

# Food Safety Regulation in the European Union

## *Imminent Changes*

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## Plan

- Principles of EU Food Law and the European Food Safety Authority
- Hygiene of Foodstuffs
- Specific rules for products of animal origin
- The UK

## Changes are incorporated in three main Regulations

- Regulation 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, published in the Official Journal L31, 1.2.2003, p 1.
- Regulation 852/2004 on the hygiene of foodstuffs, published in the Official Journal L 226, 26.6.2004, p 3.
- Regulation 853/2004 laying down specific hygiene rules for foods of animal origin, published in the Official Journal L226, 26.6.2004, p 22.

## Timetable

European Food Safety Authority up and running

Traceability and other requirements of 178/2002 come into operation on 1.1. 2005.

Requirements of 852/2004 and 853/2004 come into operation on 1.1. 2006.

Regulation 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, published in the Official Journal L31, 1.2.2003, p 1.

## European Food Safety Authority

Function is to provide an independent scientific point of reference in risk assessment, and to give opinions on contentious scientific issues enabling the EU to take informed risk management decisions to ensure food and feed safety.

## Traceability

1. The traceability of food, feed, and food-producing animals, must be established at all stages of production, processing and distribution.
2. Food and feed business operators must be able to identify any person from whom they have been supplied with a food, a feed, a food-producing animal, or any substance intended to be, or expected to be, incorporated into a food or feed.
3. Food and feed business operators must have in place systems and procedures to identify the other businesses to which their products have been supplied. This information must be made available to the competent authorities on demand.
4. Food or feed which is placed on the market or is likely to be placed on the market in the Community must be adequately labelled or identified to facilitate its traceability.

## Risk analysis

1. In order to achieve the general objective of a high level of protection of human health and life, food law shall be based on risk analysis except where this is not appropriate to the circumstances or the nature of the measure.
2. Risk assessment shall be based on the available scientific evidence and undertaken in an independent, objective and transparent manner.
3. Risk management shall take into account the results of risk assessment, and in particular, the opinions of the European Food Safety Authority, other factors legitimate to the matter under consideration and the precautionary principle.

## Precautionary principle

1. In specific circumstances where, following an assessment of available information, the possibility of harmful effects on health is identified but scientific uncertainty persists, provisional risk management measures necessary to ensure the high level of health protection chosen in the Community may be adopted, pending further scientific information for a more comprehensive risk assessment.

## Precautionary principle

2. These measures shall be proportionate and no more restrictive of trade than is required to achieve the high level of health protection chosen in the Community, regard being had to technical and economic feasibility and other factors regarded as legitimate in the matter under consideration. The measures shall be reviewed within a reasonable period of time, depending on the nature of the risk to life or health identified and the type of scientific information needed to clarify the scientific uncertainty and to conduct a more comprehensive risk assessment.

Regulation 852/2004 on the hygiene of foodstuffs, published in the Official Journal L 226, 26.6.2004, p 3.

## Principles

- (a) primary responsibility for food safety rests with the food business operator;
- (b) food safety throughout the food chain starts with primary production;
- (c) maintenance of the cold chain is important for food that cannot be stored safely at ambient temperatures, particularly frozen food;
- (d) HACCP principles, together with the application of good hygiene practice, should reinforce food business operators' responsibility;
- (e) guides to good practice are to be encouraged;
- (f) microbiological criteria and temperature control requirements will be established based on a scientific risk assessment;
- (g) imported foods must be of the same hygiene standard or an equivalent standard as food produced in the Community.

## Hazard analysis and critical control points

Food business operators shall put in place, implement and maintain a permanent procedure or procedures based on the following HACCP principles.

- (a) identifying all hazards;
- (b) identifying critical control points;
- (c) establishing critical limits at critical control points;
- (d) establishing and implementing effective monitoring procedures at critical control points;
- (e) establishing corrective actions when monitoring indicates that a critical control point is not under control;
- (f) establishing procedures to verify that the above measures are working effectively; and
- (g) establishing documents and records commensurate with the nature and size of the food business.

## Heat treatment

1. any heat treatment process must:

(a) raise every part of the product treated to a given temperature for a given period of time;

and

(b) prevent the product from becoming contaminated during the process;

2. food business operators must check regularly the main relevant parameters (particularly temperature, pressure, sealing and microbiology), and the use of automatic devices;
3. the process used should conform to an internationally recognised standard (for example, pasteurisation, ultra high temperature or sterilisation).

## Food safety requirements

Food shall not be placed on the market if it is unsafe.

Food shall be deemed to be unsafe if it is considered to be:

- (a) injurious to health;
- (b) unfit for human consumption.

Where any food which is unsafe is part of a batch, lot or consignment of food of the same class or description, it shall be presumed that all the food in that batch, lot or consignment is also unsafe, unless following a detailed assessment there is no evidence that the rest of the batch, lot or consignment is unsafe.

## Feed safety requirements

1. Feed shall not be placed on the market or fed to any food-producing animal if it is unsafe.
2. Feed shall be deemed to be unsafe for its intended use if it is considered to:
  - have an adverse effect on human or animal health;
  - make the food derived from food-producing animals unsafe for human consumption.
3. Where a feed which has been identified as not satisfying the feed safety requirement is part of a batch, lot or consignment of feed of the same class or description, it shall be presumed that all of the feed in that batch, lot or consignment is so affected, unless following a detailed assessment there is no evidence that the rest of the batch, lot or consignment fails to satisfy the feed safety requirement.

Regulation 853/2004 laying down specific hygiene rules for foods of animal origin, published in the Official Journal L226, 26.6.2004, p 22.

## Additional Hygiene Requirements for Dairy Products

- These do not apply if the raw materials do not include raw milk (i.e. a factory using milk powder or concentrate is excluded).
- There are no additional equipment requirements for HTST pasteurisers than the general requirements.
- There are no specific definitions of thermisation, pasteurisation, high-temperature pasteurisation, sterilisation or U.H.T.
- There is no specific requirement that pasteurised cows' milk must meet the phosphatase test.

## The UK

The Food Standards Agency

Third party accreditation

## The UK Food Standards Agency

The FSA's guiding principles are:

- putting the consumer first
- being open and accessible
- being an independent voice

Tony Blair on Sir John Krebs' decision to step down as Chairman, "*The FSA is seen throughout the world as a model of openness and independence in managing food safety – that is a very significant legacy*".

## Accreditation and Retailers' Standards

Third party independent inspection and certification service, for example EFSIS, and PAI, to ISO 9000 and other standards.

[www.efsis.com/](http://www.efsis.com/)  
[www.food-standards.com/](http://www.food-standards.com/)  
[www.iso.org/](http://www.iso.org/)

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