



FOOD SAFETY

European food safety policy aims are twofold: to protect human health and consumers' interests, and to foster the smooth operation of the European single market. The EU thus ensures that control standards are established and adhered to in the areas of feed and food-product hygiene, animal health, plant health and the prevention of food contamination from external substances. The Union also regulates labelling for food and feed products.

LEGAL BASIS

Articles 43, 114, 168(4) and 169 of the Treaty on the Functioning of the European Union.

GENERAL BACKGROUND

In the wake of a series of human food and animal feed crises (e.g. the BSE outbreak and the dioxin scare), EU food safety policy underwent substantial reform in the early 2000s. The 'Farm to Fork' approach was defined, guaranteeing a high level of safety at all stages of the production and distribution process for all food products marketed within the EU, whether produced within the EU or imported from third countries. This body of legislation forms a complex and integrated system of rules covering the entire food chain, from animal feed and health, through plant protection and food production, to processing, storage, transport, import and export and retail sales.

ACHIEVEMENTS

A. General legislation

A framework regulation lays down the [general principles and requirements](#) of EU food and feed law taking into account the 'precautionary principle' ([2.5.1](#)). The regulation sets out a risk assessment approach and establishes general traceability provisions for food and feed. It introduces the Rapid Alert System for Food and Feed (RASFF), allowing Member States and the Commission to exchange information rapidly and to coordinate their responses to health threats caused by food or feed. It also establishes the European Food Safety Authority (EFSA), tasked with assessing and providing information on all risks related to the food chain. After a fitness check, and in response to the European Citizen's Initiative on glyphosate, the EU has reviewed its general food law to improve the transparency of EFSA's risk assessments and the independence of the underlying scientific studies and to improve cooperation with Member States on providing experts and data. Other key pieces of legislation in the areas of novel foods,



GMOs, pesticides, food contact materials and food additives will also be reviewed to bring them in line with the revision of the general food law and boost transparency.

B. Hygiene of foodstuffs

In April 2004, as part of the 'Farm to Fork' approach, a new legislative framework known as the Hygiene Package was adopted addressing the [hygiene of foodstuffs](#), [laying down specific hygiene rules for food of animal origin](#) and putting in place a Community framework for [official controls on products of animal origin intended for human consumption](#), which also lays down specific rules for fresh meat, bivalve molluscs, milk and milk products. The package puts the responsibility for the hygiene of foodstuffs directly on the various players in the food chain through a self-regulating system using the HACCP method ('hazard analysis and critical control points'), monitored by means of official controls that must be conducted by the competent authorities.

C. Food contamination

Food contamination may occur naturally or result from cultivation practices or production processes. To protect public health, maximum levels for contaminants in food such as nitrates, heavy metals and dioxins are established and regularly reviewed. Residues in foodstuffs might also originate from food-producing animals that have been treated with veterinary medicines or exposed to pesticides or biocidal products. Maximum residue limits are set and updated periodically. No foodstuffs containing unacceptable quantities of contaminant substances may be marketed in the EU.

Moreover, there are rules pertaining to food contact materials such as materials for transporting or processing food, as well as packaging materials and kitchen or tableware. A [framework regulation](#) lays down the general requirements for all relevant materials and articles, ensuring that these materials do not transfer their components into food at levels harmful to human health; specific EU measures containing more detailed provisions may be adopted for the 17 food contact materials and articles listed in Annex I thereto. In relation to plastics, for example, restrictions on the use of Bisphenol A have been introduced for use in plastic infant feeding bottles.

D. Food labelling

The legal framework on the labelling of foodstuffs is designed to guarantee consumers access to clear, comprehensible and reliable information on the content and composition of products in order to protect their health and best interests. For instance, allergens, such as soya, gluten or lactose, must be clearly indicated on the packaging. The main novelty of the new regulation on [food information to consumers](#) applicable since December 2016 is the requirement for producers to indicate the presence of allergens in non-packaged foods, e.g. in restaurants and canteens, the origin of unprocessed meat (for certain types of meat other than beef, which already has to be labelled for origin), and the presence of food imitations, such as vegetable products replacing cheese or meat. Specific provisions on [origin labelling](#) set out the details, requiring (with some exceptions) the indication of the place of rearing and place of slaughter of pre-packaged fresh, chilled and frozen meat of swine, sheep, goats and poultry.



The labelling, presentation or advertising of food must not mislead consumers. There are clear rules for authorised nutrition and health claims (such as ‘low fat’ or ‘high fibre’ or statements about a relationship between food and health). Such claims must be based on scientific evidence and can be found in a public EU register.

A new regulation on [food for specific groups](#) abolishes the concept of a broad category of ‘dietetic’ food in favour of rules for specific vulnerable groups of consumers such as infants and young children, people with special medical conditions and those on energy-restricted diets for weight control.

E. Substances added to food

Food additives, food enzymes or food flavourings — also known as ‘food improvement agents’ — are substances not normally consumed in their own right, which are added intentionally to foodstuffs to perform certain technological functions such as, for example, colouring, sweetening or preservation. Rules are in place governing the authorisation procedure, conditions of use and labelling of these substances. The same is true for food supplements such as vitamins and minerals, which may be added to food in order to enrich it or emphasise its particular nutritional character, provided that they figure on specific lists of permitted substances and their permitted sources.

F. Animal and plant health

EU rules include general provisions on the surveillance, notification and treatment of infectious diseases and their vectors in order to ensure the safety of the food chain. The [current legislative framework for the organisation of official controls](#) has been established to ensure the verification of compliance with feed and food law and animal health and welfare rules. In May 2013, the Commission presented a new legislative package including proposals on animal health, plant health, plant reproductive material and official controls. The package provides a more risk-based approach to the protection of animal health, aiming to increase the efficiency of official controls in order to avoid food crises and cases of fraud as much as possible. The resulting new EU Animal Health Law (regulation on [transmissible animal diseases](#)), adopted in March 2016 and applicable as from April 2021, focuses on the prevention and eradication of animal diseases by clarifying responsibilities and ensuring early detection and control. The new plant health regime (regulation on [protective measures against plant pests](#)) is aimed at protecting crops, fruits, vegetables and forests against the entry or spread of plant pests or diseases. It will be applicable for the most part from December 2019, as will the [new regulation on official controls](#), which will also cover plant health and animal by-products at that juncture.

G. Legislation on animal feed and feed labelling.

Feed business operators have to make sure that all stages of production, processing and distribution under their control are in line with the EU rules for [animal feed hygiene](#) and have to guarantee full traceability. This includes imports and exports of feed from and to third countries. Farmers are obliged to keep the risk of biological, chemical and physical contamination of feed, animals and animal products as low as reasonably achievable when feeding food-producing animals. A specific directive sets maximum limits for [undesirable substances in animal feed](#), including heavy metals, and prohibits



the dilution of contaminated feed materials. Rules on the [labelling and marketing of feed](#) are laid down to ensure a high level of feed safety and, ultimately, of protection of public health and to provide adequate information for users and consumers. Provisions on [veterinary medicines](#) and [medicated feed](#) have been updated by two new regulations (Regulation (EU) [2019/6](#) and [2019/4](#) respectively).

H. Novel foods

Novel foods, i.e. foods not consumed within the EU to a significant degree before May 1997, have to undergo a safety assessment before being marketed in the EU. As of 2018, a [new regulation](#) applies, allowing easier access to innovative foods while maintaining a high level of food safety. It introduces a simplified, centralised EU-wide online authorisation procedure for novel foods and traditional foods from third countries (which are considered novel foods in the EU). Before being authorised, EFSA carries out a centralised scientific safety evaluation, defining the conditions for use, their designation as food and the labelling requirements. All authorised novel foods will figure on a positive list. Until specific legislation on food from cloned animals enters into force, such food falls under the scope of this regulation and should therefore be labelled appropriately.

I. Genetically modified organisms (GMOs)

A GMO is ‘an organism, with the exception of human beings, in which the genetic material has been altered in a way that does not occur naturally by mating and/or natural recombination’^[1]. Plants may be modified with modern biotechnology, for example, to make them resistant to diseases or to increase their yield. Following the precautionary principle, the EU has set up a strict legal framework for the cultivation or commercialisation of GMOs that are used in food or feed. Before any GMO can be put on the market, EFSA, together with the Member States’ scientific bodies, carries out a scientific risk assessment to exclude any danger to either human or animal health and the environment. Upon receiving EFSA’s opinion the Commission (which may diverge from it) prepares a draft decision granting or refusing authorisation to be voted by qualified majority by an expert committee made up of Member States’ representatives. In case of a ‘no-opinion’, i.e. if there is no qualified majority either for or against authorisation, the final decision lies with the Commission. Any authorised food or feed made from or containing GMOs has to be traceable and clearly labelled as such so that consumers can make informed choices. Member States are allowed to [restrict or ban](#) the cultivation of crops containing GMOs on their own territory, even if this is allowed at EU level.

ROLE OF THE EUROPEAN PARLIAMENT

In the wake of the horsemeat scandal and other food fraud cases Parliament called for the mandatory indication of the origin of, in particular, meat used as an ingredient in processed foods. Parliament and Council agreed upon new rules to tighten up official food inspections aimed at improving food traceability and combating fraud. During the negotiations, Parliament managed to strengthen enforcement in relation to fraudulent or deceptive practices. Parliament is also particularly vigilant with regard to threats to

[1]EU Directive 2001/18/EC (OJ L106 of 17.04.2001).



consumer health related to cloned animals and nanomaterials or GMOs. It scrutinises and regularly opposes draft proposals for authorisation or renewal of new genetically modified plants such as maize or soya beans.

Following concerns being raised about the risks posed by the use of the herbicide substance glyphosate in agriculture, the European Parliament set up in 2018 a special committee (PEST) to examine the EU's authorisation procedure for pesticides. During the revision of the general food law aiming at greater transparency throughout the food chain, Parliament fought to ensure that safety studies are published before a product is authorised to be put on the market.

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