



The Safety Framework for Non-EU Meat Imports

Introduction

The EU is the world's biggest importer and exporter of food stuffs and therefore food safety is of paramount concern to the European Commission. The European Commission aims to ensure that the same standards of food safety apply to all products regardless of their origin, whether EU or non-EU.¹ The purpose of this paper is to illustrate the level of checking and regulatory compliance which imported meat is subject to prior to free circulation within the marketplace, as well as the measures in place to ensure consumer food safety.

Since the horsemeat incident, 'long or complex supply chains' have been attacked as less safe and more open to fraud. This has led to many retailers and UK companies committing only to buy British. Four Border Inspection Posts (BIPs) took part in a sampling programme between 4 March and 3 May 2013, during which beef products imported into the UK from third countries were tested for horse DNA. A total of 79 samples from six countries were tested and all were found to be free from horse contamination. The horsemeat incident was an internal EU issue. The fact that non-EU imports are assumed to be part of 'long, complex' supply chains, which many have called to avoid, is unjustified and damaging to a legitimate sector of the industry which provides employment and economic benefit to the UK.

A European Commission report on the effectiveness and consistency of sanitary and phytosanitary controls on imports of food, feed, animals and plants made the point that 'in order for it (the EU) to stay ahead it needs to be able to rely on inputs from around the world and needs food standards in place in the EU to remain competitive and to enjoy the confidence of European Consumers'².

Products of Animal Origin, including beef, sheep and poultry meat, which are imported from outside the EU, are subject to thorough checks carried out by Official Veterinarians at specified BIPs upon arrival in the EU. Veterinary border control helps to ensure that meat and poultry meat entering the EU is safe and meets the specific import conditions established in European Community legislation. Consignments of meat and poultry can only enter the EU if the Official Veterinarian is satisfied that they meet the requisite standards, are accompanied by the appropriate health certification, and that a 'Common Veterinary Entry Document' (CVED) is issued. When goods are imported from other EU countries, they have free circulation as part of intra-community trade. Import controls at ports only apply to imports from third countries (non-EU countries).

¹ Department of Health and Consumers, European Commission Website, Accessed 04/04/2013

http://ec.europa.eu/food/animal/bips/index_en.htm

² REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

Safety Checks

EU FVO INSPECTIONS
TO AUDIT
COMPLIANCE

Non-EU Country cleared with regard to animal health status



Non-EU residues programme agreed



Non-EU meat plants approved



Non-EU official vet oversees and signs vet certificate and seals container



EU importer must submit details of consignment using a CVED before the physical arrival of the consignment at the UK port



At UK port official vet undertakes documentary and seal checks on all containers



At UK port official vet undertakes physical checks based on an agreed sampling programme (20% all beef, lamb, pork and 50% poultrymeat)



Official vet notifies customs that container may leave the port. No container can leave the port until veterinary checks have been undertaken

TRADER must have knowledge of the process to ensure product meets requirements

Legislation:

The General Food Law (EC) No 178/2002 lays down the general requirements for food safety and seeks to ensure free circulation within the EU community, to achieve a high level of protection of human health, serve consumer interests and ensure that food and feed imported into the EU complies with requirements able to provide equivalent levels of guarantees as regards food safety.³

The General Food Law is supported by Regulation (EC) No 882/2004, the Official Food and Feed Controls Regulation. This provides the overall framework for official controls carried out by national competent authorities in the member states (i.e. Defra/FSA in the UK) and the European Commission. It establishes the general principles underlying the establishment of import conditions, the recognition of equivalence (equivalence implies that the control system applied by the third country exporting the meat has been accepted by the EU as being equivalent to its own), the approval of pre-export controls carried out by third countries' competent authorities and the recognition that certain commodities may require specific controls prior to their introduction into the territory of the Union.⁴

'Controls on imports ensure that imports are compliant with EU legislation in the same way that products produced in Europe are'.⁵ 'The EUs' comprehensive legislation is underpinned by the need for a harmonised and risk-based approach – to identify hazards associated with the importation of a particular product from a certain third country at any point in time.' As risks are continually changing, import conditions change over time and the applicable controls are reviewed and adapted to mitigate these risks accordingly.⁶

The risks from imported meat and poultry meat are assessed based on the threat that they pose to human and animal health. The greater the level of risk, the more strict the conditions for their entry into the EU, and so therefore the greater the level of controls.

The risk posed by a product is assessed based on a variety of criteria including:

- Information on disease outbreaks
- Trade data
- Rapid Alerts – interceptions of unsafe or non-compliant products and scientific evidence.
- Information on the guarantees offered by the third country control system (relevant legislation and safety standards). Inspections are carried out in Member States and Third Countries to assess their ability to carry out appropriate controls.

Products of Animal Origin such as meat can only enter the EU through approved BIPs under harmonised import conditions. These require that these imports are sourced only from approved countries, from [approved and registered establishments](#) and that the veterinary certificates which accompany consignments must be signed by the competent authority of the exporting country providing detailed information as to the public and animal health status of the products and their conformity with the EU import requirements. When a consignment arrives at a BIP, the official veterinarians must undertake

³ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

⁴ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

⁵ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the effectiveness and consistency of sanitary and phytosanitary controls on imports of food, feed, animals and plants. 21/12/2010

⁶ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

mandatory checks to verify that the goods match their description on the CVED and meet EU import conditions. A list of authorised BIPs in the UK can be found on the [Defra website](#).

Physical checks also take place based on assessed risk along with targeted analytical checks (involving sampling and laboratory tests) at a defined frequency. Once BIP staff are satisfied that a consignment has passed these controls, a CVED is issued permitting the free circulation of the goods within the European Union.⁷

Third Country requirements:

Third countries wanting to export products that are considered to pose a risk to the EU must meet a number of requirements before they can be considered eligible, including:

- Formal submission of written application to export a specified meat to the EU
- Verification of the third country's animal, plant and public health situation, including relevant legislation, control systems, disease surveillance measures and laboratory facilities.
- Provision of sanitary or phytosanitary certificates – providing that the products to be exported meet with EU requirements
- Approval of business establishments wishing to export to the EU certifying that they meet the relevant Union requirements.
- Submission and approval of a monitoring plan for residues of banned or restricted substances in the EU.⁸

In addition to community rules and public and animal health requirements for imports from third countries in to the EU, there are a number of special import conditions for certain food stuffs which have been established at community level to protect human health. These cover risks from residues of veterinary medicines, pesticide residues, food additives, contaminants and genetically modified organisms. A list of these can be found on the [European Commission website](#).

The EU works closely with international organisations and offers advice and assistance to third country trading partners.

FVO Inspections:

DG Health and Consumers (European Commission Inspection Service) and the Food and Veterinary Office (FVO) undertake inspections in Member States and third countries to ensure compliance with EU legislation. Inspections generally take place as part of an annual plan, but third country exporters may be subject to 'on the spot checks' from time to time. The FVO also inspects BIPs located in Member States for compliance, ensuring a rapid response if any non-compliance is found.⁹ The programme of FVO inspections can be found on the [FVO website](#).

The European Food Safety Authority (EFSA):

⁷ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

⁸ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

⁹ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

EFSA was established under The General Food Law to provide the Commission with independent advice on all matters which affect the safety of the food supply chain. It is a separate legal entity, independent from the other EU institutions, whose work covers all stages of food production and supply from farm to fork. Where necessary, EFSA assesses the risk posed by a particular commodity as a function of its hazard.¹⁰ EFSA provides regular updates on the scientific studies it is undertaking on [the EFSA website](#).

In 2006 it presented a report on the risk of introducing the FMD virus into the EU and concluded that the main routes were from illegal imports of infected meat from the Far East. It also stated that there was no evidence of an introduction of the virus from South America or Africa. ([See full report](#))

Traceability:

As part of the Commissions' 'General Food Law', traceability is required and is defined 'as the ability to trace and follow food, feed and ingredients through all stages of production, processing and distribution'.¹¹ It is paramount that when national authorities or food operators identify a risk that it can be traced back to its origin in order to quickly identify the source of the problem and prevent contaminated products from reaching consumers. All meat traders are required by law to be able to identify who they sourced product from, and who they supplied product to working on a 'one step forward, one step back' principle.

The traceability system in action: clear roles and responsibilities

The food and feed production chain often involves many steps, from the import or primary production of a product to its sale to the final consumer. At every stage, food and feed businesses, Member State competent authorities and the EU have clearly defined roles and responsibilities and need to respond appropriately when a risk is identified.

	Overall responsibilities	Actions taken when a risk is identified
Food and feed businesses	<ul style="list-style-type: none"> Identify and document information on products "one step forward and one step back" in the food chain. 	<ul style="list-style-type: none"> Immediately withdraw the affected products from the market and, if necessary, recall them from consumers. Destroy any batch, lot or consignment of feed that does not satisfy food safety requirements. Inform the competent authorities of the risk and of the action it has taken.
Member State authorities	<ul style="list-style-type: none"> Monitor production, processing and distribution of food and feed products to ensure that operators have traceability systems in place. Fix and enforce appropriate penalties for operators that do not meet EU requirements on traceability. 	<ul style="list-style-type: none"> Ensure that operators are meeting their obligations. Take appropriate measures to secure food safety. Trace the risk backwards and forwards along the food chain. Notify the Rapid Alert System for Food and Feed (see box).
The EU	<ul style="list-style-type: none"> Establishes sector-specific legislation on traceability as appropriate. The Food and Veterinary Office of the European Commission carries out regular inspections to ensure that food and feed operators are meeting food safety standards – including the implementation of traceability systems. 	<ul style="list-style-type: none"> The European Commission alerts members of the Rapid Alert System for Food and Feed of the risk. Requests information from operators to enable traceability and coordinates action by national authorities. May impose import/export restrictions.

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TRACES:

The Trade Control and Expert System (TRACES) provides on-line information on import consignments of live animals and animal products. It facilitates the exchange of information between competent authorities to react rapidly to possible health emergencies and speeds up administrative procedures for business operators. TRACES is used by both Member States and an increasing number of third countries. TRACES will

¹⁰ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

¹¹ http://ec.europa.eu/food/food/foodlaw/traceability/index_en.htm

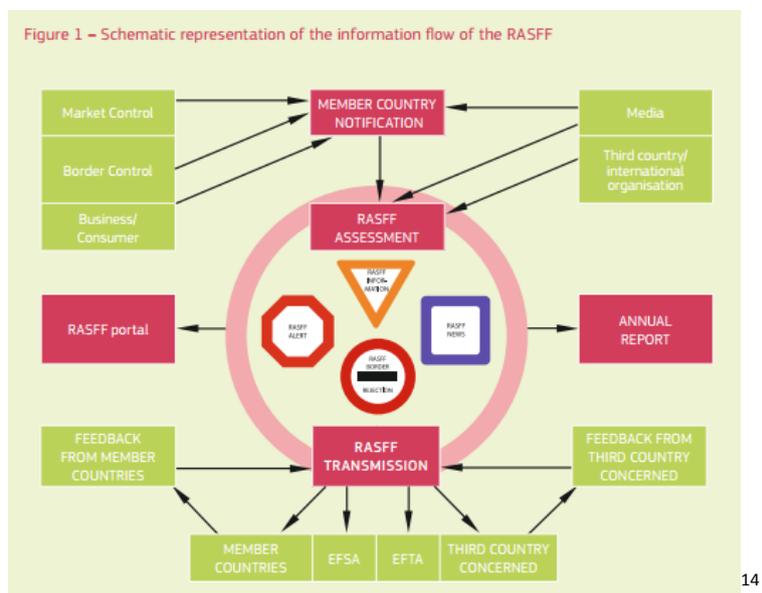
¹² http://ec.europa.eu/food/food/foodlaw/traceability/factsheet_trace_2007_en.pdf Traceability Factsheet

continue to be developed to adapt to changing circumstances to provide improved risk analysis and will be expanded to include new users including in third countries.

RASFF:

The EU has an alert system in place to enable the rapid, coordinated and effective exchange of information regarding food safety risks. The Rapid Alert System for Food and Feed (RASFF) allows urgent notifications to be sent when food or feed presenting a serious risk is detected covering both imported product and domestically produced product. RASFF informs the third country or Member State in question, in order to prevent a recurrence of the problem. Whenever a member of the RASFF network has intelligence relating to the existence of a serious direct or indirect risk to human health deriving from food or feed, this information is immediately notified to the Commission under RASFF. The notifying country reports on the identified risks, the product and its traceability and the measures it has taken. According to the level of risks identified and distribution of the product on the market, the notification is classified as an ‘alert’, ‘information’, or ‘border rejection’.

- a) Alert: Sent when a serious risk is presented and when rapid action is or might be required in another country than the notifying country. Products subject to an alert notification have been withdrawn or are in the process of being withdrawn from the market
- b) Information: Sent when a risk has been identified that doesn’t require rapid action either because the risk isn’t considered serious or the product isn’t on the market at the time of notification.
- c) Border rejection: Sent when a consignment was refused entry into the EU for posing a risk to human health and/or animal health.¹³



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Reinforced checks:

¹³ http://ec.europa.eu/food/food/rapidalert/docs/rasff_annual_report_2011_en.pdf

¹⁴ http://ec.europa.eu/food/food/rapidalert/docs/rasff_annual_report_2011_en.pdf

When a serious infringement is found with a consignment of meat from a non-EU country, article 24 of the veterinary checks Directive (EC 97/78) requires reinforced checks to be undertaken on the next 10 consecutive consignments from the same establishment to enter the EU.¹⁵ If the infringement is found in this process then another 10 will be tested. If it fails the 'ten' test three times, product from that particular supplier is then subject to 100% testing.

Veterinary Residues Committee:

The UK has an independent scientific advisory committee that advises government on the testing of foods from animals to look for residues of veterinary medicines and banned substances.¹⁶

National Sampling Regime/sampling regime:

The veterinary Residues Committee is responsible for planning and coordinating the UK's national sampling regime. There are two aspects to the national sampling regime – statutory and non-statutory. The statutory regime is where all EU Member States are required to carry out surveillance to check that domestically produced foods of animal origin are safe. The legislation lays out the number of samples that Member States are required to take based on production forecasts.¹⁷

Operation of the statutory regime:



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For the non-statutory regime, the Veterinary Medicines Directorate (VMD) drafts a plan based on current food safety risks identified via intelligence gathered by the VMD. Then each BIP is allocated a number of samples to undertake during the year, together with a monthly sampling schedule.

¹⁵ <http://www.porthhealth.eu/announcements/article-24-checks-at-bip>

¹⁶ <http://www.vmd.defra.gov.uk/vrc/index.html>

¹⁷ Veterinary Residues Committee <http://www.vmd.defra.gov.uk/vrc/index.html>

¹⁸ Veterinary Residues Committee <http://www.vmd.defra.gov.uk/vrc/surveillance/stat.html>

Operation of the non-statutory regime:



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Multilateral and Bilateral Arrangements:

The EU plays an active role in the World Trade Organisation as well as in the international standard setting bodies. This permits the EU to promote its own regulatory model and to shape the international standards that will in turn apply to the EU.²⁰

Codex Alimentarius:

The Codex Alimentarius is a collection of internationally recognised standards, codes of practice, guidelines and other recommendations relating to foods, food production and food safety.

Training:

Better Training for Safer Food (BTSF) is a Commission programme which has established comprehensive training programmes for competent authorities in Member States to keep them up-to-date with aspects of EU law and to ensure that controls are carried out uniformly, objectively, and appropriately. Included in this training is a module for BIP staff to facilitate a harmonised approach to imports by BIPs throughout the EU. Training organised for Member States is open to participants from third countries and in some cases specific training sessions are organised in third countries.²¹

¹⁹ Veterinary Residues Committee <http://www.vmd.defra.gov.uk/vrc/surveillance/nonstat.html>

²⁰ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

²¹ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

Intra-community Trade:

In general, the requirements for intra-community trade are harmonized between the EU Member States. Products of Animal Origin must be produced in an authorized establishment ([list of approved EU establishments](#)) usually under the supervision of an Official Veterinarian.²²

Co-ordination and Communication:

The Commission holds regular discussions with the Member States in relevant expert groups and regulatory committees on new or emerging issues of particular concern or when there are changes at the international level.

Conclusion

The implementation of a multi-level and multi- sector regulatory framework, which is regularly reviewed, is essential to help ensure that only safe imported products reach the European market.²³ It is essential that risks are constantly monitored and evaluated so that checks and audits are undertaken to mitigate these risks in a proportional, evidence based approach. The legislation in place is reviewed to ensure it keeps pace with threats to food safety. The Official Controls are currently undergoing review in order to be simplified and consolidated to assist Member States in using these provisions and to update the legislation which underpins the regulatory framework and to ensure resources are effectively targeted.

²² http://ec.europa.eu/food/animal/animalproducts/index_en.htm

²³ REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL