



**Tithe an
Oireachtais**
Houses of the
Oireachtas

An Comhchoiste um Thalmhaíocht, Bia agus Muir

**Cion Polaitiúil maidir le hAllmhairiú Mairteola agus Éanlaithe Clóis ón
mBrasaíl**

Aibrean 2017

Joint Committee on Agriculture, Food and the Marine

Political Contribution on the Import of Brazilian Beef and Poultry

April 2017

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Part I

Report of the Oireachtas Joint Committee

Introduction

- I. The Oireachtas Joint Committee on Agriculture, Food and the Marine, hereinafter referred to as “the Committee”, considered the issue of the import of Brazilian beef into the EU at its meetings of 28 March 2017 and 4 April 2017.
- II. The Committee, at its meeting of 28 March 2017 agreed to draft a political contribution on the import of Brazilian beef into the EU.
- III. The Committee has set out a number of points for consideration by the Commission in Part 2 of this document.

Decision of the Joint Committee

The Committee agreed to submit a Political Contribution to the EU institutions on *The Import of Brazilian Beef*. The Committee seeks by way of this contribution to highlight its concerns.

The Political Contribution, in Part 2 of this Report, was agreed by the Committee on 04 April 2017 and is hereby formally communicated to the European Commission, the European Parliament, the European Council and the respective relevant Irish Government Minister, the Minister for Agriculture, Food and the Marine. The report will also be laid before the Houses of the Oireachtas.

Part II

Introduction

In recent weeks Brazilian Federal Police launched 'Operation Weak Flesh' which has resulted in a number of arrests. The information currently available suggests that a small number of Brazilian meat processors were involved in bribing government officials and politicians in order to facilitate the sale and export of contaminated beef and poultry, some of which may have been rotten.

Brazil's federal police have accused more than 100 people, mostly inspectors, of taking bribes in exchange for allowing the sale of rancid meat products, falsifying export documents or failing to inspect meat-packing plants.¹

This scandal illustrates the need for robust inspection regimes for the protection of consumers. These events present a learning opportunity for the European Commission which may reduce risk to consumers in future.

¹ Eoin Burke-Kennedy, 'IFA wants meat removed from Mercosur trade deal in wake of Brazil scandal: Irish farmers' group ramps up campaign against Brazil food imports' *The Irish Times* (Dublin, 02 April 2017) <<http://www.irishtimes.com/business/agribusiness-and-food/ifa-wants-meat-removed-from-mercosur-trade-deal-in-wake-of-brazil-scandal-1.3033969>> accessed 03 April 2017

Opinion of the Committee

The Committee is profoundly concerned by the early indications arising from the investigation currently being conducted by Brazilian Federal Police. The Committee commends the work of the Brazilian Federal Police for its investigating and responding to the alleged misconduct. The Committee considers that the Brazilian authorities have treated the matter sufficiently seriously, noting in particular:

Operation Weak Flesh was launched [...] in six Brazilian states after a two-year investigation. Federal police carried out raids in 194 locations, deploying more than 1,000 officers.²

The Committee notes that the Brazilian Government have sought to clarify the scale of the issue:

It said the police investigation and the response by agriculture ministry officials “are the clearest proof that our protection and oversight system is alert and fully operational, and further serve as a guarantee to consumers of the quality of our country’s agricultural and livestock products”.³

- I. The Committee is concerned that the number of arrests made suggest that the problem is not insubstantial but remains hopeful that the prolonged and thorough investigation conducted by the Brazilian Federal Police will deal with the issue comprehensively.
- II. The Committee notes that the alleged misconduct relates to a relatively small number of Brazilian processors and is unlikely to reflect broader practice within the Brazilian meat production and processing sectors; however, until the integrity of the inspection regime is proven there remain serious questions as to the safety of imports from third countries.
- III. The Committee is extremely concerned that the Commission may not have detected this issue, and further, is concerned that contaminated produce may have entered the Union during the course of the investigation.

MEPs [...] asked the Commission why it had not been able to identify apparently long-lasting problems before learning about it from news reports.⁴

² ‘Brazil meat-packing giants ‘exported rotten beef’ BBC (London, 18 March 2017) <<http://www.bbc.com/news/world-latin-america-39311336>> accessed 03 April 2017

³ Tom Hennigan, ‘Brazilian president meets EU envoys over meat inspection standards: Brussels seeks ‘urgent clarification’ as officials claim Brazil’s meat products are safe’ *The Irish Times* (Dublin, 19 March 2017) <<http://www.irishtimes.com/business/agribusiness-and-food/brazilian-president-meets-eu-envoys-over-meat-inspection-standards-1.3016714>> accessed 03 April 2017

⁴ European Parliament, *Brazil meat scandal dominates Agriculture committee debate on EU trade talks* (21 March 2017) <<http://www.europarl.europa.eu/news/en/news-room/20170321IPR68009/brazil-meat-scandal-dominates-agriculture-committee-debate-on-eu-trade-talks>> accessed 4 April 2017

Immediate Response

The Committee is of the opinion that the European Commission must act with the utmost caution in relation to this matter. The issues concerned are of the utmost seriousness and represent a serious food safety concern.

- I. The Commission must give consideration to an extension of the present ban beyond imports from the processors involved in the present investigation. There should be no assumption that the issue is completely isolated to the plants identified to date. Such extension of the ban should only be considered if the Commission detects issues with imports from other processors.

The EU has so far suspended imports from 21 meat-packing plants in Brazil that are under investigation for bribing health officials to forgo inspections and overlook practices including processing rotten meat.⁵

- II. The Committee welcomes remarks from EU Commissioner for Health and Food Safety Vytenis Andriukaitis suggesting that the Commission intend to conduct a thorough investigation of the issue:

EU Commissioner for Health and Food Safety Vytenis Andriukaitis [...] hinted that the current restrictions and stepped-up checks on Brazilian meat imports were unlikely to be removed anytime soon. “The situation of meat imports from Brazil will remain under these reinforced checks until Brazil answers our questions and after our forthcoming audit team visits Brazil,” he said.⁶

- III. The Committee is further concerned that the Commission’s response to this issue has neither been satisfactory to consumers or producers in the European Union. EU producers are held to high standards, rightly so, however; there is a fair expectation that produce from third-countries should meet these standards and should be inspected with sufficient frequency as to prevent abuses such as those currently alleged.

MEPs insisted that any importers of foodstuffs into the EU should respect the same strict rules EU producers have to abide by.⁷

- IV. EU consumers have an entitlement to expect safe, high quality food produce. The current case, which may represent only a small percentage of meat imports from Brazil, raises valid questions as to how well consumers are protected.

⁵ Eoin Burke-Kennedy, ‘IFA wants meat removed from Mercosur trade deal in wake of Brazil scandal: Irish farmers’ group ramps up campaign against Brazil food imports’ *The Irish Times* (Dublin, 02 April 2017) <<http://www.irishtimes.com/business/agribusiness-and-food/ifa-wants-meat-removed-from-mercosur-trade-deal-in-wake-of-brazil-scandal-1.3033969>> accessed 03 April 2017

⁶ Ibid.

⁷ European Parliament, *Brazil meat scandal dominates Agriculture committee debate on EU trade talks* (21 March 2017) <<http://www.europarl.europa.eu/news/en/news-room/20170321IPR68009/brazil-meat-scandal-dominates-agriculture-committee-debate-on-eu-trade-talks>> accessed 4 April 2017

Many MEPs asked for more details about the extent of the fraud and stressed the EU must do utmost protect its consumers. Several members questioned severity of food-safety checks at EU borders, which, they said, should have detected problems with imported Brazilian meat long before revealed by press.⁸

Recommendations

The Committee agrees that beyond the immediate response to the issues highlighted by the investigation of the Brazilian Federal police, there remain long-term issues to be addressed. The Committee recommends that the Commission:

- I. Exercise extreme caution in its pursuit of trade agreements which could facilitate the import of agri-food produce, in greater volumes, from states whose inspection processes may not be as robust as their European counterparts;
- II. Conduct a review of the inspection regime for food produce from third-countries in order to prevent, if possible, recurrence of this issue;
- III. Include robust procedures within the Mercosur Agreement to facilitate rapid response to any potential future incident of a similar nature; and
- IV. Increase the volume of inspections on agri-food imports on a risk-based approach. Noting that there is little clarity as to whether or not issues had been identified by EU inspectors prior to the operation carried out by Brazilian Federal Police.⁹

⁸ Ibid.

⁹ Tom Hennigan, 'Brazilian president meets EU envoys over meat inspection standards: Brussels seeks 'urgent clarification' as officials claim Brazil's meat products are safe' The Irish Times (Dublin, 19 March 2017) <<http://www.irishtimes.com/business/agribusiness-and-food/brazilian-president-meets-eu-envoys-over-meat-inspection-standards-1.3016714>> accessed 03 April 2017

Appendices

Appendix 1: Terms of Reference

a. Functions of the Committee – derived from Standing Orders [DSO 84A; SSO 70A]

- (1) The Select Committee shall consider and report to the Dáil on—
 - (a) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and
 - (b) European Union matters within the remit of the relevant Department or Departments.
- (2) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.
- (3) Without prejudice to the generality of paragraph (1), the Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—
 - (a) Bills,
 - (b) proposals contained in any motion, including any motion within the meaning of Standing Order 187,
 - (c) Estimates for Public Services, and
 - (d) other mattersas shall be referred to the Select Committee by the Dáil, and
 - (e) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and
 - (f) such Value for Money and Policy Reviews as the Select Committee may select.
- (4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies:
 - (a) matters of policy and governance for which the Minister is officially responsible,
 - (b) public affairs administered by the Department,
 - (c) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,
 - (d) Government policy and governance in respect of bodies under the aegis of the Department,
 - (e) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,
 - (f) the general scheme or draft heads of any Bill,
 - (g) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,

- (h) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,
 - (i) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,
 - (j) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (d) and (e) and the overall performance and operational results, statements of strategy and corporate plans of such bodies, and
 - (k) such other matters as may be referred to it by the Dáil from time to time.
- (5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—
- (a) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,
 - (b) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,
 - (c) non-legislative documents published by any EU institution in relation to EU policy matters, and
 - (d) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.
- (6) Where a Select Committee appointed pursuant to this Standing Order has been joined with a Select Committee appointed by Seanad Éireann, the Chairman of the Dáil Select Committee shall also be the Chairman of the Joint Committee.
- (7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:
- (a) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,
 - (b) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and
 - (c) at the invitation of the Committee, other Members of the European Parliament.
- (8) A Select Committee appointed pursuant to this Standing Order may, in respect of any Ombudsman charged with oversight of public services within the policy remit of the relevant Department or Departments, consider—
- (a) such motions relating to the appointment of an Ombudsman as may be referred to the Committee, and
 - (b) such Ombudsman reports laid before either or both Houses of the Oireachtas as the Committee may select.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 84; SSO 70]

- (1) The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders; and
- (2) Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.
- (3) The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993; and
- (4) any matter which is being considered, or of which notice has been given of a proposal to consider, by the Joint Committee on Public Petitions in the exercise of its functions under Standing Orders [DSO 111A and SSO 104A].
- (5) The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—
 - (a) a member of the Government or a Minister of State, or
 - (b) the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.
- (6) It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

Appendix 2: Committee Membership

Chairman: Pat Deering (FG)

Vice Chairman: Jackie Cahill (FF)

Deputies: Michael D’Arcy (FG)
Martin Kenny (SF)
Charlie McConalogue (FF)
Willie Penrose (Lab)
Thomas Pringle (I4C)

Senators: Paul Daly (FF)
Tim Lombard (FG)
Pádraig Mac Lochlainn (SF)
Michelle Mulherin (FG)