



EU-Asia Cooperation on (Phyto-) Sanitary and Food Safety Regulation

**OVERVIEW OF THE EU LEGAL FRAMEWORK FOR FOOD
AND INTRODUCTION TO EU APPROACH ON FOOD SAFETY**

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Regional Seminar on Food Contact Materials

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Contracting Authority
Regional Team FPI

Contract Number
PI/2019/409-971



Contractor:





Overview of the EU Food Safety System





Overview of the EU Food Safety System

EU Competence



FOOD SAFETY

National Competence





Overview of the EU Food Safety System

General Food Law



General Principles of Food Law

- General Requirements of Food law
- General Obligations of Food Trade

Regulation
(EC) 178/2002

General Principles of Food Law

Risk
assessment

Risk
management

Risk
communication

Science base
Precautionary principle
Other legitimate factors
Functional separation



The European Food Safety Authority



519 Permanent staff
72 Trainees, 65 interim, 11 SNEs



920 External experts (Panels, Working Groups, Networks)

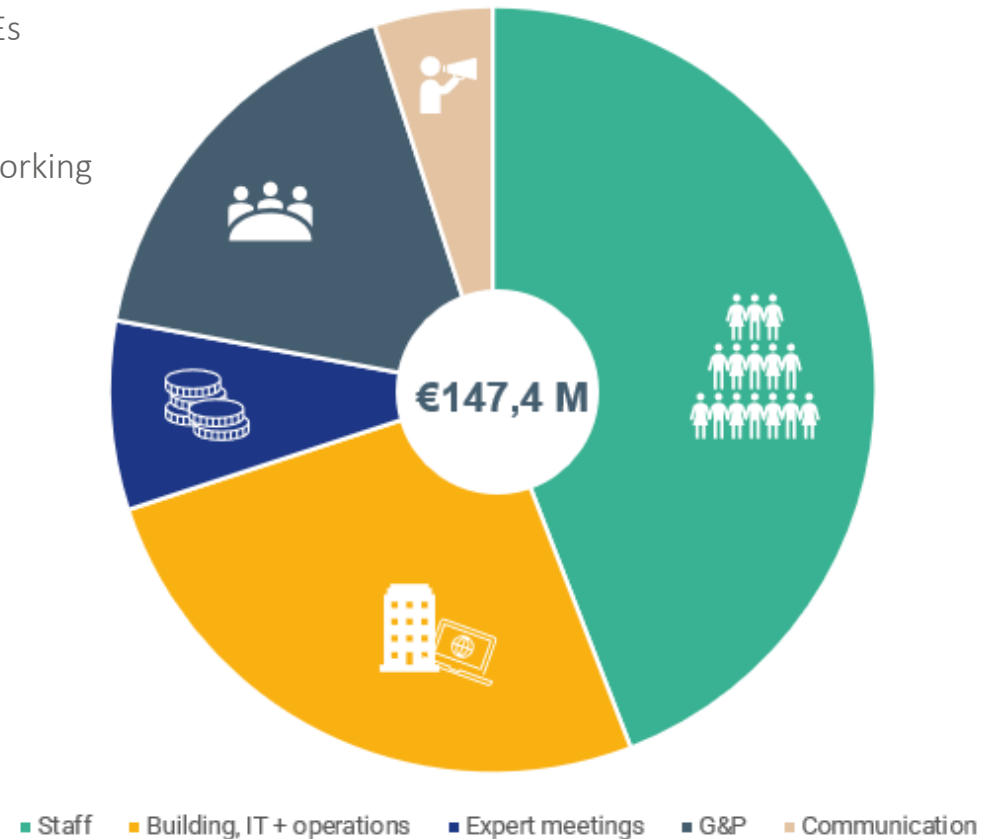


1150 Meetings/year



9820 Scientific outputs since 2003

EFSA 2023 budget





The European Food Safety Authority



European Commission

European Parliament

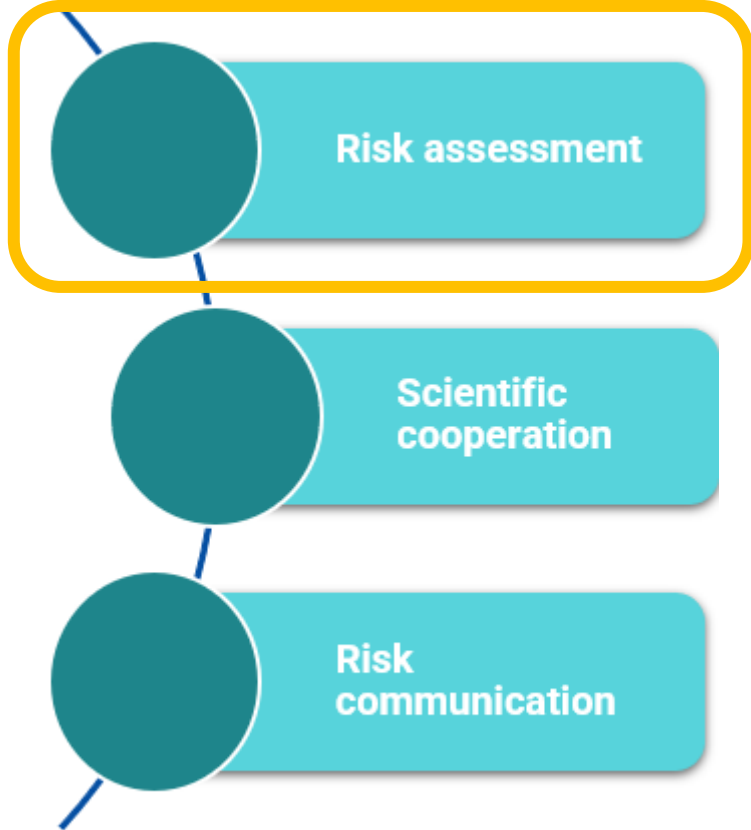
Member States

EFSA Self Mandate

Receipt of a mandate



Assessment



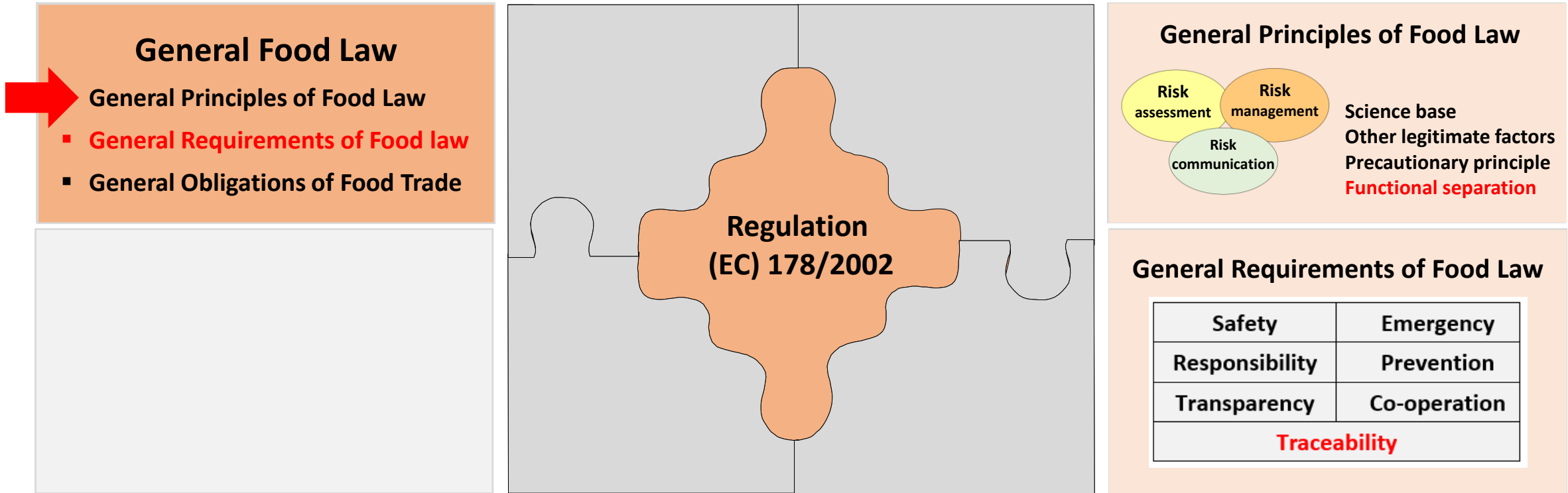


The European Food Safety Authority





Overview of the EU Food Safety System





Traceability Definition

Article 3 - Definitions

15. **“Traceability”** means the ability to trace and follow a food, feed, food-producing animal or substance intended to be, or expected to be incorporated into a food or feed, through all stages of production, processing and distribution.

Traceability means:

the ability to trace and follow:

- a food,
- a feed,
- a food-producing animal or
- a substance intended to be, or expected to be present in food

through all stages of:

- production,
- processing or
- distribution.



Traceability

What is required of food business operators?

Article 18

Traceability

1. The traceability of food, feed, food-producing animals, and any other substance intended to be, or expected to be, incorporated into a food or feed shall be established at all stages of production, processing and distribution.

2. Food and feed business operators shall 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.

To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.

3. Food and feed business operators shall have in place systems and procedures to identify the other businesses to which their products have been supplied. This information shall 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 shall be adequately labelled or identified to facilitate its traceability, through relevant documentation or information in accordance with the relevant requirements of more specific provisions.

5. Provisions for the purpose of applying the requirements of this Article in respect of specific sectors may be adopted in accordance with the procedure laid down in Article 58(2).

(1) Food and feed business operators shall 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 or expected to be incorporated into a food or a feed.

To this end, such operators shall have in place systems which allow for this information to be **made available** to the competent authorities **on demand**.

ONE STEP BACK



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(2) Food and feed business operators shall have in place systems and procedures **to identify the other businesses to which their products have been supplied.**

This information shall be **made available** to the competent authorities **on demand.**

ONE STEP FORWARD



Traceability

Is 'internal' traceability required ?

Article 18

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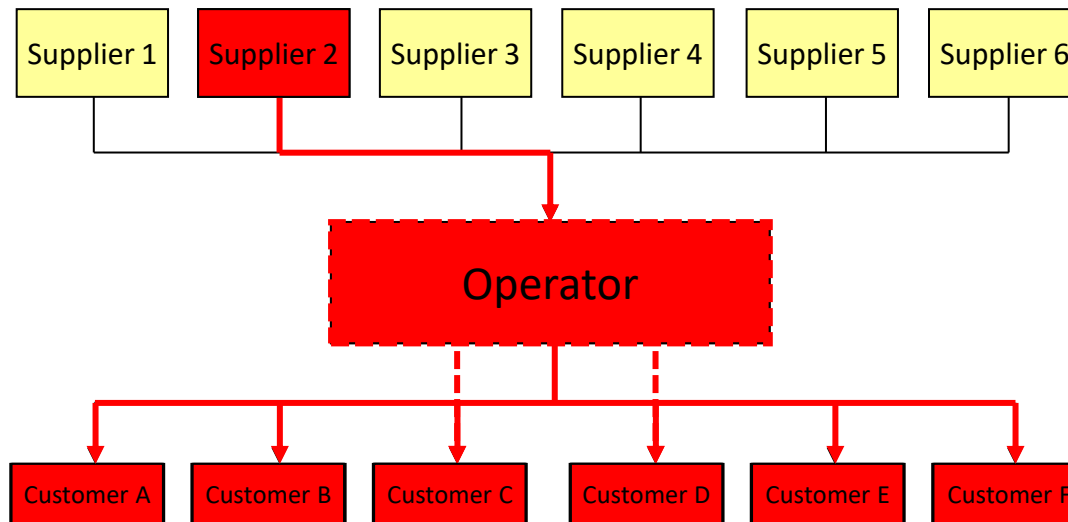
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**With
internal
traceability**



Traceability

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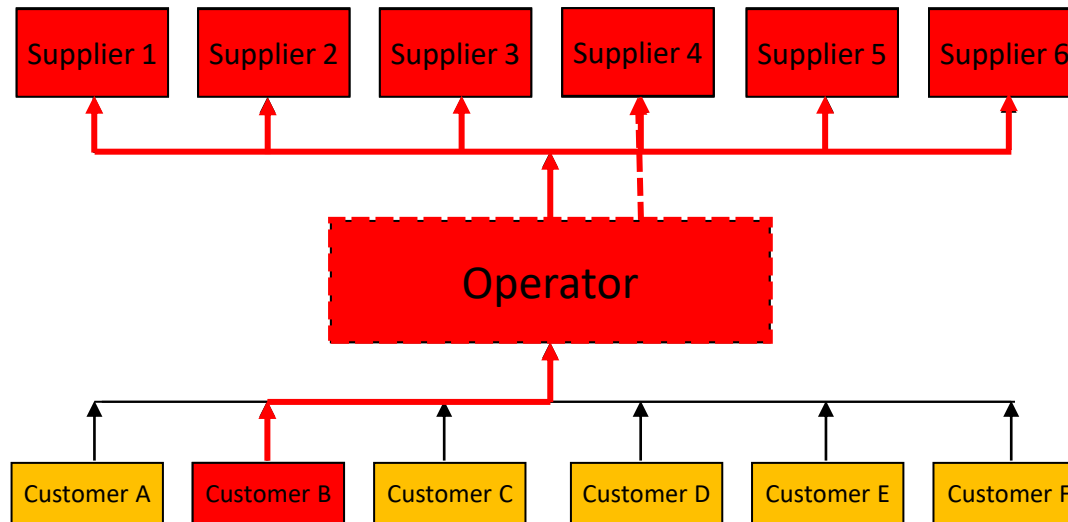
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**With
internal
traceability**



Traceability

Is 'internal' traceability required ?

Dough from France, UK, Poland, USA;

Yeast from UK, Ireland, Germany

Salt from UK, France, China

Tomato paste

From Italy, Spain,
Greece, France,
Netherlands;

Herbs from Greece,
Italy, Spain, Kenya, Asia, Tanzania,
Morocco

Olive oil from Italy, Greece, Spain.

Sugar from Brazil, Indonesia, Jamaica, Philippines



Cheese from Switzerland, Ireland, France, Italy,
Spain, UK, Netherlands;

Ham from Ireland, Netherlands, Germany,
UK, Chile, Brazil, Belgium;

Chilli Peppers from Africa, Asia, South
America;

Anchovies from Peru, Argentina,
Italy, Falkland Islands; Spain;
Iceland Denmark;

Pepperoni from Poland, Italy Ireland, UK
Denmark, USA;

Vegetables such as garlic, mushrooms,
sweet pepper, onions, olives,



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2. Food and feed **ONE STEP BACK** able to identify any person from whom it originates 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.

To this end, such operators shall have in place systems and procedures which allow for this information to be made available to the competent authorities on demand.

3. Food and feed **ONE STEP FORWARD** place systems and procedures to identify their products have been supplied. This information shall be made available to the competent authorities on demand.

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- Business operators are **not obliged** to establish a link between incoming and outgoing products.
- However, food business operators are **encouraged** to develop systems of internal traceability designed in relation to the nature of their activities (food processing, storage, distribution, etc.).





Traceability

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(1) ONE STEP BACK

(2) ONE STEP FORWARD

(3) LABELLING



Food or feed which is placed on the market in the EU shall be **adequately labelled or identified to facilitate its traceability**, through relevant **documentation or information** in accordance with the relevant requirements or more specific provisions.



Traceability

How is traceability organized?

Article 18

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- ❑ Regulation (EC) No 178/2002 is **non-prescriptive**.
- ❑ **Detailed requirements** may be laid down for **specific sectors**.

❑ Examples:

❖ **Fish**



❖ **Eggs**



❖ **Beef meat**



❖ **Fruits and vegetables**



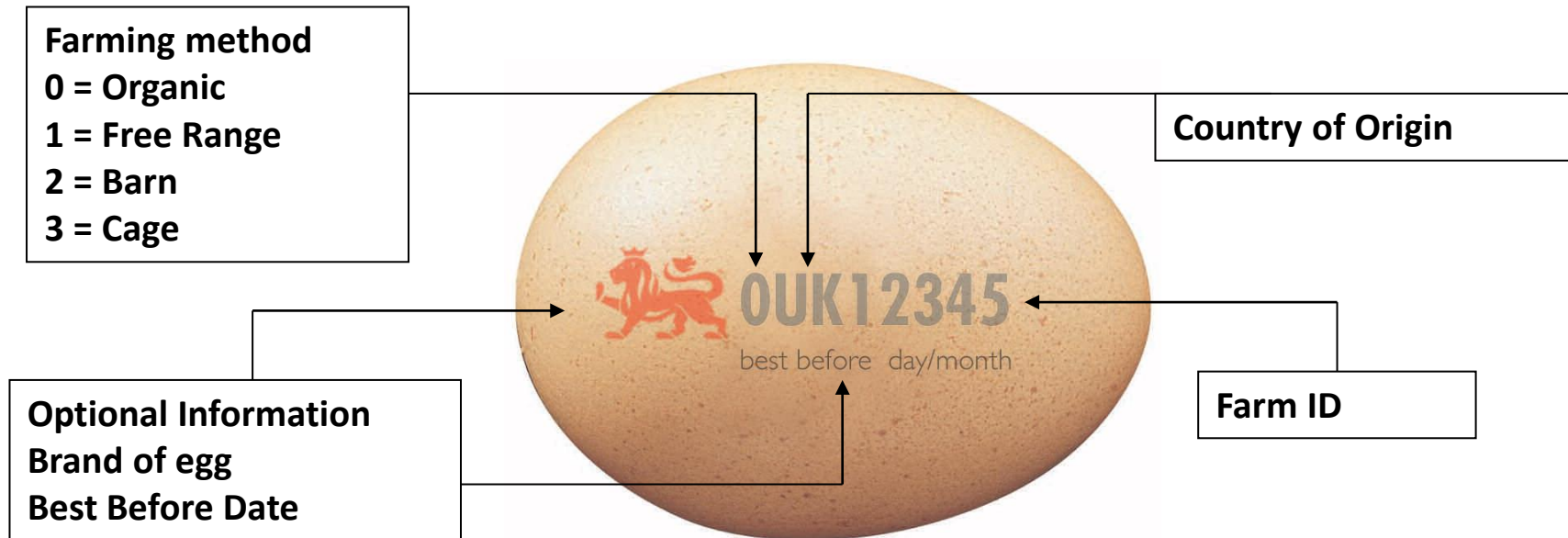


Traceability

How is traceability organized?

EGGS

Every egg (category A) must bear a code:





FISH

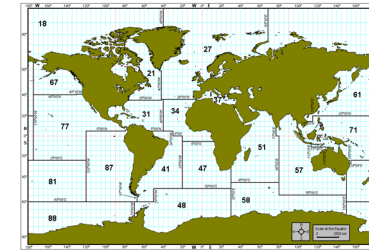
Traceability

How is traceability organized?

The labelling must bear (when sold to the final consumer):

- the commercial designation of the species
- the production method
- the catch area

Tuna	caught	in the Pacific Ocean
Salmon	caught in freshwater	in Norway
Tiger prawns	farmed (or cultivated)	In Thailand



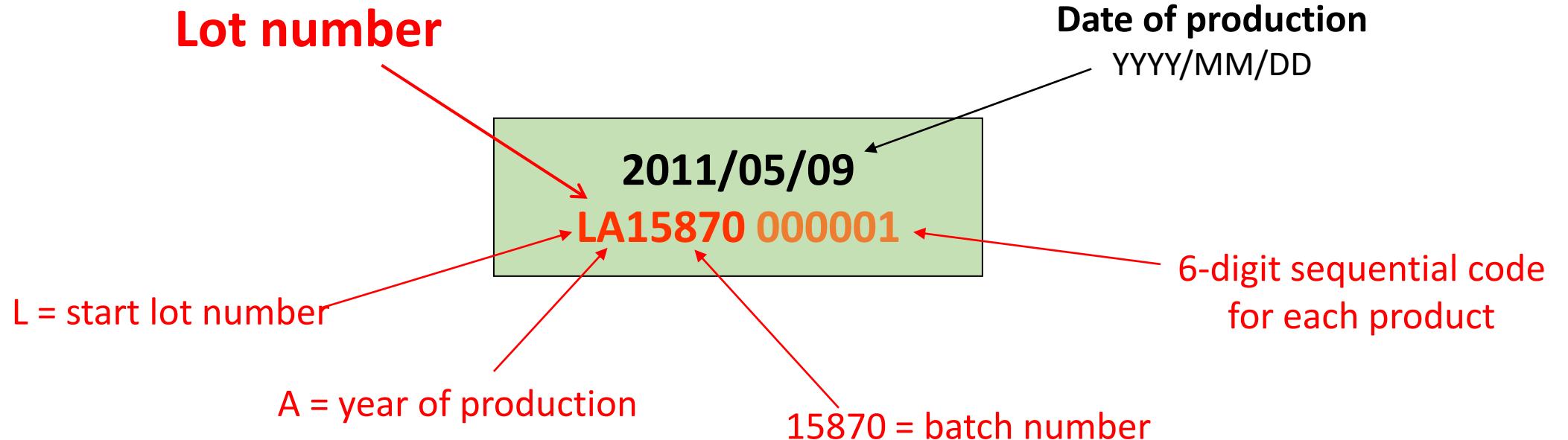


Traceability

Lot numbers

Directive 87/396/EEC

“A foodstuff may not be marketed unless it is accompanied by an indication of the lot to which the foodstuff belongs.”





Traceability

Food Contact Materials

Article 17
Traceability

1. The traceability of materials and articles shall be ensured at all stages in order to facilitate control, the recall of defective products, consumer information and the attribution of responsibility.
2. With due regard to technological feasibility, business operators shall have in place systems and procedures to allow identification of the businesses from which and to which materials or articles and, where appropriate, substances or products covered by this Regulation and its implementing measures used in their manufacture are supplied. That information shall be made available to the competent authorities on demand.
3. The materials and articles which are placed on the market in the Community shall be identifiable by an appropriate system which allows their traceability by means of labelling or relevant documentation or information.

- ❑ Regulation (EC) No 1935/2004 on materials and articles intended to come in contact with food.
- ❑ Article 17.
- ❑ The traceability of materials and articles shall be **ensured at all stages** in order to facilitate:
 - **control**,
 - the **recall** of defective products,
 - **consumer information** and
 - the attribution of **responsibility**.



Overview of the EU Food Safety System

General Food Law

- General Principles of Food Law
- **General Requirements of Food law**
- **General Obligations of Food Trade**

General Obligations of Food Trade



SPS

TBT

Obligations relating to:

- Imports
- Exports

Regulation
(EC) 178/2002

General Principles of Food Law



- Science base
- Other legitimate factors
- Precautionary principle
- Functional separation**

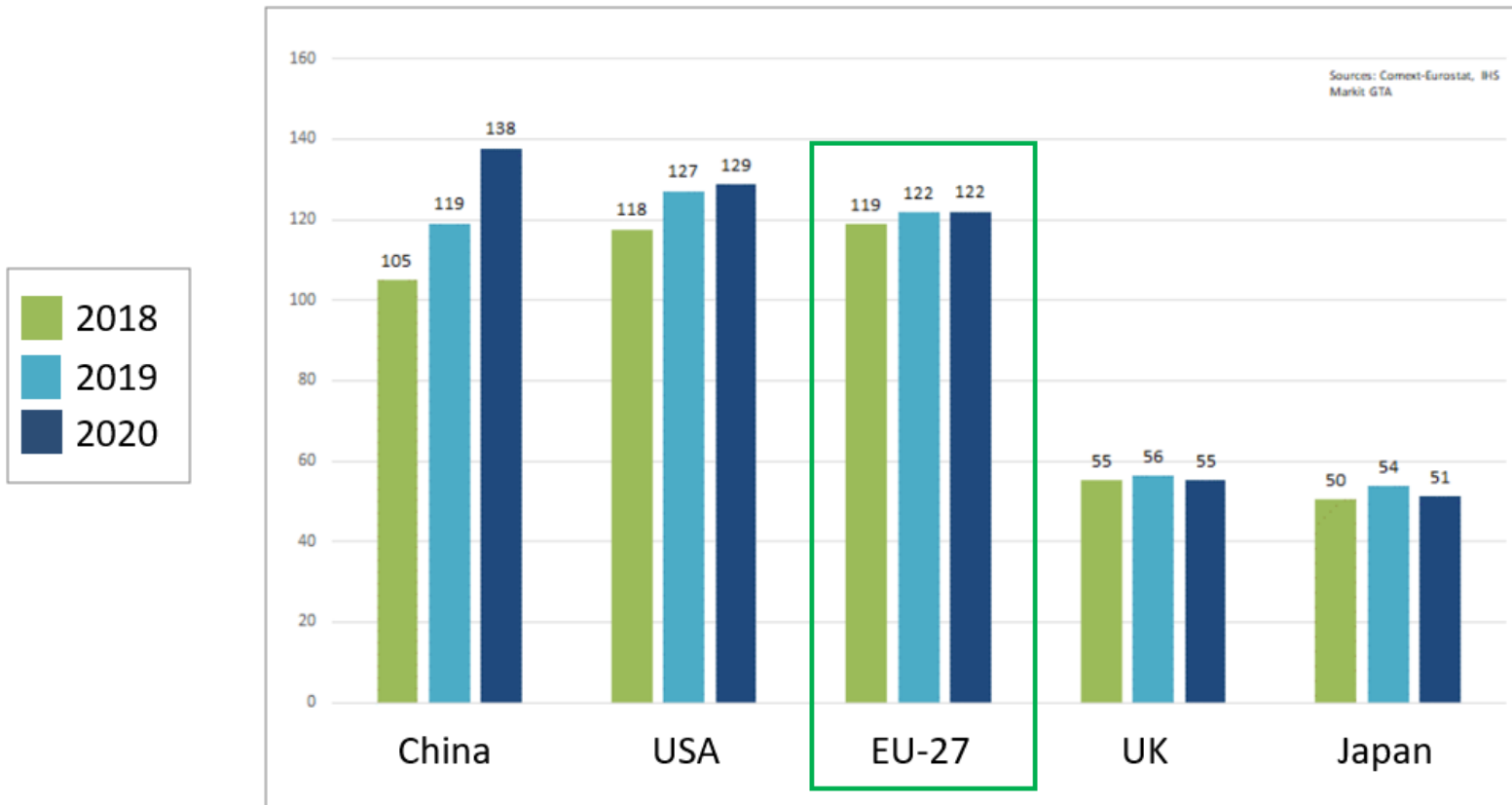
General Requirements of Food Law

Safety	Emergency
Responsibility	Prevention
Transparency	Co-operation
Traceability	



General Obligations of Food Trade

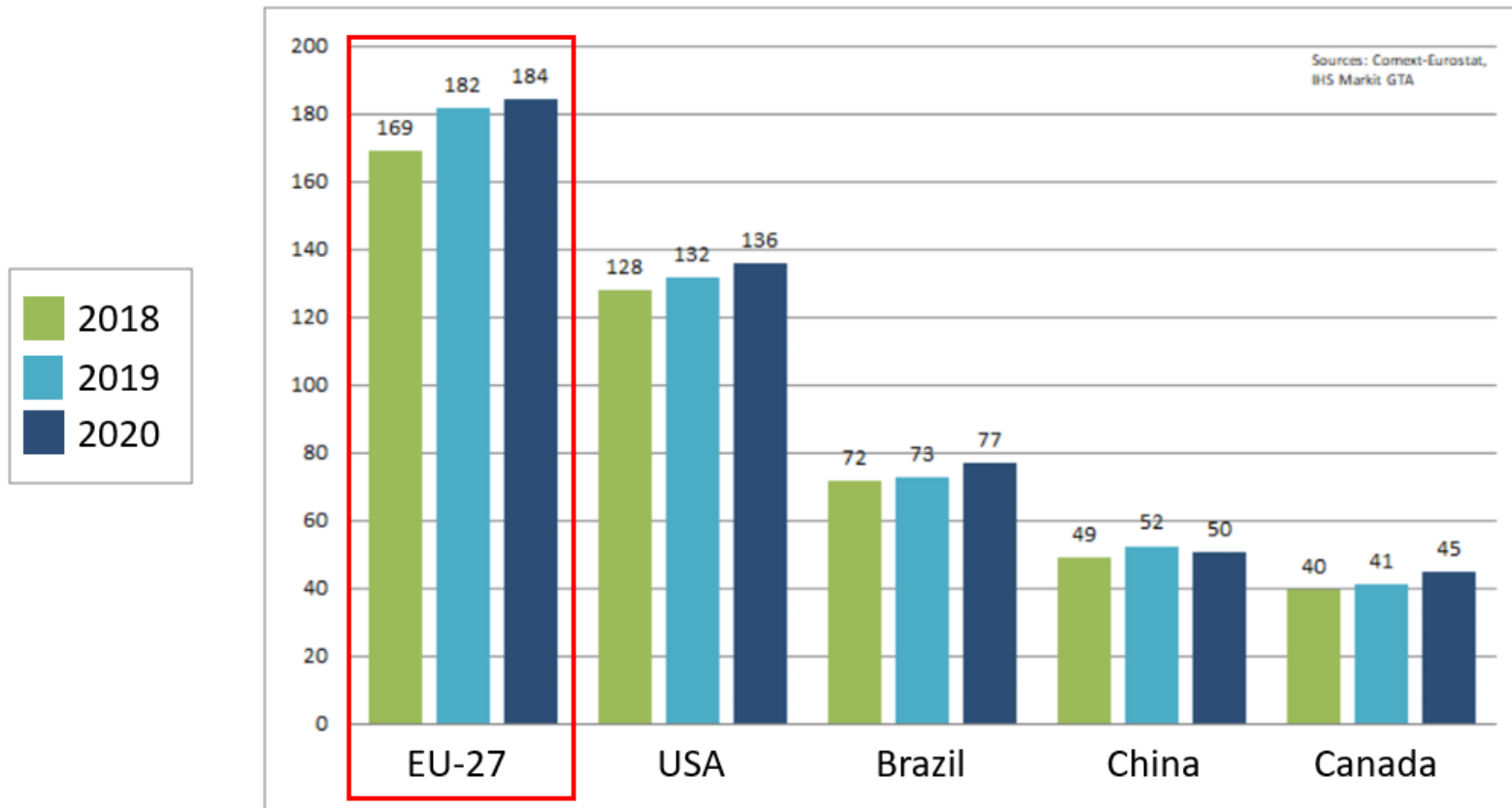
Top world agri-food **importers** 2018 – 2020
(in billion EUR)





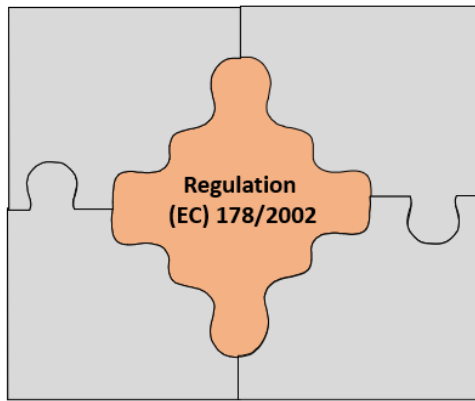
General Obligations of Food Trade

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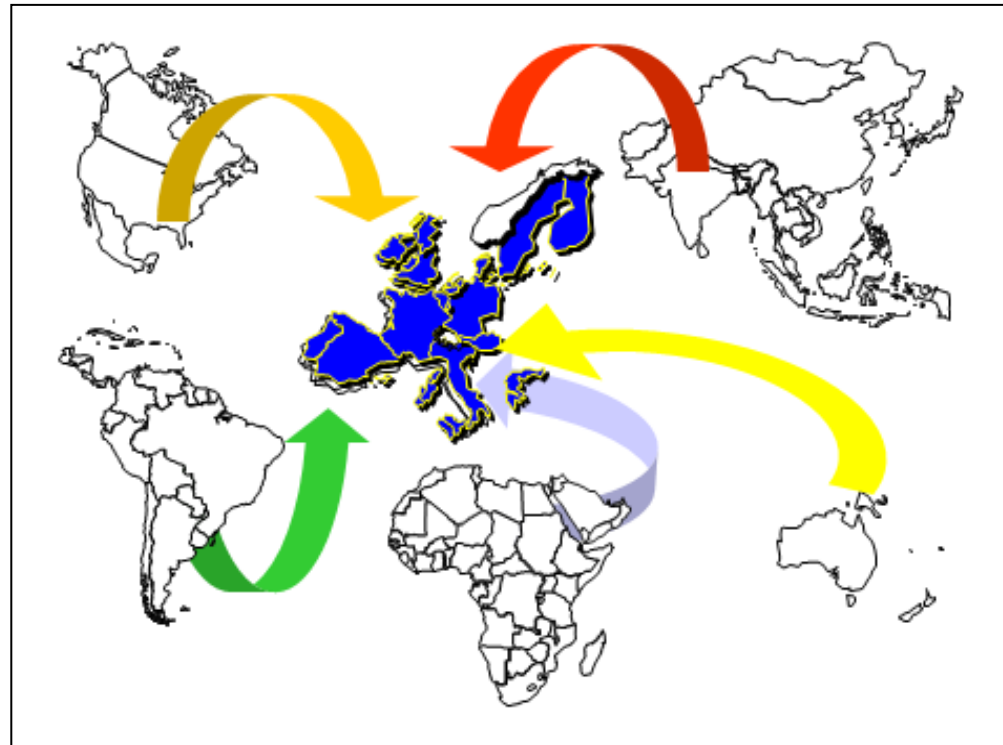




General Obligations of Food Trade



- Obligations relating to imports (Article 11)
- Obligations relating to exports (Article 12)

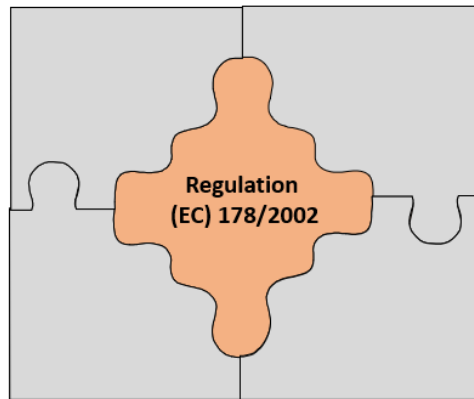


Codex Alimentarius
WOAH (Animal Health)
IPPC (Plant Protection)

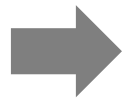




General Obligations of Food Trade



- ❑ Obligations relating to **imports** (Article 11)
 - food and feed imported into the EU for placing on the market within the EU **must comply** with the relevant requirements of EU food law
 - ~~○ or conditions recognised by the EU to be at least equivalent thereto~~
 - ~~○ or, where a specific agreement exists between the Union and the exporting country, with requirements contained therein.~~



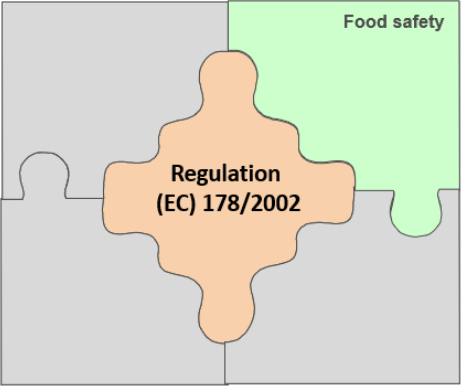

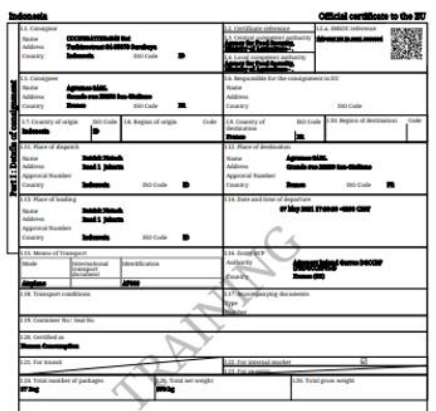
Obligations
relating to **imports**
(Article 11)

Obligations
relating to **exports**
(Article 12)

The EU is not recognizing the equivalence of the
food safety requirements of non-EU countries,
except in very rare cases

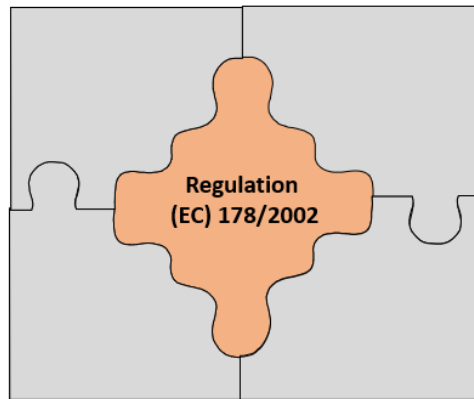


General Obligations of Food Trade

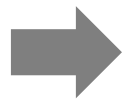
Conditions for entry in the EU		
Food safety requirements 	Official controls 	Official Certificates 
No equivalence (except in rare cases)	Recognition of equivalence (except in rare cases)	



General Obligations of Food Trade



- ❑ Obligations relating to **exports** (Article 11)
 - food and feed **exported** or re-exported from the EU for placing on the market of a third country **must comply** with the relevant requirements of EU food law,
 - **unless** otherwise **requested** by the **authorities** of the importing country or established by the legislation in force in the importing country.



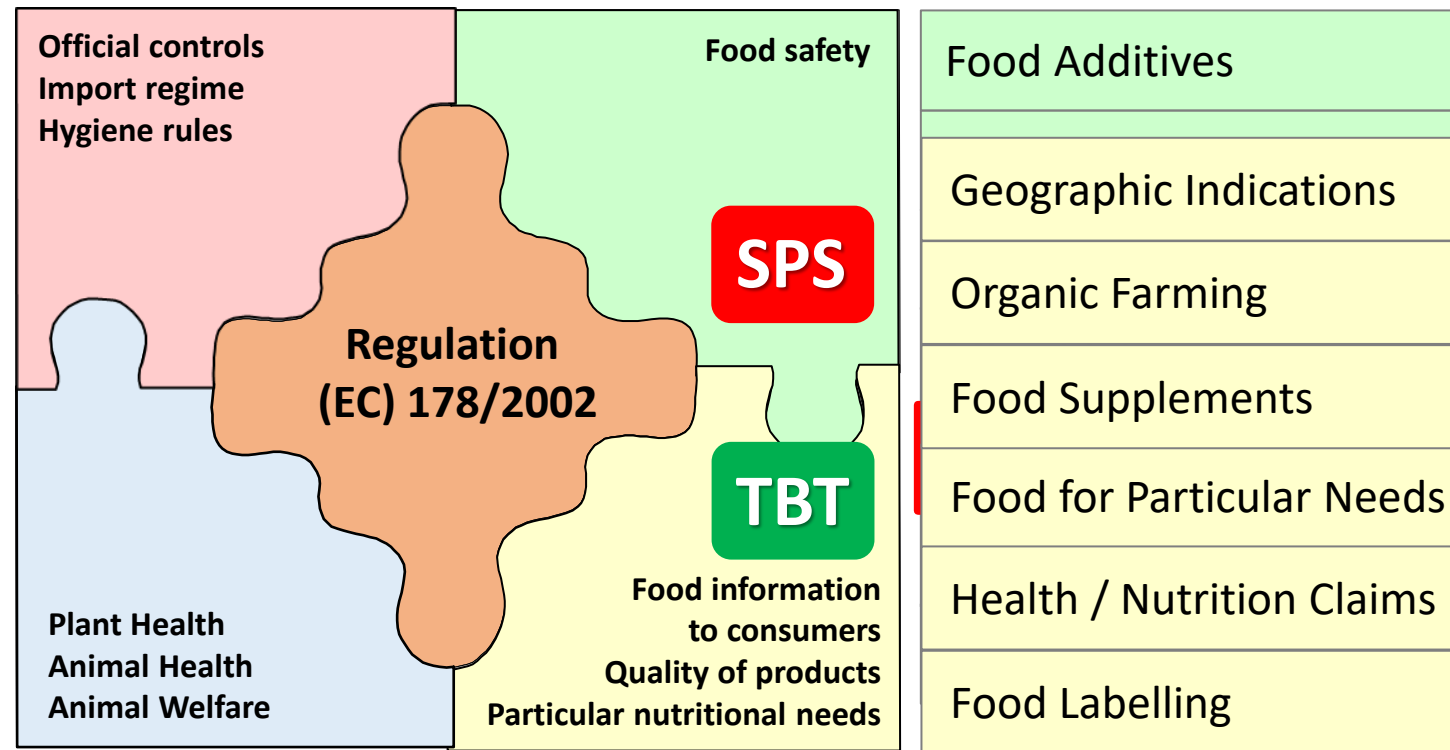
Obligations
relating to **imports**
(Article 11)

Obligations
relating to **exports**
(Article 12)

A food cannot be exported from the EU
if it could not be placed on the market in the EU.



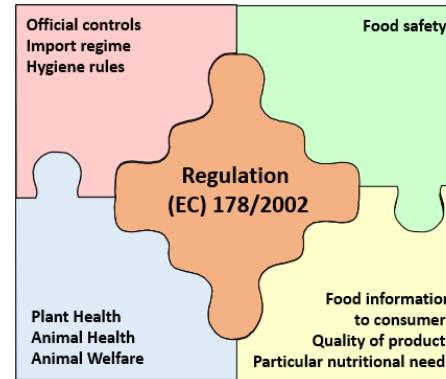
Overview of the EU Food Safety System





EU-Asia Cooperation on (Phyto-) Sanitary (SPS) and Food Safety Regulation in China, India, Indonesia, Japan, Malaysia, Philippines, South Korea, Thailand, Vietnam

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Thank you for your attention!



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For more information on the project activities:



<https://eu-asia-sps.com/>
www.aets-consultants.com