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*Overview of EU food regulations and  
import requirements*

Basil Mathioudakis

# The European Union:

BMI



Member States of the  
European Union

Candidate  
countries

**Basil Mathioudakis**

Consultant, Food Legislation And Nutrition

# Legislative process

BM

## Legislation in the area of foodstuffs

- Regulations, Directives, Decisions, Recommendations
- Is adopted by the European Parliament and the Council
- On a proposal of the Commission (exclusive initiator of legislation in the EU)
- Under the co-decision process-majority votes
- Adoption of technical measures delegated to Commission

# Legislative process

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Preparation of legislative proposals involves

- Extensive Consultation
  - European Food Safety Authority (on measures that could have a significant impact on public health)
  - stakeholder representatives
  - Member States
- Impact Assessment of proposals
  - Economic, social and environmental aspects

# Food Legislation Policy Objective

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Following serious food incidents in 1990s it was decided:

- To implement an integrated approach to food safety ( 'farm to fork' )
  - Rules for food **and** feed
- To create a general frame aiming at ensuring global consistency of all legal acts on food safety

# Structure of legislation

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- General Food Law Regulation 178/2002-Basic law
- Horizontal legislation
  - Applicable to all foods (hygiene, additives, contaminants, pesticides, food contact materials, labelling, food irradiation, GMOs, official controls etc.)
- Vertical legislation
  - Specific to certain categories of foods (novel foods, foods for infants and young children, foods for special medical purposes food supplements, etc.)

Some quality measures (coffee, chocolate, honey,)

# Regulation 178/2002

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## General objectives of food law

- Protection of human life and health
- Protection of consumer interests
- Ensure fair trading practices-level playing field
- Ensure free movement of food within the Community
- Facilitate global trade in food and feed by taking into account international standards

# Regulation 178/2002

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## General principles

- Risk analysis and scientific basis + other legitimate factors
- Precautionary principle
- Protection of consumers' interests from fraud, adulteration, misleading practices, enable informed choices
- Principle of transparency (consultation, public information)



# Risk Analysis

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Consists of:

- Risk Assessment-by risk assessor (scientific advisory body-EFSA)
- Risk Management-by risk manager (regulators)
- Risk Communication-coordinated between risk assessor and risk manager

# Regulation 178/2002

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## General requirements

- Food safety requirements-no placing on the market of unsafe food or feed
- Products information-no misleading labelling and presentation
- Responsibilities
- Traceability
- Rapid Alert System

# Regulation 178/2002

## General requirements-Responsibilities

- Food business operators (FBOs)
  - Hygiene at all stages of production chain
  - Compliance with requirements and, if necessary, withdrawal of unsafe products
  - Traceability-one step up, one step down
  - Information to authorities and public

# Regulation 178/2002

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## General requirements-Responsibilities

- Member States
  - to enforce, monitor and control
  - Public communication

# Traceability

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- Applies to all stages of the food chain
- Registration of food businesses
- Allocation of a registration number
- Identification of providers and clients
- Registration number follows the product to its destination
- Procedures to withdraw food from the market
- Adequate records

# Rapid Alert System (RASFF)

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- Created in 1979
- Efficiently sharing information between the EU-28 national authorities, EFSA, Commission, European Economic Area countries and Switzerland
- Urgent notifications are exchanged collectively and efficiently.
- Information exchanged through RASFF can lead to products being recalled from the market

# Other relevant legislation

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- Regulation (EC) No 852/2004
  - General rules on hygiene-hazard analysis and critical control point (HACCP) principles
- Regulation (EC) No 853/2004
  - Specific hygiene rules for products of animal origin
- Regulation (EC) No 2073/2005
  - Microbiological criteria
- Regulation (EC) No 2074/2005
  - Other implementing rules

# Other relevant legislation

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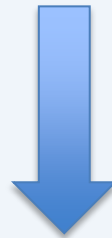
- Regulation (EC) No 882/2004
  - General rules for official controls
- Regulation (EC) No 854/2004
  - Specific rules for official controls on products of animal origin



# Official Control measures

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- Regulation (EC) No 882/2004  
(General rules for official controls)
  - + numerous other specific measures for specific categories of products etc.



- New Regulation on official controls to become applicable March 2020

# Objectives of the new official control law

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- Simplify and clarify the legal framework of official control activities
- Consolidate the integrated approach in the food chain in its broadest sense: food and feed products, plant health, animal health and animal welfare
- Ensure the sustainability of the financing of official controls by the operators' contributions
- Allows adaptation to future developments

# New elements

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- Stricter rules against fraud
  - Discouraging penalties: > gains /% business budget
  - Enhanced cooperation between AA.CC. (IT tool)
- Integrated and more digitalised controls at **import**: common rules for animals, plants, and other goods
  - Use of a single document "Common Health Entry Doc." (CHED).
- Establishment of an integrated management system: **integrated information management system** (IMSOC)

# EU Import conditions

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For harmonised animal/product groups:

- Approved third country
- Harmonised animal and public health certification
- Approved establishments (listed in TRACES)
- Approved residues control plan

FVO audits are carried out in third countries and establishments

# EU Import conditions

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## Meat and meat products/seafood/fishery products

- List of eligible countries
- Veterinary certification
  - Recognition of competent authorities of third country able to ensure
    - ✓ Animal health standards (member of OIE)
    - ✓ hygiene and public health
    - ✓ monitoring system (residues, pesticides, contaminants, heavy metals, marine biotoxins)

# EU Import conditions

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- Approved establishments, including vessels (fisheries products)
  - ✓ Inspected regularly/guaranteed by the authorities of the third country
- Approved residues control plan
  - ✓ Approved by the European Commission and renewed

FVO audits are carried out in third countries and establishments

# EU Import conditions

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## Entry via approved Border Inspection Points (BIPs)

- Pre-notification with the Common Veterinary Entry Document (CVED) of all consignments through TRACES
- Veterinary checks (documents) of all consignments at the BIP to determine if import/transit conditions are met
- Physical checks depend on risk profile of product
- Veterinary decision and release of the consignment (free circulation within the EU)
- Follow up of specific consignments, e.g. rejection, transit, channelling

# Mandatory food labelling

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- Name of the food
- List of ingredients
- Net quantity
- 'Best before' or 'use by' date
- Where appropriate:
  - ✓ Special storage conditions
  - ✓ Conditions of use
  - ✓ Instructions for use
- Name and address of the food business operator
- Country of origin or place of provenance
- Alcoholic strength (if > 1,2 % by volume of alcohol)
- Nutrition declaration



# Mandatory labelling modalities (1)

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- Mandatory particulars must:
  - be **easily visible** and, where appropriate, **indelible**
  - be marked in a **conspicuous place** and may **not** in any way be **hidden**, **obscured**, **detracted from** or **interrupted by** any other intervening material
- Same **field of vision**:
  - **name** of the food
  - **net quantity** and
  - **alcoholic strength** for beverages containing more than 1,2 % alcohol, the must appear in the same field of vision
- Language
  - Easily understood where the food is marketed
  - Member States may stipulate one or more languages
  - Several languages may be used

# Mandatory Labelling modalities (2)

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- Contrast
- Legibility
  - Minimum size for mandatory information:
    - 1.2mm ('x-height ') = roughly 8 point font
    - 0.9mm (roughly 6 point font) if largest surface of pack < 80 cm<sup>2</sup>
  - Minimum size for voluntary nutrition labelling:
    - 1.2mm (irrespective of pack size)



# Voluntary labelling

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- May be added provided that:
  - it is not ambiguous or confusing for the consumer,
  - it is based on relevant scientific data, and
  - it is not displayed to the detriment of the space available for mandatory food information.
- Nutrition and health claims, if appearing on the label, must be authorised under the rules of Regulation 1924/2006.

# Thank you for your attention