medium-sized business there is no requirement to charge, though businesses are encouraged to do so voluntarily.

If businesses already charge 5p or more for bags and additional 5p charge is not required.

Retailers must charge if they employ 250 or more full-time equivalent employees (in total and not just in retail roles). They apply to all retail businesses who sell or deliver goods to England

People with fewer than 250 full-time equivalent employees don't have to charge.

If a shop is part of a franchise or symbol group (sharing a brand and products) only employees in the individual business count not all of those in the franchise or symbol group as a whole.

For more information on retailers' responsibilities, sending records to Defra, and how failure to comply can lead to a fine, please visit: <http://tinyurl.com/o5atccq>

GCA COLLABORATIVE APPROACH DURING AN INVESTIGATION

The Grocery Code Adjudicator (GCA) has set out an approach to maintaining contact with retailers during an investigation.

This guidance explains how the GCA will continue to apply the collaborative approach when working with retailers on GCA business while one or more investigations are ongoing. It details how the GCA will: approach business as usual functions, act on information received not related to the investigation(s) and communicate with retailers both under and not under investigation.

The GCA guidance is available here: <http://tinyurl.com/k3x6dr9>



THE GCA (PERMITTED MAXIMUM FINANCIAL PENALTY) ORDER 2015

The Groceries Code Adjudicator (Permitted Maximum Financial Penalty) Order 2015 SI 2015 No. 722 was laid before Parliament on 16 March 2015 and came into force on 6 April 2015. It sets the rules that allows GCA to set penalties for large retailers who are found to be treating their suppliers unfairly.

The Groceries Code Adjudicator is the UK's first independent adjudicator to oversee the relationship between supermarkets and their suppliers. It ensures that large supermarkets treat their direct suppliers lawfully and fairly, investigates complaints and arbitrates in disputes.

The Order makes provision for the method of determining the maximum financial penalty that the Groceries Code Adjudicator may impose on a large retailer under section 6 of the Groceries Code Adjudicator Act 2013 for a breach of the Groceries Supply Code of Practice. That Code of Practice is set out in the Groceries (Supply Chain Practices) Market Investigation Order 2009.

The 2009 Order provides that the amount of the penalty must not exceed the amount of the 'permitted maximum'. This Order sets that 'permitted maximum' at 1% of a large retailer's UK turnover. The Order sets out how this turnover is to be calculated.

The GCA Order 2015 is available here: <http://tinyurl.com/o5bufxp>



MSM / NON MSM STRATEGY DEVELOPMENT

A number of Trade Associations, including BFFF recently convened an Industry Stakeholder meeting to discuss how the European Court of Justice judgement on the Newby vs FSA last year is impacting on trade and use of Mechanically Separated Meat (MSM) and Non MSM materials such as chicken wishbone meat. Issues are arising due to differences in the way European Member States are interpreting the ruling. The meeting discussed how the issues might be addressed and the support that industry could give to FSA to promote the UK position.

The outcome of the meeting identified that it should be a priority to maintain the categorisation of poultry wishbone, pork button bone meat and turkey neck meat as non MSM. Furthermore that there is an opportunity to redefine MSM based on the quality of the material rather than the raw material or process used in its production.

If you are interested in being kept updated on developments in this area contact sudakin@bff.co.uk and ask to be added to the MSM Member Interest Group.

CHANGES INTRODUCED BY CONSUMER RIGHTS ACT 2015

The Consumer Rights Act 2015 introduces weights and measures changes that will benefit bakers and trading standards.

From 1 October 2015 bakers of unwrapped and open packed bread will no longer have to keep records of the weight checks they have made on bread. The aim is to benefit both small and large businesses, from independent bakers to supermarket in-store bakeries and is estimated will save businesses in the region of £10 million. The measure is included in the new Consumer Rights Act 2015 which received Royal Assent on 26 March 2015. Defra identified on 31 March 2015 that the Consumer Rights Act 2015 will help bakers and trading standards. It will remove the bureaucracy from bakers applying and Trading Standards issuing exemption certificates for "small bakers" and remove any inconsistency in their use. Bakers of unwrapped and open packed bread must still ensure that the quantity of their bread is accurate by meeting the requirements to measure or check the weight under the Weights and Measures (Packaged Goods) Regulations 2006, but they will no longer be required to keep records of any checks or adjustments made.

Also included in the Consumer Rights Act 2015 is a major consolidation of Trading Standards powers of entry and inspection into a single, modern set of powers. This new set will replace the general powers of Trading Standards to enforce weights and measures legislation while retaining some specialist powers such as those needed to measure and weigh goods.

Further information on the Consumer Rights Act is available here:

<http://tinyurl.com/q8972h7>



Department
for Environment
Food & Rural Affairs

REFRIGERATION

CONSULTATION OUTCOME ON IMPLEMENTING FLUORINATED GASES REGULATION

Timeline for reduction of F-gas with GWP above 2500



Defra has published the summary of responses to its consultation on implementing the new EU Fluorinated Greenhouse Gases Regulation.

The purpose of the consultation was to seek views on the draft Fluorinated Greenhouse Gases Regulations 2015 and the assessment of the impact that the Regulations would have on businesses. The majority of respondents showed support for the new Regulations. It is expected that the European Commission will produce various implementing regulations over the course of this year covering issues such as labelling, training and certification.

The Fluorinated Greenhouse Gases Regulations 2015, Statutory Instrument 2015, No. 310 were laid before Parliament on 19 February 2015 and came into force on 19 March 2015.

The Regulations revoke and remake with amendments the Fluorinated Greenhouse Gases Regulations 2009 and enforce Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases.

The Defra summary of consultation responses is available here: <http://tinyurl.com/lp575vg> and the Statutory Instrument can be found here: <http://tinyurl.com/q26o8nl>

REGULATORY ENFORCEMENT AND OFFICIAL CONTROLS

PUBLICATION OF FHRS REPORT FOR WELSH GOVERNMENT

The Food Standards Agency (FSA) has prepared a review report for Welsh Ministers on the first year of implementation and operation of the statutory Food Hygiene Rating Scheme (FHRS) in Wales, since the coming into force of the Food Hygiene Rating (Wales) Act 2013. This Report has been laid before the National Assembly for Wales.

The report presents an overview of the first year of operation of the statutory Food Hygiene Rating Scheme, the activities undertaken by the FSA and local authorities to establish the FHRS, and the engagement with food businesses and consumers that has taken place.

The FSA has analysed the information on food hygiene rating inspections, ratings and compliance received from local authorities, and presents an overall picture of success in the first year of operation of the statutory scheme.

The scheme has become a key part of local authorities' statutory food hygiene functions, and the food hygiene ratings of food businesses has risen overall leading up to the coming into force of the legislation and in the first full year of operation of the statutory scheme. Details on the appeals process during the first year is also contained within the document.

The review report is available here: <http://tinyurl.com/poj6y74>



INCREASE IN MAGISTRATES' COURTS SENTENCING POWERS

Section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) came into force on 12 March 2015. Section 85(1) has the effect of increasing the maximum level of fine available to Magistrates' Courts to unlimited. Under section 152(1) these changes apply to England and Wales but not to Northern Ireland or Scotland. The increase has no retrospective effect so will only apply in respect of offences committed after 12 March 2015.



Legal Aid, Sentencing and Punishment of Offenders Act 2012

However, when the provision does apply it is likely that more cases will be dealt with by the Magistrates Court because their powers of sentence will now be sufficient. The Criminal Practice Direction XIII Annex 3 has been amended to indicate the types of case in which, despite the unlimited fine being available, cannot be dealt with at Magistrates Court and must be dealt with by an authorised District Judge. The types of case include:

- Cases involving death or significant, life changing injury or a high risk of death or significant, life-changing injury
- Cases where the defendant corporation has a turnover in excess of £10 million but does not exceed £250 million, and has acted in a deliberate, reckless or negligent manner
- Cases where the defendant corporation has a turnover in excess of £250 million
- Cases where the court will be expected to analyse complex company accounts
- High profile cases or ones of an exceptionally sensitive nature

Despite the Magistrates' Court having maximum fines available, section 3 of the Powers of Criminal Courts [Sentence] Act 2000 can be invoked in order to allocate a case to the Crown Court for sentence. Section 3(2)(a) sets out that where the court is of the opinion the offence or combination of offences make it so serious that a greater punishment should be inflicted, the Crown Court should deal with it as though the person has been convicted on indictment.

Businesses should be aware of this change. Whilst it is always notoriously difficult to gauge whether Magistrates will accept jurisdiction, these new provisions may, arguably, provide some clarity. However even if it is apparent a matter should remain in the Magistrates as a result of these provisions, the level of fines is likely to be more difficult to predict in future.

The new provisions provide more guidance on what might be termed a 'large company'. As previously, it will be smaller companies that will suffer as a result of the uncertainty whilst it becomes clear how these provisions will actually be applied.



It will also increase potential inconsistency of fines as there is now no cap, or limit and penalties are likely to vary greatly across England and Wales. We are all too aware that uncertainty of this nature can create real difficulties for clients in their business planning, particularly if a matter takes a long time to get to Court.

Serious consideration will need to be given to decisions by clients as to whether it is in their best interest to indicate guilty pleas in the magistrates court and hence run the risk of being sentenced there, or whether consideration should be given to electing for a trial in the Crown Court and then indicating guilty pleas at the earliest opportunity following committal to the Crown Court jurisdiction.

The potential impact of the increased powers given to magistrates courts will be all the greater if the proposals contained in the recently concluded Sentencing Council Consultation (which will lead to significantly higher penalties being imposed) are implemented.

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is available to view here: http://www.legislation.gov.uk/ukpga/2012/10/pdfs/ukpga_20120010_en.pdf and the Criminal Practice Direction, with the amendment, is available here: <http://tinyurl.com/pf9d5mt>

SECURING THE EVIDENCE BASE FOR REGULATION



The Regulatory Policy Committee (RPC) has published its full report on the Government's efforts to cut red tape over the course of this parliament. It provides the watchdog's most complete analysis of the Government's published savings to business of £2.2 billion per year from changes in law.

The RPC's analysis also shows that changes which are not counted in the Government's One-in, One-Out, or One-in, Two-out accounts make up nearly half of all regulatory proposals scrutinised by the RPC over the course of the parliament.

Since 2013, the RPC has validated costs to business of £1.6 billion per year from European regulations that address financial systemic risk and over £700 million per year from a range of other European regulations both of which do not count towards the government's claimed savings. The RPC identified further changes out of scope of the Government's rules that could impose an additional £470 million of costs on UK businesses, and around £135 million of benefits, per year.

The RPC analysis found that, in 2014, two-thirds of new regulations affecting business did not include measures to mitigate the impact on small and micro business, with only three out of 83 including a full exemption, and ten measures including a partial exemption. The RPC believes government departments can and should do more to consider how the impacts of regulation on smaller businesses can be reduced.

In reflecting on the achievements of the government across the course of the parliament the report highlights the achievements of mechanisms such as One-in, One-out and One-in, Two-out, and the requirement to develop effective impact assessments to set out the evidence supporting proposals.

The RPC report, 'Securing the evidence base for regulation – Regulatory Policy Committee scrutiny during the 2010 to 2015 parliament' is available in full here: <http://tinyurl.com/p39j43n>

IFCA 4 YEAR REPORT TO PARLIAMENT

Defra have published a report on the conduct and operations of the ten English Inshore Fisheries and Conservation Authorities (IFCAs) over the four year period to 31 August 2014. This meets the requirements of the Marine and Coastal Access Act 2009 for a report on the IFCAs' work in their first four years.

This report describes how IFCAs in England have worked in the four years to 31 August 2014. It covers their establishment phase and describes resourcing, capability, technical and procedural matters.

The report has been laid before Parliament by the Secretary of State for Environment, Food and Rural Affairs. It meets the requirements of s.183(1) of the Marine and Coastal Access Act 2009.

IFCAs manage the exploitation of sea fisheries resources in their district. They balance the social and economic benefits of exploiting resources with the need to protect the marine environment, or help it recover from past exploitation.

The report is available in full here: <http://tinyurl.com/nw53e9w>



NEW APPOINTMENTS FOR THE SEA FISH INDUSTRY AUTHORITY



Three new appointments have been made to the Sea Fish Industry Authority's (Seafish) Board.

Seafish is a levy-funded industry body, which promotes the sustainability and efficiency of the sea fish industry. BFFF's very own Brian Young, Alison Austin OBE and Jonathan Shepherd will help steer the industry body; they joined the Board for a three year period from 1 April 2015. Brian has been appointed as Deputy Chair and Alison and Jonathan have been appointed as board members.

Seafish is sponsored jointly by the four UK fisheries administrations and the appointments were made by George Eustice, Minister for Farming, Food and Marine Environment at Defra; Richard Lochhead, the Cabinet Secretary for Rural Affairs, Food and the Environment in Scotland; Michelle O'Neill, the Minister for Agriculture and Rural Development in Northern Ireland; and Carl Sergeant, the Minister for Natural Resources in Wales.

Appointments to the Seafish board are made on merit in accordance with the Code of Practice issued by the Commissioner for Public Appointments. There is also a requirement for the political activities of appointees to be made public, and Brian, Alison and Jonathan have declared that they have not engaged in any political activity in the last five years.

The Ministers thanked outgoing Deputy Chair Jane Ryder and Board members Michel Kaiser and Philip Huggon for their contribution to Seafish's work over several years.

The profiles of the new appointments to Sea Fish can be found here: <http://tinyurl.com/qeemovj>

FSA WELCOMES HORSE MEAT SENTENCING



The FSA welcomes the conclusion of the first prosecution brought as a result of the investigation into the horse meat incident in 2013.

Peter Boddy has been fined £8000 at Southwark Crown Court after he admitted failing to comply with food traceability regulations. He had admitted to selling horses for meat but failed to keep proper records to show who bought them. David Moss was given a four-months suspended prison sentence for falsifying an invoice. They were each asked to pay costs of more than £10,000.

The fine comes as Dutch meat trader Willy Selten receives the first custodial sentence for his part in the scandal. The Trader was accused of falsifying documents and using them to trade horsemeat as beef, he was sentenced to 30 imprisonment after being found guilty. Find out more on the

First Jail sentence relating to the horsemeat scandal in an article by Georgi Gyton here: <http://tinyurl.com/pfdys5n>

Jason Feeney, Chief Operating Officer at the FSA, said: 'We are pleased with the successful conclusion of this prosecution. The rules on food traceability are there to protect consumers and legitimate businesses.

'Criminal activity like this across Europe contributed to the horse meat incident. Consumers need to know that their food is what it says it is on the label. The FSA continues to support the ongoing investigations into the incident.'

In addition to the on-going investigation, the FSA and other Government departments have been implementing the recommendations from the Elliott Review into the integrity of the UK food chain.

This includes the establishment of the Food Crime Unit, which is giving greater focus to enforcement against food fraud by analysing intelligence, initiating investigations and liaising with other criminal and regulatory enforcement agencies.

More information on the Food Crime Unit can be found here: <http://tinyurl.com/kky7sdt>

LANDMARK BILL TO HELP ERADICATE MODERN SLAVERY PASSED

MODERN DAY SLAVERY

The Modern Slavery Act 2015 is the first of its kind in Europe, and one of the first in the world, to specifically address slavery and trafficking in the 21st century. It was given Royal Assent on 26th March.

The new legislation: significantly enhances support and protection for victims of enslavement; gives law enforcement the tools they need to target today's slave drivers; ensures perpetrators can be severely punished, and includes a world leading provision to encourage business to take action to ensure their end-to-end supply chains are slavery free.

Having undergone extensive Parliamentary and public scrutiny, the Modern Slavery Act is one of the final pieces of legislation to be put on the statute books by this government.

The Act will strengthen the response of law enforcement and the courts by:

- Increasing the maximum sentence available for the most serious offenders from 14 years to life imprisonment;
- Ensuring that perpetrators convicted of slavery or trafficking face the toughest asset confiscation regime;
- Consolidating and simplifying existing modern slavery offences into one Act;
- Introducing Slavery and Trafficking Prevention Orders and Slavery and Trafficking Risk Orders to restrict the activity of individuals where they pose a risk of causing harm; and
- Strengthening law enforcement powers at sea to close loopholes which can prevent the police and Border Force being able to act on board vessels at sea.

For more information on the Modern Slavery Act, and for information and resources on how to eradicate slavery within your workforce, please visit: <http://tinyurl.com/nngkquc>

NEW REPORT CONFIRMS AUSTERITY DAMAGE TO TRADING STANDARDS

'The Impact of Trading Standards in Challenging Times' report, published 21 March, was commissioned by the Trading Standards Institute (TSI) and the Department for Business, Innovation and Skills (BIS) to provide independent evidence of the dramatic effect austerity measures have had on local authority trading standards services across Great Britain.

The research, by the Institute for Local Government Studies (INLOGOV) confirms findings from TSI's National Trading Standards Conversation and Workforce Survey, showing that the number of trading standards staff has halved in five years.

A fundamental shift in the trading standards landscape was revealed, with for example intelligence-led investigations replacing routine inspections, and an increasing loss of expertise accelerated by voluntary redundancy programmes.

TSI's CEO Leon Livermore said: "TSI will give careful consideration to the recommendations in the report and work in partnership with BIS and other stakeholders to drive this forward. The evidence in the report will be invaluable as we look to design a vision for the future of the profession which makes the best use of available resources."

The report is available to view here: <http://tinyurl.com/owft7pa>



COUNTRY OF ORIGIN OF CERTAIN MEATS (ENGLAND) REGULATIONS 2015

The Country of Origin of Certain Meats (England) Regulations 2015 (SI 2015 No. 518) were laid before Parliament on 9 March 2015 and came into force on 1 April 2015. The Regulations provide enforcement powers to underpin the directly applicable European Commission Regulation (EU 1337/2013) regarding the indication of the country of origin or place of provenance for fresh, chilled and frozen meat of swine, sheep, goats and poultry from 1 April.

The Regulations apply and extend certain provisions of the Food Safety Act 1990 with modifications of section 10(1), to enable improvement notices to be used to enforce the provisions of the EU Regulation. The provisions, as applied, make the failure to comply with an improvement notice an offence. Appeals against improvement notices can be made to the First-tier Tribunal.

Defra's consultation on the Regulations included the proposal that the Rural Payments Agency would be responsible for some of the enforcement and that provisions relating to beef and veal labelling would be included as part of the Regulations. However, these proposals have not been taken forward and the responsibilities for enforcement will lie exclusively with Trading Standards Officials in their Local Authorities. Beef and veal labelling controls have not been amalgamated into the new Regulations.



Scotland, Wales and Northern Ireland are introducing their own separate but parallel instruments to similar timescales.

The Country of Origin of Certain Meats (England) Regulations 2015 is available via this link: <http://tinyurl.com/pts9dy5>

FOOD STANDARDS SCOTLAND LAUNCHED 1 APRIL 2015

**Food
Standards
Scotland**
For safe food and
healthy eating

Food Standards Scotland (FSS), the public sector food body for Scotland launched on 1 April 2015 taking over the responsibilities previously carried out in Scotland by the FSA. The body includes an increased role with regard to healthy eating and nutrition. The FSS has been established to provide independent information and advice on food safety and standards, nutrition and labelling to consumers in Scotland.

In 2010, the UK Government took the decision to transfer responsibility for nutrition and food labelling and standards in England from the FSA to the Department of Health and the Department for Environment, Food and Rural Affairs.

Following this announcement, Scottish Ministers asked Professor Jim Scudamore to lead an independent review to assess the feasibility of establishing a stand-alone food body in Scotland. The Scudamore review of the functions of the Food Standards Agency in Scotland was published on 4 April 2012.

Following the recommendations of the review, Scottish Ministers announced in June 2012, that they intended to create a new food body for Scotland that would be responsible for food safety, food standards, nutrition, food labelling, and meat inspection policy and operational delivery.

The 'Scudamore review of the Food Standards Agency Scotland functions' is available here: <http://tinyurl.com/qbtb8l4> and the Consultation on Scotland's new food safety body can be found here: <http://tinyurl.com/p66zwbc>

EXTENSION TO THE UK MULTI-ANNUAL NATIONAL CONTROL PLAN

The UK Multi-Annual National Control Plan (MANCP) has been extended to the end of March 2016. The Food Standards Agency has published the updated version of the MANCP.

The MANCP is produced jointly by the FSA and Defra, with contributions provided by:

- Defra agencies
- Department of Health
- Health and Safety Executive's Chemicals Regulation Directorate
- Scottish Government Agriculture, Food and Rural Communities
- Welsh Government Natural Resources
- Department of Agriculture and Rural Development in Northern Ireland

The MANCP is a requirement of Regulation (EC) No 882/2004 on official controls. The purpose of the plan is to ensure that effective control systems are in place for monitoring and enforcing feed and food law, animal health and animal welfare rules, and plant health law.

Regulation 882/2004 requires that the plan be kept under review and revised regularly. The plan was last updated in May 2014 and as part of its extension to 2016 has been updated to reflect changes and developments since then.

If you would like any further information on the MANCP please email Nadia Stockdale of the FSA Delivery Assurance Team at nadia.stockdale@foodstandards.gsi.gov.uk

The Multi-Annual National Control Plan for the UK is available here: <http://tinyurl.com/p8ppba6>

CONSULTATION ON PRIMARY AUTHORITY RELATING TO DEVOLVED REGULATORY RESPONSIBILITIES OF LA'S

A consultation has been launched to seek views on the proposed scope of a primary authority scheme in Scotland and how it would operate in practice.

Primary Authority allows a business operating in two or more local authorities to form a legally recognised partnership with one local authority in order to receive tailored advice and support in relation to a range of regulatory functions. Primary Authority helps ensure local regulation is consistent and delivers efficiencies for both business and regulators.

The Regulatory Reform (Scotland) Act 2014 provides a broad legal framework for the implementation of primary authorities relating to the devolved regulatory responsibilities of local authorities in Scotland.

The support provided by a primary authority may be in the form of assured advice, coordination of enforcement action and the development of inspection plans. Enforcement remains the responsibility of the local authority area in which a business is operating. Where a business has a primary authority partnership, the 'enforcing authority' must take primary authority advice into account.

The operational aspects are of vital importance to ensure that primary authority partnerships in Scotland deliver concurrently for community and business. The consultation explores the categories of regulatory activity proposed to be 'in scope' for the scheme, and also considers the definition of enforcement, the coordination of enforcement action and a dispute mechanisms process.

To respond to the consultation, the questionnaires are available to download here: <http://tinyurl.com/ncpwbcx>



FSA POLICY ON THE APPROVAL OF STAND ALONE COLD STORES

The FSA has circulated an updated policy document to Local Authorities on the approval of Stand Alone Cold Stores.

Standalone cold stores are those which are not co-located with approved slaughterhouses, cutting plants or game handling establishments. There has been a requirement to clarify whether such cold stores should be approved under hygiene regulation 853/2004 or must only be registered under hygiene regulation 852/2004.

Historically cold stores have been seen as very low risk and have had only to be registered with their Local Authority; differences in interpretation since the publication of guidance in 2012 means that increasingly since then new cold stores and some existing have been asked to move to approval.



BFFF believe that there is potential that the move to be an 'approved' food business will mean additional regulatory burdens for Wholesales and Members operating standalone cold stores. This might be in the form of increased inspections, more stringent hygiene and fabric standards, the roll out of regulatory enforcement policies such as the Food Hygiene Rating Scheme and extensions to charging for advice.

The new policy position clarifies that a standalone cold store must be approved if it is handling Products of Animal Origin (PoAO) unless it is exempted, exemptions are:

- Cold stores engaged in retail operations (ie supplying the final consumer)
- Cold stores engaged in supplying retail operations, including caterers, on a marginal localised or restricted basis
- Cold stores are part of a logistical distribution chain, that is PoAO that are prepacked and destined for a specific retailer, where activity is limited to storage and transport.
- Cold stores that exclusively handle composite products, that is products that contain both products of plant origin and processed PoAO.

The FSA position paper is available to view here: <http://tinyurl.com/mym4zsf>

OFFICIAL CONTROLS UPDATE

BFFF has recently received an email from Hefin Davies of FSA, the UK representative in Council discussions on the Official Controls review along with the latest European Council WG document.

There remains an element of mandatory charging in the latest Council position. Charging would be mandatory for food business approvals; import inspections from third countries; export certification, and non-compliance interventions.

We understand that the Council representatives are now close to agreeing their common position. At this point, trilogue negotiations would commence between the Presidency (Latvia), the European Council and the EU Parliament in order to attempt to reach a compromise agreement.

The European Parliament reached its first reading position last year, the text can be accessed through this link: <http://tinyurl.com/k7x22a5>

Article 77 proposes that competent authorities may recover part or all of the costs associated with official controls. There is little transparency at the trilogue stage and the text of dossiers can change significantly.

The proposals are suggesting a more mandated role for veterinarians on import checks. For fish imports these checks in the UK are carried out by specially trained EHO's and some ports, solely concerned with fish, do not employ Veterinarians. Port Health are very concerned that the impact of the regulation, if it continues to show no flexibility in the use of trained inspectors, will be to slow port clearance and make it more expensive.

ISSUING FIXED PENALTY NOTICES

Defra issued guidance for enforcement officers on the issuing of fixed penalty notices.

The Guidance concerns how and when enforcement officers can issue fixed penalty notices (FPNs), if they have been authorised by a district or parish council, or another authority.

Defra also issued guidance on how councils and other authorities issue fixed penalty notices (FPNs) for environmental offences, fine limits and how money can be spent.

The Guidance includes:

- Who can issue FPNs
- What should be included on FPNs
- Specific set penalty levels for certain offences
- Appeals process
- Record keeping

More information on the issuing of fixed penalty notices can be found here: <http://tinyurl.com/o2jvepr>

GUIDES TO GOOD PRACTICE

The European Commission has published an update to its register for National Guides to Good Practice.

This has been set up by the Commission to make them available to Member States and food business operators.

2015 additions include:

- Guide of Good Practices of Hygiene in Primary Agricultural Production from Spain
- Safe sport products and food for weight reduction to consumers from Sweden

The list of good practice guides can be found here: <http://tinyurl.com/44kqggu>

RESEARCH

WHICH? - EVERYDAY PRODUCTS ARE GETTING SMALLER

Which? has uncovered a raft of big name products that have shrunk in size, but have not proportionally dropped in price to match.

The papers have been full of headlines about how Cadbury's Creme Eggs will now come in boxes of five, rather than six, but Which? has discovered that many more brands have also been shrinking their products. In their latest investigation, they uncovered 13 products that have lost 50g here or a few centimetres there.

Which? used data from the independent shopping website mysupermarket to find out more about these shrinking products. Examples and more information can be found on their website here: <http://tinyurl.com/nqva3xp>



ASPARTAME STUDY FINDINGS PUBLISHED

The Food Standards Agency (FSA) has published the findings of a study carried out by Hull York Medical School, determining reactions to aspartame in people who have reported symptoms in the past compared to people with no reported symptoms. The study is also being published in the peer reviewed, open access journal, PLOS ONE.

The study concluded that the participants who were self-diagnosed as sensitive to aspartame showed no difference in their response after consuming a cereal bar, whether it contained aspartame or not. The study looked at various factors including psychological testing, clinical observations, clinical biochemistry and also metabolomics (which is the scientific study of small molecules generated by the process of metabolism).



The Hull/York paper was peer reviewed by the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) in December 2013. COT concluded that 'the results presented did not indicate any need for action to protect the health of the public'.

In December 2013, the European Food Safety Authority (EFSA) published an opinion on aspartame following a full risk assessment after undertaking a rigorous review of all available scientific research on aspartame and its breakdown products, including both animal and human studies. The EFSA opinion concluded that 'aspartame and its breakdown products are safe for human consumption at current levels of exposure'.

The FSA will share the results of this study with EFSA. The final report can be accessed through this link: <http://tinyurl.com/ouf3ln2>

CLYMBOL PROJECT: SYMBOLS IMPACT CONSUMER BEHAVIOUR



A cutting-edge research project, CLYMBOL, comprising research institutes and communication experts across Europe has set out to study the role of health-related claims and symbols in consumer behaviour.

One of the goals of CLYMBOL is to understand how claims and symbols appear on food and drink products, in their context, and how this information can help guide consumer behaviour. In addition, a toolbox will be produced to support guidance in measuring the impact of claims and symbols on understanding, purchase and consumption behaviour. Findings will be used to design better communication activities and draw implications for policy makers and the European food industry.

There are 14 partners working on the CLYMBOL project, which is more than half way through its planned four years. It is split into six main work areas and receives partial funding from the European Union's Seventh Framework Programme for research, technological development and demonstration.

The project's first work area focusses on the history of health-related claim and symbol use across EU member states; their current prevalence on food packaging and in which context the claims and symbols appear. Among other things, 53 European key representatives from national food authorities, representatives of the food industry and consumer organisations were interviewed. Results showed that there are vast differences in Europe when it comes to how health claims and symbols have been regulated before 2006, and how their use was monitored. The stakeholder groups did express a strong interest in evaluating the impact of health claims and symbols.

More information can be found here: <http://tinyurl.com/p9w38gp> or on the CLYMBOL website here: <http://tinyurl.com/pd7hdcv>

FOOD STATISTICS POCKETBOOK 2014

The Food Statistics Pocketbook 2014 has been published. The annual publication provides a round-up of statistics on food covering the economic, social and environmental aspects of the food we eat (excluding agriculture). It contains chapters on:

- the food chain;
- prices and expenditure;
- global and UK supply;
- environment;
- waste;
- dietary health; and
- safety and confidence.

The information in the pocketbook comes from previously published government surveys run by the Office for National Statistics (ONS) and the Department for Environment, Food and Rural Affairs (Defra) and a wide range of other sources including government agencies and commercial organisations. The publication carries the National Statistics logo but is a combination of National Statistics and other statistics. Those which are National Statistics are identified as being so. Data quality varies among the many data sources and where possible an indication is included in bullet points.

The Pocketbook is available here: <http://tinyurl.com/qa28mzw> and the accompanying 'Users and uses of the food statistics pocketbook' can be found here: <http://tinyurl.com/prjl9hw>

FURTHER EFFORTS TO DEFINE THRESHOLDS FOR COMMON ALLERGENS

The Allergen Bureau has published research 'How much is too much? Threshold dose distributions for 5 food allergens' which attempts to further define thresholds for common food allergens.

For the food industry, knowledge of the minimum dose that can cause allergic reactions in sensitised individuals would provide an evidence base from which to derive precautionary allergen labelling strategies. Many studies in recent years have focused on the determination of these threshold doses for the most common allergens. In the latest of these studies, researchers sought to establish threshold dose distributions for peanut, hazelnut, celery, fish and shrimp.

Patients with food allergy were drawn from the EuroPrevall birth cohort, community surveys, and outpatient clinic studies, and invited to undergo a food challenge. Low-dose, double-blind, placebo-controlled food challenges were undertaken with commercially available food ingredients (peanut, hazelnut, celery, fish and shrimp) blinded into common matrices.

Hazelnut, peanut, and celery produced similar dose distributions, with estimated doses eliciting reactions in 10 per cent of the allergic population (ED10), ranging from 1.6 to 10.1 mg (1/1000 of a gram) of the relevant protein. ED10 values for fish were 27.3 mg of protein, while cooked shrimp had an ED10 value of 2.5 g of protein.

The findings from this single study will contribute to the body of knowledge about eliciting doses of food allergens. The ultimate goal is to define the reference doses and action levels for all common allergens in foods below which only the most sensitive subjects might react.

The abstract text of the research can be found here, along with links to purchase the full document: <http://tinyurl.com/l27r5fy>



SCOTLAND'S FOOD PRIORITIES AND CONCERNS

Food Standards Scotland (FSS), the public sector food body for Scotland, which launched on 1 April 2015, and takes over the responsibilities previously carried out in Scotland by the Food Standards Agency with an increased role in regards to healthy eating.

The body launched as a new YouGov poll revealed that when it comes to food, the Scottish public is most concerned (outside of cost) about making sure they and their families eat a healthy, balanced diet (39%). This is closely followed by worries over food authenticity, or eating food that isn't what it says it is without knowing (27%) and concern over food safety (23%).

The poll also underlines the extent of confusion over food labelling, with nearly two-fifths (38%) of Scots citing a lack of clear information to make an informed choice. A quarter (25%) of Scottish adults don't feel they have the clear information they need when it comes to cooking food safely and hygienically and roughly the same proportion (23%) don't have the information they need to make an informed choice when it comes to eating a healthy diet.

The same poll showed that 85% of the population feels it is important that there is an organisation focused on protecting the interests of Scottish consumers when it comes to food safety and nutrition.

The new FSS website can be accessed here: <http://tinyurl.com/nqqtssb>

BFFF RESEARCH – FOOD SECURITY IN THE UK

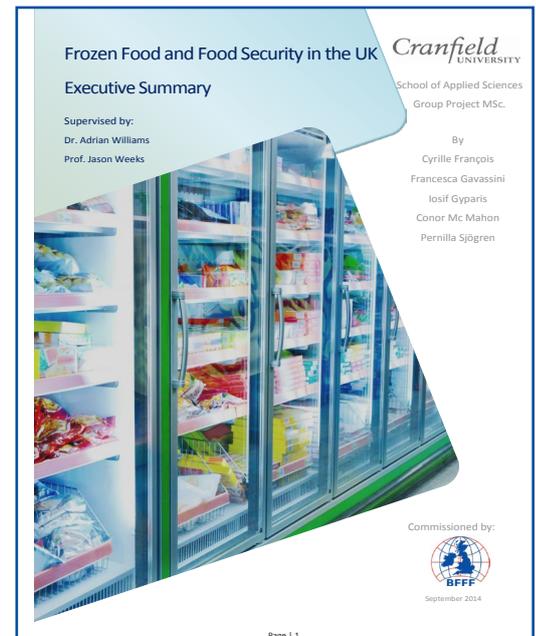
BFFF commissioned research, which was conducted by Cranfield University, which looks at the role commercially frozen food and the frozen food industry can play in helping to reduce the risk to food security in the UK.

Looking at the four major foods studied in this report, the researchers concluded that frozen food can play a valuable role in meeting the UK government's 2020 and 2050 food security targets.

The report highlights the considerable savings in food waste that can be obtained in switching from fresh to frozen supply. These savings could drastically increase the supply of food fit for consumption. Currently 19% percent of food and drink is wasted in the UK (WRAP, 2013), reducing this will go a considerable distance in meeting increasing demand.

The report suggests that if the frozen market were to grow at the 2012 rate, carrot and potato waste would be reduced by 13% and 8% respectively, increasing consumption of frozen could further reduce this.

The research can be accessed here: <http://tinyurl.com/loxmd7n>



ASDA SURVEY: 1 IN 4 CHILDREN THINK HADDOCK IS A FOOTBALLER



In a survey carried out by the U.K.'s second biggest supermarket, Asda, it was also revealed that nearly a quarter of British children don't know that haddock is a fish, thinking instead that it is the name of a football player.

The survey also revealed that nearly half of the children taking part had never heard of sea bass. In addition, one third of them were unable to recognize a cooked salmon fillet on a plate and thought it was a pork chop or beef steak instead.

Asda talked to 2,000 children and adults so it was a reasonable sample and their views can be assumed to be representative of the population as a whole them.

SUSTAINABILITY, ENVIRONMENT & CSR

WRAP – EXTENDING PRODUCT LIFE CAN CUT FOOD WASTE

WRAP estimates that an increase of just one day on product life across a range of foods could prevent around 250,000 tonnes of food waste each year, in households and in the supply chain, by giving consumers longer to eat the food they buy.

In a new report, 'Reducing food waste by extending product life', WRAP has assessed the amount of product life available to consumers on shelf, and reviewed how product life codes such as 'Use-by' and 'Best-before' dates are currently set by retailers, brands and food manufacturers.

The study examined a range of popular foods where there are typically relatively high levels of waste. It estimates the potential overall tonnage and financial savings by scaling-up data from these products to all food groceries. WRAP's findings give an indication of the significant potential benefits available to industry and consumers.

WRAP identified opportunities to make simple and safe changes throughout the supply chain and pass on more product life to consumers.

The report sets out five recommendations which show how and where adjustments in the supply chain (manufacture, logistics and retail) could increase product life for the consumer, and highlights opportunities to challenge how product life is currently set, and 'Open life' determined. The recommendations do not compromise product safety or quality in any way, and do not require any changes to existing packaging or product formulations.

WRAP are now intending to work with industry to take forward these recommendations and explore other options to build upon the findings of the report.

The report can be accessed here: <http://tinyurl.com/m9oz4sd>

WRAP'S NEW HOSPITALITY AND FOOD SERVICE WEB PAGES

The Hospitality and Food Service (HaFS) Online Resource Centre (ORC) has added information onto WRAP's updated web pages.

Key information has been uploaded into the HaFS pages at WRAP, which means businesses will have easier access to the information. The pages contain information on getting started with cutting waste costs and how to recycle. There is also a compilation of supporting resources that encourage businesses to take action and instigate change.

The webpages can be found here: <http://tinyurl.com/9f3h7sm> and the supporting resources page, which signposts information and guidance, is available through this link: <http://tinyurl.com/q3k9cuz>



**Material change for
a better environment**

COMMISSION WORKING GROUP MEETING ON FOOD WASTE

The European Commission published a Summary Report of the meeting of the Commission Expert group on food losses and food waste which took place on 7 November 2014.

This informal expert group, composed of relevant organisations from Member States, will assist the Commission and Member States in identifying and prioritising possible actions to be taken at EU level to prevent food losses and food waste. Amongst the items discussed included:

- Priority areas to be addressed;
- Food waste definitions and measurement;
- Data on egg waste linked to date marking;
- How to support awareness raising and engagement in food waste prevention; and
- How to facilitate donation of surplus food to food banks.



While this expert group may discuss and recommend policy options, it is the relevant working groups of the Standing Committee on Plants, Animals, Food and Feed (or other regulatory committees) which would consider these issues further, in their respective areas of competence.

The summary report is available to view here: <http://tinyurl.com/n3v37wj>



SEAFISH AND MSC UNVEIL 'ROADMAPS' FOR SUSTAINABLE FISHERIES



Seafish, the industry authority on seafood, alongside the Marine Stewardship Council (MSC), has announced its findings from a three year project which, for the first time, has mapped all English inshore fisheries and developed sustainability 'roadmaps' for them to help secure seafood supplies from these traditional inshore fleets.

Named 'Project Inshore' and the first exercise of its kind on this scale in the world, the project has produced bespoke reports for each of the English Inshore Fisheries & Conservation Authorities (IFCAs), and will now enable these inshore fisheries managers to come together to co-ordinate efforts. Project Inshore will also provide an evidence-base for IFCAs that do not have sufficient resources to approach funders.

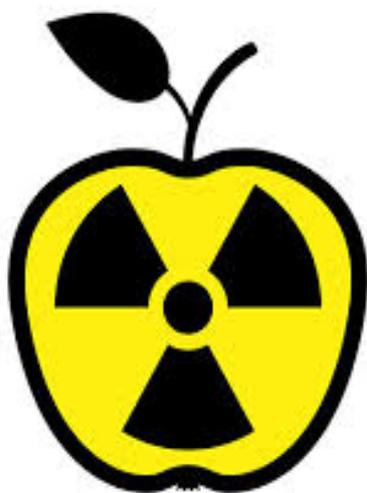
Project Inshore has been split into three stages; stage one mapped over 450 different fisheries within the English inshore sector (out to 6 nautical miles).

Stage two assessed all of the fisheries within each IFCA district using the MSC standard as a gap analysis tool to score how each fishery was performing. In total, around 50 fisheries were found to be performing at a level that could be considered in the short to medium term to move on to full MSC assessment. The remaining inshore fisheries require a longer term programme of work to be undertaken to get them to perform at this level.

More information about 'Project Inshore' is available on the Seafish website, here: <http://tinyurl.com/nd7tnwf>

TECHNOLOGY AND NOVEL FOODS

2013 ANNUAL REPORT ON FOOD IRRADIATION



The European Commission has published its Annual Report on Food Irradiation for 2013. The report includes a compilation of the information forwarded to the Commission by the 26 Member States. Malta and Croatia did not submit data for 2013.

In 2013 there were 25 approved irradiation facilities within the European Union located in 13 Member States. No foodstuff was irradiated in 7 of the 25 approved facilities. Only 9 out of 13 Member States irradiated foodstuffs in 2013. A total quantity of 6876 tonnes of products were treated with ionising irradiation in EU Member States, 84% of which were irradiated mainly in three Member States: Belgium (49.4%), Netherlands (24.4%) and Spain (12.7%). The two main commodities irradiated were frog legs (46.4%) and dried aromatic herbs and spices (24.4%).

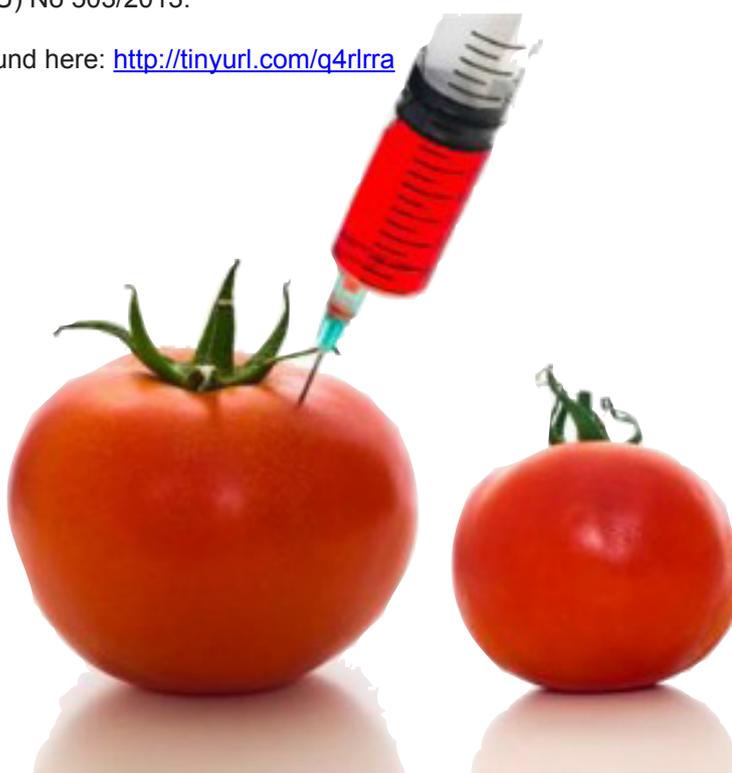
The European Commission report on 'food and food ingredients treated with ionising radiation for the year 2013' is available in full here: <http://tinyurl.com/pgey44m>

EFSA STATEMENT ON ESTIMATION OF EXPOSURE TO GM FOODS

The European Food Safety Authority (EFSA) published a Statement on the use of the EFSA Comprehensive European Food Consumption Database for estimating dietary exposure to genetically modified foods.

Implementing Regulation (EU) No 503/2013 requests that the anticipated dietary intake is estimated on the basis of representative consumption data. This statement provides the technical advice on how to make the best use of the EFSA Comprehensive Database for estimating dietary exposure to GM foods, and to meet the requirements stipulated by Implementing Regulation (EU) No 503/2013.

The EFSA statement can be found here: <http://tinyurl.com/q4rlrra>



AMENDMENT TO RESTRICT OR PROHIBIT THE CULTIVATION OF GMOS



Directive (EU) 2015/412 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory was published in the Official Journal of the EU, L68/1, 13/03/2015.

Directives 2001/18/EC and Regulation (EC) No 1829/2003 establish a comprehensive legal framework for the authorisation of genetically modified organisms (GMOs), which are fully applicable to GMOs to be used for cultivation purposes throughout the Union as seeds or other plant propagating material ('GMOs for cultivation').

The Directive grants Member States, in accordance with the principle of subsidiarity, more flexibility to decide whether or not they wish to cultivate GMOs on their territory without affecting the risk assessment provided in the system of Union authorisations of GMOs, either in the course of the authorisation procedure or thereafter, and independently of the measures that Member States cultivating GMOs are entitled or

required to take by application of Directive 2001/18/EC to avoid the unintended presence of GMOs in other products.

Directive 2001/18/EC is amended so that from 3 April 2017 Member States in which GMOs are cultivated shall take appropriate measures in border areas of their territory with the aim of avoiding possible cross-border contamination into neighbouring Member States in which the cultivation of those GMOs is prohibited, unless such measures are unnecessary in the light of particular geographical conditions.

Furthermore, no later than 3 April 2017, the Commission should update the Annexes to Directive 2001/18/EC in accordance with Article 27 of that Directive as regards the environmental risk assessment, with a view to incorporating and building upon the strengthened 2010 EFSA guidance on the environmental risk assessment of genetically modified plants. By 3 April 2019, the Commission should present a report to the European Parliament and to the Council regarding the use made by Member States of this Directive including the effectiveness of the provisions enabling Member States to restrict or prohibit the cultivation of GMOs in all or part of their territory and the smooth functioning of the internal market.

This Regulation entered into force on 2 April 2015 and can be accessed here: <http://tinyurl.com/oeszggg>

EC AUTHORISES OIL FROM MICRO-ALGAE AS NOVEL FOOD

Commission Implementing Decision (EU) 2015/545 of 31 March 2015 authorising the placing on the market of oil from the micro-algae *Schizochytrium* sp. (ATCC PTA-9695) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2015) 2082).

On 2 April 2014, the competent food assessment body of the United Kingdom issued its initial assessment report. In that report it came to the conclusion that the use of this algal oil meets the criteria for novel food set out in Article 3(1) of Regulation (EC) No 258/97.

The Commission Implementing Decision is available to view here: <http://tinyurl.com/pjdkkxd>



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