



Horsemeat fraud in the food chain

Following the discovery of horsemeat in various processed beef products on sale across Europe, EU-wide testing of meat and meat products is currently ongoing. Initial results will be released by 15 April 2013. While the controversy has reopened debate on control of the food chain, the Commission and Member State (MS) authorities have underlined that there is no evidence so far of a risk to consumer health.

Background

On 15 January 2013, the Food Safety Authority of Ireland [announced](#) that it had discovered horse DNA in a number of beefburger products which had been on sale in major supermarket chains. Further cases of horsemeat in beef-labelled products were revealed [in the UK](#) in early February. This prompted a series of tests on the authenticity of processed meat products across the EU. The presence of unlabelled horsemeat was identified (at levels ranging from 1% to 100%) in a wide range of food items, including various soups, sauces, and ready meals. As dozens of individual products were withdrawn from sale, it became clear that the problem was pan-European, involving a wide range of food suppliers, processors and retailers in at least 15 MS and that it was not simply a matter of mislabelling but rather of fraudulent practices at some point in the supply chain.

The illicit presence of horsemeat in food raised additional questions relating to food safety. One issue of particular concern was the possibility that traces of phenylbutazone ('bute') may have entered the food chain, a suspicion which subsequently appeared to be [confirmed](#) in at least one case in France. Bute is an anti-inflammatory veterinary medicine, which is widely used for horses but carries potentially serious (though rare) risks to human health. Under EU law horses which have been treated with bute must be permanently excluded from the food chain. The Commission and national food authorities have, however, underlined that up to now

there is no evidence of a health risk to consumers from horsemeat.

Launch of EU tests - first results in April

In response to these developments, [EU-wide testing of meat and meat products has been launched](#) on the basis of Commission proposals and following [consultation of the MS in the relevant regulatory committee](#). These tests foresee two principal lines of action:

- 1) testing, mainly at retail level, to detect the presence of horsemeat in foods labelled as containing beef. Some 2 250 items will be tested, ranging from 10 to 150 per MS;
- 2) testing for the presence of residues of bute in horsemeat. One sample for every 50 tonnes of horsemeat will be tested; each MS will carry out at least five tests.

First results are due to be reported by 15 April 2013, with the possibility of extending the tests by a further two months. In parallel, national investigations are underway in many MS, also with the involvement of [Europol](#).

Current EU regulatory framework

Key EU rules on food law and labelling include:

- [Regulation 178/2002](#) on general principles of food law and food safety, according to which food law must provide a basis for consumers to make informed choices, and prevent any practices which may mislead the consumer. The Regulation sets out the responsibility of operators to ensure that they satisfy relevant requirements of food law, and of MS to enforce food law and monitor and verify that relevant requirements are fulfilled at all stages of production, processing and distribution.
- [Directive 2000/13](#) on food labelling, according to which labelling should not mislead the consumer, and all ingredients must be listed on the label of pre-packaged foodstuffs intended for the final consumer.
- [Regulation 1169/2011](#) on the provision of food information to consumers (the 'FIC' Regulation). This Regulation, which has not yet entered into application, replaces a number of

earlier laws, including Directive 2000/13. It introduces compulsory 'country of origin' labelling from 13 December 2013 onwards for fresh meat from pigs, poultry, sheep and goats (labelling of beef having been introduced in a separate [Regulation](#) after the BSE crisis). These measures do not, however, apply to meat as an ingredient in processed products.

Other relevant legislative texts include Regulations [853/2004](#) and [854/2004](#), which lay down hygiene and control rules aimed at ensuring that banned veterinary drugs do not enter the food chain. [Regulation 504/2008](#) deals with the horse passport system. According to EU rules, all horses must have a passport which, among other elements, identifies them as a food-producing or non food-producing animal. If phenylbutazone is administered to a food-producing horse, this must be declared on the passport and the horse must be irreversibly declared as unintended for human consumption.

EP reaction - issues raised

The EP Committee on Environment, Public Health and Food Safety (ENVI), as the responsible committee, and the Committee on Agriculture and Rural Development (AGRI) discussed the matter at meetings in February with the Commission and representatives of the [European Food Safety Agency](#).

Many Members highlighted the fact that during the recent revision of EU labelling law Council had rejected Parliament's [first-reading demand](#) to extend mandatory 'country of origin' labelling to meat used as an ingredient in processed foods. Instead, when the rules were changed in 2011, it was agreed that the Commission should examine the costs and benefits of this proposal and report back on its economic, legal and administrative impacts by December 2013. The Commission has undertaken to bring forward completion and publication of this impact assessment [study](#) to autumn, while at the same time insisting that stronger labelling regulations would not prevent deliberate fraud. For many Members, however, stricter rules could help to shorten the supply chain and thus facilitate traceability controls. MEPs also stressed the need for more rigorous inspections and emphasised that penalties for fraud or mislabelling of food,

which vary from MS to MS, must be tough enough to provide a genuinely effective deterrent.

In broader terms, the increasing length and complexity of the food chain, the drive towards cheap food and the possibility that national authorities were cutting down on food inspections at a time of budgetary austerity were all cited as issues of concern. Weaknesses in the functioning of the horse passport system were also highlighted, following suggestions that it is open to abuse, notably in terms of duplication of documents.

Council/MS and stakeholders

Discussions on the issue in the recent [Agriculture Council meeting of 25 and 26 February](#) reflected many of the themes raised in Parliament. Several MS [expressed support](#) for compulsory labelling of meat used as an ingredient, not least with a view to restoring consumer confidence. In Germany, this objective was included in a ten-point [national action plan](#) announced on 18 February. The plan also incorporated an extended testing programme and other measures to be implemented at regional and national level.

In the UK, the responsible cross-party parliamentary committee called for the strengthening of enforcement and testing regimes, in a [report](#) published on 14 February. The report criticised the weakening in recent years of the role of the UK [Food Standards Agency](#) and concluded that in the current case consumers had been "cynically and systematically duped in pursuit of profit" by elements within the food industry.

The Federation of Veterinarians of Europe ([FVE](#)) has drawn attention to inadequacies in the horse passport scheme and expressed the view that [a centralised European register for horse passports is required](#) in order to avoid fraudulent issuing of duplicate passports.

Next steps

Pending first results of the EU testing programme, the ENVI committee has announced its intention to prepare an own-initiative report on fraud in the food chain and the control thereof.