

T & L UPDATE

BFFF TECHNICAL AND LEGISLATIVE UPDATE

MARCH 2016 - ISSUE 82



British Frozen Food Federation

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FOREWORD

Welcome to the March edition of the T+L.

Crystal and I have been trawling the databases to find interesting snippets to bring to your attention and we hope that at least some of the subjects covered are of interest to you as a member. We have also been reviewing some of the administration processes behind the scenes, looking for some time to find a way of linking the subjects discussed by the BFFF Technical Expert Group and the T+L Updates.

We wanted the wider BFFF membership to be aware of the subjects that are being discussed by your Technical Expert Group as these cover a wide and varied range of subjects. We will highlight some of these as a summary as part of the T+L itself. We have also included a copy of the agenda for the last Technical Expert Group meeting so you can see for yourself what the experts are discussing.

Of course if there are any subjects that you or your organisation would like further details on we can send you a copy of the technical papers that have been circulated on any given subject. Please contact Crystal or Martin for more details (see below).

Lastly on BFFF admin don't forget there are currently 7 Member Interest Groups (MIGs) which any member can join and receive relevant papers/join the discussion etc. These are virtual groups to discuss specific subjects which the Technical Expert Group is covering from time to time.

These are :

- Chlorates
- Food Information for Consumers
- Fish
- HAV Berries
- Into the Light - Document Review
- Meat Trading
- Mechanically Separated Meat

Moving on to 2 subjects which require comment:

From the T+L you will see some top line details of a recent EFSA report which shows that *Campylobacter* and *Listeria* rates rising by up to 16% within the EU member states! It is ironic that this situation is occurring at the same time as the EU wish to restrict the use of biocides and chlorine use for food processing given their review of plant protection products (pesticides). This subject continues to develop and unfortunately possible restrictions put in place. Industry is most concerned regarding the potential hygiene implications of these decisions - if you want to know more join the MIG above.

Secondly the Scots are now pursuing a different agenda from 'radical measures to tackle diet related health issues' to a proposed waste deposit scheme - reading the other items highlighted will help with an action plan from reformulation using traffic light labelling survey results (which says reduce sat fat and salt!) to the RSPH exercise labelling approach. Good luck with managing the challenges. Don't forget that BFFF are here to help.

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

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



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ACTIVITY OF EUROPEAN INSTITUTIONS

ECJ ON DETERMINATION OF ENDOCRINE-DISRUPTING PROPERTIES

The Court of Justice of the European Union has published a press release regarding the Commission's failure to adopt measures concerning the specification of scientific criteria for the determination of endocrine-disrupting properties.

Biocidal products are necessary to combat organisms harmful to human or animal health and organisms which harm natural or manufactured materials. However, those products can present various risks to humans, animals and the environment, because of their intrinsic properties and the associated uses.

In order to improve the free movement of biocidal products in the EU, while ensuring a high level of protection of human and animal health and the environment, the EU legislature adopted Regulation No 528/2012 concerning the making available on the market and use of biocidal products. This Regulation sets out the active substances which, in principle, cannot be approved. They include active substances which, on the basis of criteria to be established, are regarded as having endocrine-disrupting properties which may be harmful to humans, or which have been designated as having those properties. By 13 December 2013 at the latest, the Commission was to adopt the delegated acts as regards the specification of the scientific criteria for the determination of endocrine-disrupting properties.

In 2014 before the General Court, Sweden brought an action for failure to act seeking a declaration that, by failing to adopt the acts provided for in the regulation, the Commission had infringed that regulation. The purpose of actions for failure to act is to have a declaration from an EU Court that an institution unlawfully refrained from laying down rules. The Court adds that, following the adoption of the regulation, the legislature neither amended nor repealed, by any binding text, the deadline for adoption of the delegated acts. Nor has the Commission proposed that the legislature amend that regulation in order to defer that date.

In this ruling, the General Court concluded that, by failing to adopt delegated acts as regards the specification of the scientific criteria for the determination of endocrine-disrupting properties, the Commission has failed to fulfil its obligations under Regulation No 528/2012.

The Court of Justice of the EU press release is available here: <http://tinyurl.com/jlpuh6v>

ANIMAL WELFARE

BOVINE TB ERADICATION STRATEGY

Defra has announced that the strategy to eradicate bovine TB in England is delivering results with more than half the country on track to be officially free of the disease by the end of this Parliament.

The comprehensive eradication strategy includes strengthening cattle testing and movement controls, improving biosecurity on farm and when trading, and badger control in areas where TB is rife. To further improve cattle movement controls, the Government plans to introduce statutory postmovement testing next year for cattle entering the Low Risk Area. The Low Risk Area, covering over half of England, is on track to achieve officially TB-free status by the end of 2019.

Defra also published on 17 December 2015 the following reports on Bovine TB:

- Consultation outcome for updating the criteria for badger control licence applications;
- Chief Veterinary Officer's advice on the outcome of the 2015 badger culls;
- Guidance to Natural England: outlining what is required in order for any cull of badgers to be effective, safe and humane;
- Policy paper on information and data on monitoring of the badger culls to control Bovine Tuberculosis in Somerset, Gloucestershire and Dorset in 2015.

The Defra Bovine TB Eradication Strategy is available here: <http://tinyurl.com/zq7g53a>

Defra has announced that it has published its strategy setting out aquatic animal health priorities and the steps being taken to meet goals set between 2015-2020.

Through the 5 year programme of work Defra aims to achieve the following broad outcomes:

- Strengthened controls to minimise the risks of importing disease and improve national biosecurity;
- Improved surveillance methods for the early detection of disease and where outbreaks do occur, enhanced tools for quickly controlling disease;
- Giving important information about aquatic animal health to stakeholders during farm and fishery inspections, at meetings and conferences;
- Maintaining awareness of global emerging disease threats;
- Development of the right skills and tools to enable Defra to protect aquatic animal health.

This Defra strategy can be accessed here: <http://tinyurl.com/hvfec3p>

OUTBREAK ASSESSMENT FOR A.I IN SCOTLAND

Defra have produced a preliminary outbreak assessment for low pathogenic avian influenza (H5N1) in poultry in Scotland.

Defra consider that there is a constant low risk of incursion of any notifiable avian disease into the poultry in the UK from direct or indirect contact with wild birds. Prompt reporting of disease by farmers and vets in the UK, rapid diagnosis and swift disease control measures, often in advance of final strain identification, as in this case, enable rapid eradication from the UK poultry flock. The risk to public health and food safety is negligible.

At the time on writing (16th February 2016), the latest Defra report on this issue is dated 14th January.

Further updates may be released, between the time of writing and the time of publishing this document. All updates can be found on this page: <http://tinyurl.com/zrsfe69>



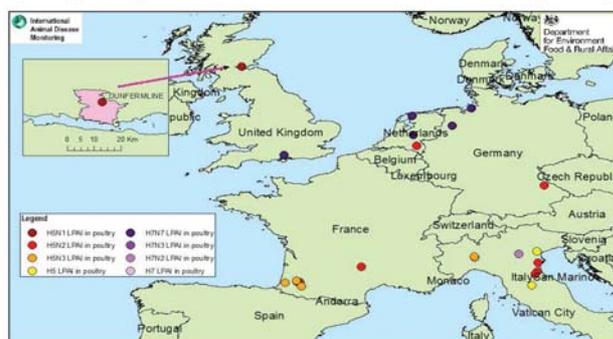
(Scotland)

14 January 2016

Ref: VITT/1200 LPAI in UK

Disease Report

On January 13th, the UK confirmed an outbreak of Low Pathogenic Avian Influenza (LPAI) subtype H5N1 on a commercial broiler breeder (parent) holding in the region



(parish) of Dunfermline, Scotland (OIE, 2016; see map and inset). The premises had a flock of approximately 40,000 57 week old housed hens. The birds were housed in 5 sheds and the operation was "all in all out". Mild clinical signs (egg

drop and inappetence) were observed; there was no increase in mortality. Disease control measures were put in place on 8 January, when suspicion was raised after the receipt of the first non-negative laboratory test results. Measures include a 1km restriction zone, culling of all poultry on the infected premises and the destruction of eggs originating in the holding placed at the company hatchery has now been completed. An epidemiological investigation is being undertaken.

BUSINESS DEVELOPMENT, CERTIFICATION AND TRAINING

ACS URGE FSA TO ABANDON REVISIT CHARGES FOR SMALL BUSINESSES

The Association of Convenience Stores (ACS) has responded to the Food Standard Agency's (FSA's) consultation on its initial impact assessment of mandatory displays of food hygiene ratings in England, raising concerns about the additional administrative burdens that it will have on retailers.

In the submission, ACS states that retailers should not have to be burdened by additional rating reassessment costs. Currently, the proposed Small Business Impact Test neglects to consider the cost of requesting a re-rating inspection for small businesses. Larger businesses would be able to afford, obtain, and promote a higher rating following a reassessment, while smaller businesses may not be able to afford a re-rating. This option favours larger businesses that can easily absorb these costs, while posing a financial burden for small businesses.

The vast majority of convenience stores sell food products, and therefore must follow food hygiene regulations to prevent food contamination. Changes in consumer trends means that more retailers are increasingly offering a range of food products, with 81% of stores now having freezer units, 49% offering cold food-to-go, and 6% offering the use of microwaves.

In the submission, ACS has also called on the FSA to provide retailers the initial support, guidance, and information on any charges, and that these charges are communicated early to retailers so they have enough time to assess the action they would need to take to comply.

The full ACS submission is available here: <http://tinyurl.com/z8q3wyt>

APPRENTICESHIP LEVY LEGISLATION PUBLISHED IN DRAFT

The Government has published draft legislation on the introduction of the apprenticeship levy.

The draft confirms that from April 2017, employers with a wage bill of more than £3 million will have to pay a 0.5% levy to fund apprenticeships.

The Government announced its proposals in last year's Autumn Statement with the hope it will help create three million more apprenticeships during the rest of this parliament.

The legislation will be introduced in Finance Bill 2016, and the apprenticeship levy will be payable through Pay As You Earn (PAYE), alongside income tax and National Insurance.

The calculation of the tax will be based on the same total employee earnings figure as the one that is used for class 1 national insurance contributions.

Employers will receive a £15,000 allowance to offset the payment of the levy, which will be paid in vouchers.

There will also be a connected persons' rule, similar to the employment allowance connected persons rule, so employers who operate multiple payrolls will only be able to claim one allowance.

The Government estimates that the apprenticeship levy will be paid by less than 2% of UK employers. In its policy paper introducing the draft legislation, it said: "For employers paying the levy, the measure is expected to have some impact on administration costs and the impact will vary by employer, depending on the size of their payroll."

It added that there is likely to be a "near-term impact in reducing earnings growth", but that increased productivity brought about by apprenticeship training will ultimately lead to increased profitability for businesses, and increased wages in the long term.

It's hoped the levy will raise around £3 billion for the Exchequer to spend on boosting the quantity and quality of apprenticeships.

The draft legislation can be found here: <http://tinyurl.com/zjbj8n>



Department
for Business
Innovation & Skills

APPRENTICESHIPS LEVY

GREAT BRITISH FOOD UNIT ESTABLISHED

A Great British Food Unit has been established to turbo-charge UK food exports and support industry growth plans, like their target of increasing manufactured food exports to £6 billion by 2020.

From Weetabix to Rwanda, Cadbury chocolate fingers to the Bahamas and Yorkshire Tea to China, famous British brands are taking on the world. The launch of the new Great British Food Unit will back industry targets to further boost exports and support even more British companies such as Taylors of Harrogate, Nestle and Mr Kipling export overseas potentially generating an additional 5,000 jobs in food and drink manufacturing.

The long term ambition of the new unit is to match France and Germany, which both currently export more than double the UK in terms of the value of food and drink. For the first time ever it will bring together experts in exports and investment from Defra and across Government to help even more businesses sell their world class produce around the globe.

The UK already has an international reputation for excellence and as a place to invest in. The unit will support further Foreign Direct Investment (FDI) into our food industry which stood at a record £60 billion in 2014 – nearly a third of all FDI assets in UK manufacturing.

More information on the Great British Food Unit can be found here: <http://tinyurl.com/jybg54>

COMMISSION REPORT ON UNFAIR BUSINESS TO BUSINESS TRADING PRACTICES

The European Commission has published a Report to the European Parliament and the Council on unfair business-to-business trading practices in the food supply chain.

The report concentrates on the existing frameworks for tackling unfair trading practices (UTPs). It has two main elements: (1) an assessment of the existing regulatory and enforcement frameworks in the Member States; and (2) an assessment of the impact of the voluntary EU-wide Supply Chain Initiative (SCI) and the national SCI platforms that have been set up.

This report concludes that measures to combat UTPs have developed significantly in recent years. Many Member States, especially those where the issue is more prominent, have recently introduced legislative and enforcement measures that broadly meet the criteria for effective frameworks against UTPs. In order to increase the initiative's credibility and effectiveness in tackling UTPs, the Commission proposes a discussion with the relevant stakeholders on how to improve the SCI under the High Level Forum for a Better Functioning Food Supply Chain.

The European Commission report is available here: <http://tinyurl.com/zubq5xr>



CONSULTATION: BUSINESS IMPACT TARGET, GROWTH DUTY & SMALL BUSINESS APPEALS

The Department for Business, Innovation and Skills (BIS) is seeking views on which regulators to bring within scope of the business impact target (BIT), growth duty and Small Business Appeals Champion.

BIS are also asking for feedback on draft statutory guidance to support the implementation of the growth duty and the Small Business Appeals Champion.

The consultation is relevant to regulators and businesses and members of civil society subject to regulation, and closed on 11th March 2016.

All of the documents are available here: <http://tinyurl.com/znp4xjs>

CHEMICALS, CONTAMINANTS & FOOD CONTACT MATERIALS

TOUGHER RISK ASSESSMENT FOR CHEMICALS IN FOOD CONTACT MATERIALS

The European Food Safety Authority (EFSA) have recommended refining the safety assessment of substances used in food contact materials, including the introduction of a more comprehensive approach to estimate consumer exposure. In the future EFSA intends to update the guidance on data requirements for the evaluation of these substances.

Dr Laurence Castle, a member of EFSA's expert Panel on Food Contact Materials (CEF) and chair of the working group that developed the opinion, stated that the scientific opinion "presents recent scientific developments that impact on the estimation of consumer exposure to substances migrating from food contact materials, the tiered approach to their safety assessment, toxicological data requirements and consideration of the migration of non-intentionally added substances (NIAS)".

The next step in this process is for the European Commission to discuss with authorities in Member States the implications of these refinements for risk management. The Commission will then advise EFSA on the necessary levels of protection for consumers. EFSA will use the Commission's advice to develop Guidance on data requirements for applications for the safety assessment of substances in food contact materials.

The Scientific Opinion can be downloaded for free, here: <http://tinyurl.com/jby64yb>

PESTICIDES: BREAKTHROUGH ON CUMULATIVE RISK ASSESSMENT

The European Food Safety Authority (EFSA) and its European partners have taken a major step forward in their work on assessing the cumulative risks from exposure to pesticides. A software tool has been developed for carrying out exposure assessments of multiple pesticides. In a pilot study, consumer exposure assessments are now being performed with the tool on groups of pesticides that may affect the thyroid and nervous systems.

The results of these assessments will be published by the end of this year, and will be considered by EFSA when it produces two scientific reports on cumulative risk assessments for the thyroid and the nervous systems in 2017.

In the longer term, EFSA hopes to start progressively incorporating high-level cumulative risk assessments into its annual analysis of the chronic and acute risks that pesticides pose to consumers. The analysis uses data collected by Member States.

The software – known as the Monte Carlo Risk Assessment (MCRA) tool – was initially developed through a project funded by the European Commission that involved researchers, scientists and regulators from 14 countries and was overseen by the National Institute for Public Health and the Environment for the Netherlands (RIVM).

More information on this can be found here: <http://tinyurl.com/hvbskse>

DEFRA PUBLISH PESTICIDES IN FOOD MONITORING REPORTS FOR 2015

Defra have published the quarterly results from the government's monitoring programme in 2015 to check home-produced and imported food for pesticide residues.

Defra publish results quarterly from the government's monitoring programme to check home-produced and imported food for any pesticide residues.

Monitoring is carried out by the Health and Safety Executive. The results are reviewed by the Expert Committee on Pesticide Residues in Food (PRiF).

The results for Quarter 1 2015 (published in September 2015) are available on the National Archives website, here: <http://tinyurl.com/jcs2lob>

The results for Quarter 2 2015 are available here: <http://tinyurl.com/zhfnw48>

The results for Quarter 3 2015 are due to be published in March 2016, with the results for Quarter 4 2015 due to be published in June 2016.



FOOD SAFETY AND ZOOSES

DECISION ON SERIOUS CROSS-BORDER THREATS TO HEALTH

On 22 October 2013, the EU adopted a Decision to improve preparedness across the EU and strengthen the capacity to coordinate response to health emergencies. This Decision entered into force on 6 November 2013.

A report on the implementation of the Decision was adopted on 7 December 2015.

This legislation is an important step forward in improving health security in the European Union and protecting citizens from a wide range of health threats. It will help Member States prepare for and protect citizens against possible future pandemics and serious cross-border threats caused by communicable diseases, chemical, biological or environmental events.

The Decision provides four major benefits:

- to strengthen preparedness planning
- The Decision strengthens preparedness planning capacity at EU level by re-enforcing co-ordination as well as sharing best practices and information on national preparedness planning. The aim is to ensure that all Member States are adequately prepared to face any crisis; and to reduce as far as possible the impact of any such event on health, society and the economy.
- to improve risk assessment and management of cross-border health threats

The Decision also provides risk assessment for threats that are not communicable diseases and of which no EU Agency is in charge.

- to establish the necessary arrangements for the development and implementation of a joint procurement of medical countermeasures

For the first time, the EU itself can trigger its pharmaceutical legislation to accelerate the provision of vaccines and medicines in the event of any health emergency, including pandemics.

- to enhance the coordination of response at EU level by providing a solid legal mandate to the Health Security Committee

The Decision gives the Health Security Committee a solid legal footing in co-ordinating preparedness. In case of crisis, the HSC is now able to decide quickly on the coordination of national responses, communication messages to the public and to the healthcare professionals.

EU DG Health has published a video on crisis management of health threats within the EU, which is available along with the information here: <http://tinyurl.com/zp7jmrV>

DEFRA'S SMARTER RULES FOR SAFER FOOD PACKAGE

Defra have produced information on the smarter rules for safer food package which is intended to improve protection against animal disease and pests in the food chain.

The smarter rules for safer food package is a set of EU proposals for protecting against animal disease and pests in the food chain. When agreed, these rules will affect anyone involved in the production manufacture, supply and regulation of food, feed, live animals and plants.

Collectively the package will replace over 70 existing European Directives and Regulations, simplifying legislation and making it easier to use for everyone involved.

The basic principles cover three main topics:

- official controls: how we will monitor and enforce the new rules
- animal health: a framework for the principles of European animal health for the next 20 years
- plant health: controls for protecting plants from disease and pests

The package is available here: <http://tinyurl.com/o3jyu78>

EFSA REPORT SHOWS CAMPYLOBACTER AND LISTERIA INCIDENT RATES RISING

Human cases of listeriosis and campylobacteriosis rose once again in 2014, continuing an upward trend that began in 2008. Salmonellosis cases increased slightly for the first time since 2008. These are the main findings of the latest annual report by the European Food Safety Authority (EFSA) and European Centre for Disease Prevention and Control (ECDC) on zoonoses and foodborne outbreaks in the European Union.

Listeriosis infections reported in humans increased by 16% compared with 2013: there were 2,161 confirmed cases in 2014. Although this number is relatively low, the rise of reported listeriosis cases is of concern as the surveillance of these infections is focused on severe forms of the disease, with higher death rates than for other food-borne diseases, particularly among the elderly, and patients with a weak immune system. However, *Listeria monocytogenes*, the bacterium that causes listeriosis in humans and animals, seldom exceeded the legal safety limits in ready-to-eat foods – the most common foodborne source of human infections.

Campylobacteriosis remains the most commonly reported foodborne disease in the EU and has been so since 2005. The number of confirmed cases in the EU in 2014 was 236,851, an increase of 22,067 cases (10%), compared with 2013. The majority of EU Member States reported an increase in the number of campylobacteriosis cases in 2014, which could be partly explained by improvements in the surveillance system and/or improved diagnostics for campylobacteriosis in several Member States in recent years. In food, *Campylobacter* was mostly found in chicken meat.

The EFSA and ECDC report is available here: <http://tinyurl.com/htbj4c9>



EFSA PUBLISH REPORT ON ENTEROAGGRESSIVE E. COLI

Escherichia coli (*E. coli*) bacteria normally live in the intestines of people and animals. Most *E. coli* are harmless and actually are an important part of a healthy human intestinal tract. However, some *E. coli* are pathogenic, meaning they can cause illness, either diarrhoea or illness outside of the intestinal tract. The types of *E. coli* that can cause diarrhoea can be transmitted through contaminated water or food, or through contact with animals or persons.

E. coli consists of a diverse group of bacteria. Pathogenic *E. coli* strains are categorized into pathotypes. Six pathotypes are associated with diarrhoea and collectively are referred to as diarrhoeagenic *E. coli*.



- Shiga toxin-producing *E. coli* (STEC)—STEC may also be referred to as Verocytotoxin-producing *E. coli* (VTEC) or enterohemorrhagic *E. coli* (EHEC). This pathotype is the one most commonly heard about in the news in association with foodborne outbreaks.
- Enterotoxigenic *E. coli* (ETEC)
- Enteropathogenic *E. coli* (EPEC)
- Enteraggative *E. coli* (EAEC)
- Enteroinvasive *E. coli* (EIEC)
- Diffusely adherent *E. coli* (DAEC)

Of these 6 types, the European Food Safety Authority (EFSA) have assessed the public health risks associated with the consumption of foods contaminated with Enteraggative *Escherichia coli* (EAEC).

Experts of the Panel on Biological Hazards reviewed the characteristics of EAEC, the methods for their identification in food and antimicrobial resistance in these bacteria.

To carry out their work, they used data provided by the European Centre for Disease Prevention and Control and EFSA's data on zoonotic diseases.

The report on the public health risks associated with EAEC is available here: <http://tinyurl.com/hnx9aus>

EFSA MANUAL FOR REPORTING ZOOSES

The European Food Safety Authority (EFSA) have published a 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 2015.

The objective is to harmonise and streamline reporting by Member States to ensure that the data collected are relevant and easy to analyse at the European Union level.

The manual covers all the zoonoses and zoonotic agents included under the current data collection system run by EFSA. Detailed instructions are provided on reporting data in both table and text form. The guidance applies to the agents, animal species and food categories to be reported on.

The instructions given are related to the description of the sampling and monitoring schemes applied, as well as analysing the results in the national reports. Special reference is made to data elements in which following trends would be desirable. This manual is specifically aimed at guiding the reporting of information deriving from the year 2015.

The EFSA manual can be accessed here: <http://tinyurl.com/zmhvh93>

MANUAL FOR REPORTING FOOD-BORNE OUTBREAKS

The European Food Safety Authority (EFSA) has published a Manual for reporting on food-borne outbreaks in accordance with Directive 2003/99/EC for information deriving from the year 2015.

The manual provides specific guidance for reporting on food-borne outbreaks under the framework of Directive 2003/99/EC. It is based on the reporting format described in the EFSA report on 'Updated technical specifications for harmonised reporting of food-borne outbreaks through the European Union reporting system in accordance with Directive 2003/99/EC'. It provides guidance with some examples on how to report and classify the causative agents, food vehicles implicated, places of exposure, places of origin of problem and contributory factors.

The EFSA Manual is available here: <http://tinyurl.com/j7qrurd>

ANTIMICROBIAL RESISTANCE ON THE RISE IN THE EU

The findings of this latest annual Europe-wide report by EFSA and the European Centre for Disease Prevention and Control (ECDC) underline again that antimicrobial resistance poses a serious risk to human and animal health. This risk was identified by the Commission as a major priority in its political agenda on food safety.

The report also found evidence of resistance to the antimicrobial colistin in Salmonella and E. coli among poultry in the EU. Mike Catchpole, Chief Scientist for ECDC, said: "This is worrying because it means that this last-resort drug may soon no longer be effective for treating severe human infections with Salmonella."

In addition to the high levels of resistance shown throughout Europe, the report found that there are significant regional differences. The highest levels of antimicrobial resistance (AMR) are observed in eastern and southern Europe. Marta Hugas, Head of EFSA's Biological Hazards and Contaminants unit, said: "In northern Europe, there is lower resistance in bacteria from poultry, particularly in countries with low use of antimicrobials in animals."

The EU summary report on antimicrobial resistance is available to download here: <http://tinyurl.com/jgbhatf>

FSA EMAIL AND MOBILE UPDATES AND ALERTS

The Food Standards Agency (FSA) have announced a sign-up service that is now available via email to receive updates and get the latest food and allergy alerts sent as an SMS text message to mobile phones.

There are 20 different categories to select from to get the information that is most useful and relevant for each business sector, with the option to set preferences to receive email updates immediately as they are published, or grouped into a daily or weekly email.

You can subscribe to SMS or email alerts from the FSA here: <http://tinyurl.com/hhdcov3>



FOOD SECURITY, INTEGRITY AND AUTHENTICITY

FSS PUBLISH RESULTS OF FISH AUTHENTICITY SURVEY

Food Standards Scotland (FSS) has published the results of a fish authenticity survey in foods procured for schools and healthcare establishments in Scotland.

The survey was initiated to investigate the potential for white fish to be substituted with cheaper species in public sector food supply chains.

A total of 26 local authorities participated in the survey and sampled 264 unique fish products from 214 premises across Scotland. Of the unique samples tested, 249 (94%) were fully compliant with legislation, with 15 samples (6%) failing due to the presence of non-declared fish species such as whiting being labelled as haddock.

In all cases Local Authorities concluded from their investigations that mislabelling of products was not due to deliberate food fraud, but had occurred due to a breakdown in the suppliers' quality control systems. FSS also engaged with the relevant businesses and public sector procurement bodies to identify where improvements could be made to strengthen the integrity of their fish supply chains in the future.

Feedback received to date has indicated that a number of improvements have been taken forward by fish suppliers to address the issues identified, including the training of staff involved in the packaging and labelling of fish to minimise the mixing of different species during processing.

The sampling programme was undertaken between March 2014 and February 2015 and targeted fish/fish products supplied to the kitchens of schools, hospitals and care homes around Scotland.

The full survey results can be found here: <http://tinyurl.com/zgqnws6>

HORSEMEAT: EDDIE SELTEN CUSTOMER INFORMATION RELEASED

The Dutch have recently released the list of customers of, the now notorious, Eddie Selten, the Dutch meat trader implicated in the horsemeat scandal.

Members may wish to review the list of customers of Selten to determine if any of their raw material suppliers were ever involved in this supply chain. The full list can be found here: <http://tinyurl.com/hrfncrs>

Whilst there are some big names mentioned, members with Continental operations may wish to review given the vast majority of customers of this company are based in the Netherlands.

Of course given the time that has elapsed procurement activity has no doubt changed. However given the ongoing concern regarding food fraud it may be timely to review the supply chains in this area and ask questions regarding the use of brokers or traders in this area. Policies put in place nearly 2 years ago may have slipped unless ongoing auditing and review takes place.

More information can be found here: <http://tinyurl.com/hjem7lh>

SSAFE FOOD FRAUD VULNERABILITY ASSESSMENT TOOL

Recent global food fraud scandals have further highlighted the need to strengthen companies' ability to mitigate against the risks of food fraud within their organizations and across their supply chain. Authorities, consumers and other stakeholders expect food companies to act proactively and mitigate against food fraud risks.

However, current food safety management systems are not designed for food fraud mitigation, which requires a different perspective and skill set than food safety or food defence. For instance, socio-economic issues and past food fraud incidents are not included in traditional food safety or food defence risk assessments. Vulnerabilities relating to food fraud can also occur outside the traditional activities of a company.

In this context, SSAFE has collaborated with Wageningen UR and VU University Amsterdam to prepare a science-based tool for assessment of a company's food fraud vulnerabilities and provide a basis to develop company-specific intervention strategies.

The SSAFE Food Fraud Vulnerability Assessment Tool is available here: <http://tinyurl.com/zwcmwje>

GLOBAL STANDARDS

NEW CODEX ONLINE CONSULTATION SYSTEM

The Codex secretariat has announced that a new Online Commenting System (OCS) has been developed. The system, called PleaseReview, will enable Codex members and observers to share and submit comments on draft standards online at the click of a button.

Codex contact points will find it much easier to draft, share and submit comments on Codex texts and the OCS will allow the Codex secretariat to manage consultation processes by automating notifications, compiling comments in an easy and efficient manner, and providing data for analysis.

The OCS will also guarantee better time management for the processing and gathering of comments, but this will require efforts from all members: indeed, comments that are submitted on time have the “advantage” of being translated into the other Codex languages, which in turn gives members the opportunity to share their views with the whole Codex community before the Committee sessions.

More information on the PleaseReview service can be found here: <http://tinyurl.com/zxcycgq>

IMPORTS AND THE SUPPLY CHAIN

EU-VIETNAM FREE TRADE AGREEMENT

The European Commission has announced that the text of the free trade agreement (FTA) between the EU and Vietnam has been published following the conclusion of the negotiating process in December 2015.

The Vietnam agreement includes all of the key provisions of the new Investment Court System for EU trade and investment negotiations proposed by the European Commission. In addition to creating new opportunities for EU firms, the agreement aims to support Vietnam’s transition towards a more competitive and more sustainable economy.

The EU-Vietnam Free Trade Agreement: agreed text as of January 2016 is available here: <http://tinyurl.com/jl24l6c>



SALMONELLA IN LAYING HENS AND EGGS FROM THIRD COUNTRIES

Commission Implementing Regulation (EU) 2016/15 of 7 January 2016 approving the control programme of the former Yugoslav Republic of Macedonia for Salmonella in laying hens and amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the former Yugoslav Republic of Macedonia in the list of third countries from which table eggs may be introduced into the Union, was published in the Official Journal of the EU, L5/1, 08/01/2016.

The former Yugoslav Republic of Macedonia has introduced a request for the authorisation of imports of eggs for human consumption and poultry meat into the Union. The animal health requirements for imports of fresh poultry meat to the Union are more stringent than those for eggs for human consumption due to the possible increased risk for disease transmission linked to that commodity.

An audit of the Food and Veterinary Office is scheduled for 2016 in order to fully assess the poultry health status and conditions for imports of poultry meat. Pending that audit, it is appropriate to limit the authorisation of imports into the Union to table eggs for human consumption. This Regulation entered into force on 28 January 2016.

The Official Journal containing this Regulation can be accessed here: <http://tinyurl.com/gS2cou5>

IMPORT OF FOOD AND FEED FROM JAPAN

Commission Implementing Regulation (EU) 2016/6 of 5 January 2016 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station and repealing Implementing Regulation (EU) No 322/2014 was published in the Official Journal of the EU, L003/5, 06/01/2016.

Existing measures have been reviewed regarding the occurrence of radioactivity in feed and food and data submitted by the Japanese authorities provide evidence that it is no longer necessary to require the sampling and analysis of feed and food originating in certain prefectures of Japan regarding the presence of radioactivity before export to the Union.

The transitional measures provided for in Japanese legislation, set out in Annex III to Implementing Regulation (EU) No 322/2014, are no longer of relevance for the feed and food currently imported from Japan and should therefore no longer be referred to in the new Regulation. Products which do not comply with this Regulation shall not be placed on the market. Such products shall be safely disposed of or returned to Japan.

This Regulation shall be reviewed before 30 June 2016; it can be accessed here: <http://tinyurl.com/hm8sgtt>

LABELLING AND GENERAL FOOD LAW

DEFRA PUBLISH GUIDANCE ON ECO LABEL APPLICATION PROCESS

Defra have published guidance for Eco Label applicants on how to find out if products or services are eligible for an EU Ecolabel. It also has information on costs of licences and how to apply.

The EU Ecolabel is a voluntary label you can use to show that your product or service meets a specific Europe-wide environmental standard.

To use the label, you must be one of the following:

- a manufacturer
- an importer
- a service provider
- a wholesaler
- a trader or retailer marketing products under your own brand name

All of the guidance on the Ecolabel is available here: <http://tinyurl.com/gq44rzm>

REPORT ON INTRODUCING 'ACTIVITY EQUIVALENT' CALORIE LABELLING

The Royal Society for Public Health (RSPH) has published a policy paper advising that food and drink labels should state how much exercise would be needed to burn off the calories consumed.

RSPH argues that people underestimate the time it takes to exercise off calories in everyday products and that activity symbols on packs would prompt consumers to choose healthier options or exercise more. In particular, the RSPH is suggesting that pictorial icons should be used on the front of packs in addition to existing nutritional information.

RSPH visited a Nuffield Health gym in central London to test the public's knowledge on calories in food and the exercise needed to burn them off. Dr Davina Deniszczyc, Medical Executive Director at Nuffield Health, said: "Nuffield Health supports RSPH's call for the introduction of 'activity equivalent' calorie labelling on food and drink. This is an easy way of illustrating calories using a more meaningful approach and will help the public understand how much activity is needed for even a small calorie burn. Nuffield Health have a clear charitable objective to help people get healthy and stay healthy and we think this plea for new labelling, alongside encouraging people to eat a balanced diet and do some form of physical activity each day, will help improve peoples' general health and reduce their risk of developing future health problems."

More information, including what the public think, and what the labelling could look like, can be found here: <http://tinyurl.com/j3ke6xn>

STUDY PUBLISHED ON CONSUMER REACTION TO TRAFFIC LIGHT LABELLING

Colour coded front-of-pack nutrition labelling ('traffic light labelling') has been recommended for use in the UK since 2006. The voluntary scheme is used by all the major retailers and some manufacturers. It is not clear how consumers use these labels to make a single decision about the relative healthiness of foods. The Action on Salt research questions were:

- Which of the four nutrients on UK traffic light labels (total fat, saturated fat, sugar and salt) has the most influence on decisions?
- Do green lights or red lights have a greater influence?
- Are there age and gender differences in how people use the colour and nutrient information?

To undertake the study, participants were recruited from a UK supermarket chain membership list to conduct an online choice experiment in May 2014.

The results showed that a food with more reds was 11.4 times less likely to be chosen as healthy, whereas a food with more greens was 6.1 times more likely to be chosen as healthy. Foods with better colours on saturated fat and salt were 7.3 and 7.1 times more likely to be chosen as healthy – significantly greater than for total fat (4.8 times) and sugar (5.2 times). Results were broadly similar for different genders and age groups.

In conclusion, the study found that participants were more concerned with avoiding reds than choosing greens, and that saturated fat and salt had a greater influence on decisions regarding healthiness than total fat and sugar. This could influence decisions about food reformulation and guidance on using nutrition labelling.

The full study and results can be found here: <http://tinyurl.com/z8wplsh>

NUTRITION, ADDITIVES AND HEALTH

EFSA UPDATED GUIDANCE OF HEALTH CLAIMS

The European Food Safety Authority (EFSA) has updated its advice for applicants seeking approval of health claims made on food products. As well as revising the general scientific guidance – which applies to health claims across the board – the Authority has updated its specific guidance for claims related to the immune system and the gastrointestinal tract.

The two documents now include:

- A detailed explanation of each step of the evaluation process – characterisation of the food/constituent, characterisation of the claimed effect, identification of pertinent human studies – illustrated with concrete examples from previous evaluations.
- An explicit differentiation between the principles applied to the evaluation of health claims based on the essentiality of nutrients and those applied to other claims. These differences relate to the definition of the claimed effect, the substantiation of the claim and the conditions of use.
- Examples of applications that have been evaluated with a positive outcome to indicate the number, type and quality of studies that may be needed for substantiation of a claim.
- Examples of applications evaluated with an unfavourable outcome to illustrate the kind of shortcomings that can prevent the substantiation of certain claims.
- Guidance on the main steps and scientific aspects which applicants should consider when preparing an application.

The General Scientific Guidance for Stakeholders on Health Claim Application can be downloaded here: <http://tinyurl.com/h5c4wc3>

The Guidance on the Scientific Requirements for Health Claims Related to the Immune System, the Gastrointestinal Tract and Defence Against Pathogenic Microorganisms can be downloaded here: <http://tinyurl.com/hmc5hhr>



FSS RADICAL MEASURES TO TACKLE DIET RELATED HEALTH ISSUES

Food Standards Scotland (FSS)'s Board has considered and accepted wide-ranging proposals on measures to improve the diet of the Scottish public.

These proposals range from consideration of a sugar tax to regulation around food and drink promotions. Portion size reduction and tougher targets for reformulation of foods and drinks were considered, alongside a number of other proposals.

Ross Finnie, Chair of FSS, said: "There can be few in any doubt now as to the gravity of the health time-bomb related to poor diet and obesity facing our nation. The FSS Board was clear that as the sole body with statutory responsibility for diet and nutrition its leadership role is vital in affecting the changes in the paper. We know that we have been missing the Scottish dietary goals for the past 15 years, despite the range of changes already made, so the Board's view is that a raft of alternative, more radical, measures and interventions must be considered and introduced if we are to have the impact that is needed.

"The Board agreed that it was vital that Food Standards Scotland works with industry to set out the evidence to support introduction of these measures in Scotland. We know that in Mexico, a 10% tax reduced the purchase of sugar-sweetened soft drinks by 12%."

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

PHE LAUNCH 'SUGAR SMART' CAMPAIGN TO REDUCE CHILDREN'S SUGAR INTAKE

A new campaign has been launched by Public Health England (PHE) to encourage parents to get "Sugar Smart" and take control of their children's sugar intake.

The Change4Life campaign follows revelations that 4-to-10 year olds consume over 5,500 sugar cubes a year, or around 22kg - the average weight of a 5-year-old.

A new Sugar Smart app has been launched to help parents see how much sugar there is in everyday food and drink. The free app works by scanning the barcode of products and revealing the amount of total sugar it contains in cubes and grams.

Change4Life has created an eye-opening short film to warn parents about the health harms of eating and drinking too much sugar, including becoming overweight and tooth decay.

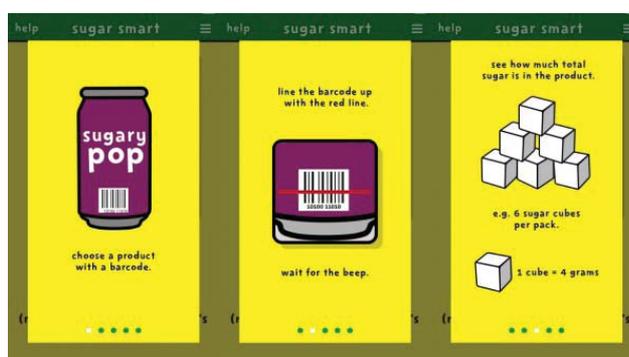
In 2013, almost a third (31%) of 5-year-olds and almost half (46%) of 8-year-olds had tooth decay, the most common reason for 5-to 9-year-olds being admitted to hospital. The film brings to life the excessive amount of sugar consumed by the average child per year, currently 3 times the new maximum recommended daily amount.

The recommended daily maximum added sugar intake is:

- 19g, that's 5 sugar cubes for children aged 4 to 6
- 24g, that's 6 sugar cubes for children aged 7 to 10
- 30g, that's 7 sugar cubes children aged 11 or older

A fifth of 4-to-5-year-olds and a third of 10-to-11-year-olds are overweight or obese. Overweight children are more likely to become overweight adults making them more prone to a range of serious health problems, such as heart disease, some cancers and Type 2 diabetes. There are now 2.5 million people suffering from Type 2 diabetes, 90% of whom are overweight or obese.

More information, along with the Change4Life video, can be found here: <http://tinyurl.com/jsn46kh>



FSS PROPOSED RECOMMENDATIONS FOR IMPROVED DIET

The Food Standards Scotland (FSS) Board has announced that it was to present a number of recommendations on improving Scotland's diet to the Board. The Recommendations proposed in the paper include:

- Commissioning of further work to explore the potential for regulation in relation to retail and out of home portion size;
- Continuation of discussions with UK Government ministers for restrictions on children's advertising;
- Development of mechanisms to recognise good business practices in terms of marketing and provision of consumer information;
- Introduction of more challenging time-bound targets for voluntary approach to reformulation;
- How a sugar tax may be introduced and at what rate;
- Development of dietary guidelines for Scotland.

Independent research, commissioned by Food Standards Scotland, showed that over half (54%) of adults in Scotland claimed to be happy with the idea of unhealthy foods being taxed in order to decrease the price of healthy foods. 16% said it would depend on the amount of tax involved. The same number (54%) claimed a tax on unhealthy foods would encourage them to buy and eat less unhealthy foods.

More information can be accessed here: <http://tinyurl.com/zbpqvgw>

SCHOOL MILK AND FRUIT SCHEME

The European Parliament has published a press release concerning its backing of new measures to strengthen and boost funding for an EU scheme to provide fruit, vegetables and milk products in schools.

The measures put more emphasis on educating children in healthy eating, and increase the budget and merge into one the current separate schemes for milk and fruit in schools. The agreed text of the scheme still needs to be approved by Parliament as a whole at its March or April plenary session before going to the Council for its approval at first reading.

More information on this can be found here: <http://tinyurl.com/h7xmd2o>

PROCESSING AND RETAIL

2014 ANNUAL REPORT ON FOOD IRRADIATION

The European Commission has published its Annual Report on Food Irradiation for 2014. It contains a compilation of the information forwarded to the European Commission by 27 Member States and one EFTA country. Croatia did not submit data for 2014.

There are 25 approved irradiation facilities within the European Union located in 13 Member States. Only 8 out of 13 Member States irradiated foodstuffs in 2014. No approved irradiation facilities have been closed.

A total quantity of 5543 tonnes of products were treated with ionising irradiation in EU Member States, 84% of which were irradiated mainly in two Member States: Belgium (59%) and Netherlands (24%). The two main commodities irradiated were frog legs (55%) and offal of poultry (16.2%). A total of 5779 samples were analysed by 21 Member States in 2014. Three Member States accounted for 71.7% of the samples (Germany 55.6%, Italy 9.6% and the Netherlands 6.5%).

5646 samples (97.7%) were compliant with the provisions of Directive 1999/2/EC, 73 samples (1.3%) were non-compliant, and 59 samples (1.0%) gave inconclusive results. The two main reasons for non-compliance of tested samples were similar to the previous years, namely, incorrect labelling and forbidden irradiation; non-compliance was also due to irradiation in facilities not approved by the EU.

The full report can be accessed here: <http://tinyurl.com/jdfk2jt>

CMA PUBLISH UPDATED STRUCTURE CHART

The Competition Markets Authority (CMA) have published an updated chart setting out their structure. Please see below:

CMA Structure		
Board		Procedural Officer: Frances Barr
Chair: David Currie Chief Executive: Alex Chisholm Executive Directors: Dr Michael Grenfell, Dr Andrea Coscelli, Erik Wilson Non-executive Directors: Alan Giles, Bill Kovacic, Jill May (also Panel Member), Annetje Ottow, Roger Witcomb (also Panel Chair). For more details of Board members, see the CMA Governance page on gov.uk.		
Panel		
Panel Chair and Inquiry Chairs: Roger Witcomb (Panel chair), Professor Alasdair Smith, Simon Polito, Professor Martin Cave, Dr Philip Marsden, John Wotton, Anne Lambert, Phil Evans. For a full list of Panel members, see the CMA Panel page on gov.uk.		
Enforcement Directorate	Markets & Mergers Directorate	
Executive Director: Dr Michael Grenfell Senior Director Cartels and Criminal: Stephen Blake Senior Director Antitrust: Ann Pope Senior Director Consumer: Nisha Arora Director Investigations and Criminal Enforcement: Lee Craddock Director Cartel Enforcement: Juliette Enser Director Criminal Enforcement: Emma Lindsay Director Civil Cartel Enforcement: Deborah Wilkie Director Intelligence: David Harper Director Digital Forensics and Intelligence: Keith Foggon	Executive Director: Dr Andrea Coscelli Senior Director Markets: Daniel Gordon Senior Director Mergers: Sheldon Mills Senior Director, Delivery and Sector Regulation: Rachel Merelie Senior Director Remedies, Business and Financial Analysis: Adam Land Director Mergers Group: Nelson Jung Directors Mergers: Jonathan Parker, Andrew Wright Directors Sector Regulation: Sharon Horwitz, James Lambert	
Project Directors: Gordon Ashworth, Peter Barron, Joanna Benison Stephanie Canet, Douglas Cooper, Tony Donaldson, Andrew Groves, Will Hayter, Antonia Horrocks, Tim Jarvis, Christiane Kent, Erika Lewis, George Lusty, James Macbeth, Lesley Moore, Simon Nichols, Sue Oxley, Cecilia Parker Aranha, Gaucho Rasmussen, Jon Riley, Geoff Steadman, Lara Stoimenova, Simeon Thornton, Bethan Watts Economics Directors: Julie Bon, Dr Claire Hart, Jenny Haydock, Chris Jenkins, Tom Kitchen, Nenad Njegovan, Natalie Timan Remedies, Business and Financial Analysis Directors: Colin Garland, Gavin Knott, Susannah Meeke, Alistair Thompson		
Corporate Services Directorate		
Executive Director: Erik Wilson Director Executive Office and Organisational Transformation: Freya Guinness Director Human Resources: Carmel Flatley Director Business Services: Phil Urquhart		Director Finance and Commercial: Rebecca Lawrence Director Strategy, Communications and Devolved Nations: Paul Latham Director Project Management Office: Jennifer Halliday
Legal Service	Policy and International	Office of the Chief Economic Adviser
General Counsel: Sarah Cardell Deputy General Counsel & Senior Director, Policy, and International: Roland Green		Chief Economic Adviser: Dr Mike Walker Deputy Chief Economic Adviser: Kate Collyer Senior Director Research, Intelligence and Advocacy: John Kirkpatrick
Senior Legal Director, Antitrust Enforcement: Claudia Berg Senior Legal Director, Markets, Mergers and Sector Regulation: Andrea Gomes da Silva Director Litigation: Simon Jones Legal Directors: Steven Altham, Louis Christofides, Jason Freeman, Paul Gurowich, Morven Hadden, John McInnes, Chris Prevett, Tom Smith, Chris Warner	Director Competition and Markets Policy and International: Simon Constantine Director, Consumer Policy: Paul Gurowich	

REGULATORY ENFORCEMENT & OFFICIAL CONTROLS

2ND READING OF THE ENTERPRISE BILL IN HOUSE OF COMMONS

The Enterprise Bill has undergone its second reading debate at the beginning of February.

The Bill aims to:

- Establish a Small Business Commissioner, to assist in payment disputes and signpost advice services for small businesses;
- Extend the Business Impact Target to include regulators, requiring them to assess the impact to business of their practices, and modify the way in which regulators engage with the Growth Duty and Regulators' Code;
- Extend the Primary Authority Scheme;
- Introduce a target for the total number of apprentices working in public sector bodies, and protect the term 'apprenticeship';
- Introduce new measures intended to prevent the late payment of insurance claims to businesses;
- Allow the Valuation Office Agency to share business rates information about properties and ratepayers with local government;
- Reform the Business Rates Appeals system;
- Update the Industrial Development Act 1982; and
- Introduce a cap on 'exit payments' for public sector workers.

At the time of writing, the Public Bill Committee is expected to finish and report the Bill to the House by 25th February. We will update on this in T&L 83.

The second reading debate transcript is available to read here: <http://tinyurl.com/hklrt9q>

SCOTTISH GOVERNMENT COMMIT TO 2 YEAR POST IMPLEMENTATION LAW CHANGE REVIEWS

Scottish Government plans to increase transparency around lobbying have been enhanced, with the commitment to a two-year review of new legislation.

The Scottish Parliament will consider Stage 2 of the Lobbying (Scotland) Bill, which fulfils a pledge by the Scottish Government in the Programme for Government and follows a public consultation last year.

Of the 13 recommendations contained in the Stage 1 report of Parliament's Standards, Procedures and Public Appointments (SPPA) Committee, the Scottish Government has already made provision for eight, is accepting two more in full and partly accepting the remaining three.

Parliamentary Business Minister Joe FitzPatrick said:

"There are already strict rules around lobbying in the Scottish Parliament but it is important we do all we can to increase transparency.

"Following the SPPA Committee's Stage One recommendations, we are committing to creating a two-year review of any new legislation and to extending the proposals to register lobbying of ministers to include lobbying of special advisers.

"We are also proposing the revision of our Bill by exempting all communication by a trade union or employer that forms part of, or relates directly to, terms and conditions of employment. We also propose extension of the definition of 'lobbying' to include video conferencing, as well as face-to-face communication.

"In Scotland we are rightly proud of our Parliament and our tradition of open government. These Stage 2 amendments extend that principle further and ensure that lobbying is as open and transparent as possible."

The Lobbying (Scotland) Bill can be found here: <http://tinyurl.com/jgz2kes>

SENTENCING COUNCIL PROPOSED STRICTER RULES FOR GUILTY PLEAS



The Sentencing Council has announced proposals to introduce stricter guidance for courts when they sentence offenders who have admitted their guilt.

A new draft guideline sets out a clearer, fairer and more consistent approach to managing guilty pleas that will incentivise offenders to admit their guilt as early as possible in the court process.

The earlier the guilty plea is entered the earlier victims and witnesses will know that they will be spared the stress and anxiety of a trial.

The guideline also aims to improve the efficiency of the criminal justice system by dealing with cases more quickly and so allow police, prosecutors and courts to focus their resources on other cases. This in turn benefits other victims and witnesses in that more focus can be given to investigating and prosecuting their cases.

The requirement that courts should take into account a guilty plea in deciding what sentence an offender should get is not new. It is a long-standing principle set out in law by Parliament. There is an existing sentencing guideline from 2007 but the Sentencing Council is required by law to prepare a new guideline on this aspect of sentencing.

The draft guideline aims to bring forward the point at which offenders plead guilty. It will do this by maintaining the current level of reduction (one third) for those who plead at the first stage of court proceedings, but giving a lower reduction than that available currently for a guilty plea entered any later in proceedings. The stage at which an offender can benefit from the maximum one-third reduction will be much more tightly defined.

The consultation, which is open until 5 May, can be found on the Sentencing Council website, here: <http://tinyurl.com/gmxfx8o>

BRDO PUBLISH EVIDENCE PAPER ON 'ETHICAL REGULATION'

The Better Regulation Delivery Office (BRDO) has published an evidence paper on ethical business regulation.

The document summarises the current evidence that supports how public regulators in a democracy should seek to affect the market behaviour of traders. It draws on the findings of behavioural psychology, shared ethical values and economic and cultural incentives.

The aim of this paper is to provide regulators and others with an interest in developments in regulatory delivery with an overview of the research theories and empirical evidence noted in the book, and of the author's proposition of a new theory of 'ethical regulation'.

The full paper can be accessed here: <http://tinyurl.com/zgczmo7>

NAO STUDY APPROACH TO REDUCING REGULATION

The Department for Business, Innovation and Skills (BIS) aims to reduce the cost of regulation to business by £10 billion over the course of this Parliament, following a claimed £10 billion reduction between 2010 and 2015. Departments will be allocated individual deregulation targets, and the activities of regulators are being included for the first time in measuring progress towards the deregulation target. Deregulatory actions can have both costs and benefits, and an effective and evidence-based approach is required to enable the achievement of the deregulation target without imposing undue costs elsewhere.

This study, undertaken by the National Audit Office (NAO) will assess the approach taken by BIS and the Cabinet Office to reducing regulation. It will examine the evidence behind the choice of the deregulation target and the likely effectiveness of the approach taken to achieve it. It will also consider how well departments estimate, measure and evaluate the impact of regulatory choices.

The study is scheduled for Summer 2016.

FSA SURVEILLANCE: SHELLFISH OFFICIAL CONTROLS

The Food Standards Agency (FSA) has published four investigative reports commissioned following an event that occurred in July 2015 where exceptionally high levels of E.coli were recorded at shellfish beds along the South and South West coasts of England.

Due to the high magnitude of the results and the wide geographical spread of the affected beds, the FSA instigated a multi-agency investigation to try to determine a potential cause. A full evaluation of the investigation reports has been carried out by the FSA and other key regulatory partners to assess the findings.

No conclusive cause for the event has been identified. However, a number of possible causes have been ruled out and recommendations from the reports are also being considered. The FSA is holding a stakeholder event at the end of January 2016 to review findings from the reports with the shellfish industry and other agencies.

More information, along with all the investigative reports, is available here: <http://tinyurl.com/zk3zcm8>

HEALTH COMMITTEE REVIEW APPOINTMENT OF NEXT FSA CHAIR

A report has been published by the Health Committee of the House of Commons who are reviewing the appointment of Heather Hancock as the next chair of the FSA. They are recommending her appointment.

The salient paragraph is as follows:

“On the basis of the discussions during the pre-appointment hearing, we are satisfied that Heather Hancock has the professional competence and personal independence required of the Chair of the Food Standards Agency. We would nevertheless like to see her accept the need for a bolder and more proactive stance towards effecting change where she considers it necessary, for example in sorting out the cluttered and confused lines of accountability for food safety and food authenticity. As Chair, we will expect her to identify and challenge the gaps in the system.”



The report also includes a summary of her CV and experience which you will note contains little direct food experience. The next few years will be challenging for the FSA, and BFFF are well placed to try and help the Agency wherever it can.

RESEARCH

LOW GDP COUNTRIES POSE HIGHER SAFETY RISKS

The Health Committee's report can be accessed here: <http://tinyurl.com/znwe6db>

Risk estimates for food imported into the US show a clear distinction between high and low risk countries and product types, according to an analysis of federal import violations data.

All of the top 15 import violators were major trading partners of the US; suggesting that the number of refusals is heavily driven by food import value.

Mexico topped the cumulated refusals from 2002-2012, followed by China, India, UK and Canada.

However, after normalising refusals by volume of imports (measured in millions of dollars) major trading partners were not exclusively identified as the high-risk countries and the list did not include high-income countries.

The highest-risk country, Iraq, averaged 204 refusals per millions dollars of imports, and Somalia averaged 191 refusals per million dollars of imports.

On the lower end of high-risk countries, Gambia averaged 15 refusals per million dollars of imports, and Kuwait had 13 refusals per million dollars of imports.

Researchers used data from 2002-2012 on food import violations from the FDA Operational and Administrative System for Import Support (OASIS) to address concerns with imported food, quantify import risks by product and country of origin, and explore the usefulness of OASIS data for risk assessment.

More information is available here: <http://tinyurl.com/jrzmk74>

SUSTAINABILITY, ENVIRONMENT & CSR

DEFRA GUIDANCE ON ENVIRONMENTAL PERMIT RISK ASSESSMENT REQUIREMENTS

Defra have published guidance on additional risk assessments that need to be done for an environmental permit, and information about the H1 software tool (explained below).

Operators applying for a permit will need to read the generic guidance 'Risk assessments for your environmental permit' (available here: <http://tinyurl.com/zpxehhq>)

There are also additional risk assessments you must do depending on:

- the activity your bespoke permit relates to
- where substances are released or discharged into the environment

You can use the Environment Agency's risk assessment tool to complete and submit any assessment of risks for your specific activity, except for assessing risks for intensive farming.

The tool:

- includes instructions on how to develop risk assessments
- does calculations required for your risk assessment and screens out insignificant releases
- presents data so that the Environment Agency can assess it properly

Further information on the requirements and how to access the H1 tool can be found here: <http://tinyurl.com/gp7ahdt>

SCOTTISH GOVERNMENT EVALUATION OF 'DEPOSIT RETURN' PACKAGING

Scottish Environment Secretary, Richard Lochhead, has announced the next steps to explore opportunities of Deposit Return Scheme.

Retailer costs and the implications for small stores need further consideration before a decision is reached on a deposit return scheme for Scotland, Environment Secretary Richard Lochhead has said.

It comes as a Zero Waste Scotland report is published identifying some of the issues involved in setting up and operating such a system. The report summarises evidence from deposit return experts and operators from other countries as well as drinks companies and trade bodies, retailers and logistics companies, environmental organisations and local government.

The Environment Secretary confirmed he has commissioned further research from Zero Waste Scotland – and intends to discuss the issues further with other Ministers from across the UK.

Mr Lochhead said: "Like carrier bag charging, deposit return schemes attach a value to items that can otherwise be viewed as waste, and have proven successful in other countries at reducing litter and increasing recycling.

"The evidence gathered by Zero Waste Scotland highlights some of the potential benefits and concerns associated with a deposit return system for Scotland. I am listening closely as I consider whether such a scheme – which has worked successfully in other countries – would be right for Scotland.

"In light of Belgium's recent suggestion for an EU-wide deposit return scheme to help tackle litter and recycling, I intend to invite Ministers from Wales, Northern Ireland and the UK Government to Edinburgh next spring to discuss these new findings.

"In the meantime, I have asked Zero Waste Scotland to undertake further work to look into the important issues raised by businesses, NGOs, and local government which include the implications for small stores, costs to retailers, and changes in customer behaviour where a deposit return scheme has been in place."

Zero Waste Scotland's study in 2015 explored the role that such a scheme could play in reducing litter, complementing local authority recycling services, and improving the quality of materials recycled.

More information of the Deposit Return Packaging Scheme is available here: <http://tinyurl.com/jd2thzj>



DEFRA PUBLISH PROGRESS REPORTS ON 'GREENER GOVERNMENT COMMITMENT'

Defra have published the annual report on governments departments' progress against targets between April 2014 and March 2015.

This is the fourth annual report of governments' progress against the greening government commitments (GGCs).

The greening government commitments (GGCs) were targets for reducing the environmental effect of government estates and operations over the lifetime of the previous parliament. This fourth annual report represents the culmination of the initial framework. The government is currently considering future greening government arrangements.

The report is available here: <http://tinyurl.com/zv82tuv>

MCS POINT THE FINGER ON SUSTAINABILITY AT UK RESTAURANT CHAINS

The Marine Conservation Society (MCS) have teamed up with Fish2Fork, the online guide that rates restaurants on seafood sustainability. The first joint project has been to rate the larger restaurant chains.

It turns out that more than half the UK's large restaurant chains are using seafood from overfished areas or fail to be transparent about the origins of their fish and shellfish.

Sea bass, whitebait, cod and king prawns are among the types of seafood used by the restaurants which come from fisheries rated "avoid" by MCS, or for which the source is unclear.

The twelve chains boast a total of more than 1,800 branches between them, and serve thousands of tonnes of seafood each year. Seven of the chains failed to reach the basic level of sustainability on seafood that Fish2fork and MCS believe to be the minimum standard.

Sam Fanshawe, Marine Conservation Society Chief Executive says: "MCS advice on seafood sustainability has already influenced major supermarkets to adopt sustainable sourcing policies and the restaurant sector needs to follow suit. We're very encouraged that major high street chains like Pret A Manger and Yo! Sushi are leading the way, demonstrating that sustainable seafood is good for business as well as the environment."

Tim Glover, co-founder and managing director of Fish2fork, said: "Some restaurant chains are making every effort to ensure the seafood they put on their menus is caught sustainably or farmed responsibly. But we believe the sector as a whole should be putting much more effort into sourcing practices and the information given to customers. Diners want to eat with a clear conscience, to know that their menu choices are not further damaging our hard-pressed seas".

More information, including some of the restaurant scores, is available here: <http://tinyurl.com/zzdoy38>

SCOTTISH GOVERNMENT PRESS RELEASE ON FOOD WASTE RECYCLING REQUIREMENT

Food businesses in non-rural areas across Scotland, generating more than 5kg of food waste per week are now legally required to have it collected separately for recycling, this came into force January 1st 2016.

Scotland's Environment Secretary, Richard Lochhead, has welcomed the progress that has been made since the key requirements of the Waste (Scotland) Regulations 2012 came into force.

Up until now only food businesses generating more than 50kg of food waste each week are legally required to recycle it.

Mr Lochhead said: "All businesses need to think carefully about what they're doing with their food waste – even more so from 1 January when all businesses producing more than 5kg of food waste per week will be legally required to collect it separately, in line with our Waste Regulations.

"It will no longer be acceptable to put food waste in residual waste bins so now is the time to think about the amount of food waste being produced and how it can be reduced – helping to save businesses money in the long-term. I want businesses, as well as the general public, to see food waste as a resource which can bring economic benefit to communities, as well as reducing our environmental impact.

"These regulations mean that more food waste is now being recycled, via processes such as anaerobic digestion, and less is going to landfill where it can emit harmful greenhouse gases. I recently set out my intention to introduce a food waste reduction target for Scotland, so there is no time like the present to start making changes."

More information on the Waste (Scotland) Regulations January 2016 can be found here: <http://tinyurl.com/hllhl6e>

OPINION ON COVERAGE OF ENDANGERED SPECIES IN ENVIRONMENTAL RISK ASSESSMENTS

The European Food Safety Authority's (EFSA's) Scientific Committee has published a Scientific Opinion on coverage of endangered species in environmental risk assessments.

EFSA performs environmental risk assessment (ERA) for single potential stressors such as plant protection products, genetically modified organisms and feed additives, and for invasive alien species that are harmful to plant health.

This ERA focusses primarily on the use or spread of such potential stressors in an agricultural context, but also considers the impact on the wider environment. In this scientific opinion, the Scientific Committee gathered scientific knowledge on the extent of coverage of endangered species in current ERA schemes that fall under the remit of EFSA.

EFSA's Scientific Opinion can be accessed here: <http://tinyurl.com/jeY56go>

TECHNOLOGY

EESC OPINION ON RESTRICTION OR PROHIBITION OF USE OF GMOS

The Opinion of the European Economic and Social Committee (EESC) on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1829/2003 as regards the possibility for Member States to restrict or prohibit the use of genetically modified food and feed on their territory was published in the Official Journal of the EU, C13/203, 15/01/2016.

The EESC comments and recommendations include:

- Concerns that the proposal does not give enough attention to key aspects such as traceability and legislative consistency between the food and feed sectors, or provide a socioeconomic impact study of the proposals;
- Reservations about the real possibility of implementing these rules in the single market and about certain legal aspects as well as the political problems and problems of public perception that run alongside these legal questions;
- Advice that the Commission should withdraw the proposal, as currently worded, and draw up an improved proposal that addresses the shortcomings pointed out in the EESC opinion and in other similar recommendations made by the European Parliament.

The EESC Opinion is available in the Official Journal, here: <http://tinyurl.com/zj7lraf>





British Frozen Food Federation

Technical & Legislative Expert Group

AGENDA

Meeting of the Technical and Legislative Expert Group
To be held at 10am on Wednesday 13th January 2016
The George Hotel, Stamford

1. Apologies and Welcome
 2. Minutes of previous meeting
 3. Matters arising
 4. Items for discussion - see list following
 5. Items for Information – see list following
 6. Contact with other organisations
 7. Any other business
 8. Date of next meeting Wednesday 9th March 2016 at The Urban Hotel, Grantham
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Agenda Item 4 – Items for Discussion

- 4.1 Date of First Freezing – 2016_01_P
- 4.2 Chlorates – 2016_01_Q
- 4.3 Giving Food to Good Causes – 2016_01_R

Agenda Item 5 – Items for Information

- 5.1 Avian Influenza Outbreak in France Update – 2016_01_O
 - 5.2 Antimicrobial Resistance – 2016_01_F
 - 5.3 Into the Light Review – 2016_06_H
 - 5.4 Assured Advice: Labelling Requirements for Wholesalers Supplying Mass Caterers
 - 5.5 Glaze Methodologies – 2016_01_C
 - 5.6 Dual Weight Indications
 - 5.7 BRC 'Free From' Guidance – 2016_01_A
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- 5.8 **Approval of Standalone Cold Stores** – 2016_01_I, N
- 5.9 **MSM** – awaiting ECJ Newby ruling
- 5.10 **'Use By' Dates** – 2016_01_D
- 5.11 **Draft Hygiene Requirements for Fresh Fruit & Vegetables (Frozen Berries)** – 2016_01_E
- 5.12 **TRQs**
- 5.13 **BRC Storage & Distribution Standard Review** – 2016_01_G
- 5.14 **FIC Exemption from Nutritional Labelling Consultation** – closed with no comments, 2016_01_L
- 5.15 **FSA Climate Change Agreement Workshop**
- 5.16 **Food Information with BRC**
- 5.17 **'Gold Book' Review** – carry forward
- 5.18 **Review of Tech Expert Group administration** – for discussion in March
- 5.19 **EFSA Storage & Transport of Meat**

Agenda Item 6 – Contact with other Organisations

- 6.1 **BRDO Trade Facilitation Panel** – 2016_01_B, J
- 6.2 **Campden Food Labelling Meeting** – 2016_01_K
- 6.3 **BRDO Expert Panels** – 2016_01_M

Agenda Item 7 – Any Other Business

- 7.1 Members declaration of interest (including other Trade bodies)
- 7.2 Reminder of Sentencing Guidelines Seminar on 9th February 2016

12pm Presentation – David Braxton, BRC Trading

If there are any other items that you would like to add to the agenda, please let me know and I will include it under AOB.

Martin Forsyth

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