SUMMARY RECORD OF THE
STANDING COMMITTEE ON THE FOOD CHAIN AND ANIMAL HEALTH
HELD IN BRUSSELS ON 17-18 JULY 2006
(Section Biological Safety of the Food Chain)

1. Information from the Commission and the United Kingdom on illicit practices in the dairy sector in the UK (SJ/TC)

Inspectors from the Food and Veterinary Office presented the background to the current situation (see Annex 1). They exposed the findings of an inspection mission carried out on 9 June 2006 in a dairy establishment, which is suspected of placing on the Community market large volume of cheese and cheese curd made from raw material unfit for human consumption. The two activities carried out in this establishment is the processing of ‘distressed’ milk into cheese curd and ‘cheese cleaning’. The material was received from numerous milk collectors and milk-processing establishments in the UK and was often labelled as ‘waste’, ‘contaminated cheese’, ‘reclaim milk’ …

The UK delegation thanked the FVO for its report and welcomed the opportunity to discuss its findings. It distributed 2 background documents, one of which was an audit report of the Food Standard Agency. The second one provided answers to the 3 questions raised by the Commission on 12 July on practices in the dairy sector in the UK (see Annexes 2 & 3).

Investigations were immediately launched with the local authorities. The company concerned stopped its activities for 10 days to review its functioning; 2 consignments were recalled. No evidence was found that contaminated milk was used in the production of curd cheese. The company will not resume its operations without prior approval of the Food Standard Agency.

The chairman asked every MS to give their position with regard to the same 3 questions put to UK (survey ‘tour de table’ annexed). He suggested the situation be reviewed at a working group meeting. Though the Commission and the UK share divergent opinion on this issue, discussions are hoped to lead to a friendly settlement.

2. Information and consultation of the Committee on the request by the Food Safety and Inspection Service (FSIS) from the USA for 2006 national residue monitoring plans and 2005 results from: Belgium, Czech Republic, Denmark, Finland, Germany, United Kingdom, Ireland, Italy, Spain and Sweden (AMBR) (See point 4 of the 19-20 June SCFCAH)

The reason why the American authorities have requested through the Commission 2006 national residue monitoring plans and 2005 results from only some Member States is that they had received them directly from the other Member States. The Commission suggested discussing the matter so as to find an arrangement to transmit such plans and reports in a uniformed way in the future.
3. Exchange of views and possible opinion on the following interdependent draft Commission Regulations/Decisions (See point 5 of the 19-20 June 2006 SCFCAH)

These interdependent draft proposals include the amendments recommended by the Legal Service. As a consequence, document SANCO/644/2006 was divided into 4 new documents. The Member States have been kept informed all the time of every step.


Amendments are brought to Annexes II and III to Regulation (EC) No 853/2004, notably as regards identification mark accompanying each product of animal origin, requirements for raw milk and colostrums production, etc.

The Swedish delegate stressed the need for a transitional period with regard to new rules, in particular the approval of establishments producing colostrums based products. The French delegate considered that removal of tonsils should also be directed at small ruminants. This issue will be examined at a later working group meeting. To address the German concern the Commission proposed to have working group meetings in order to discuss and determine harmonised criteria for colostrums. Furthermore the maximum residue levels as for milk should apply for colostrums.

Vote: in favour by qualified majority; Malta, Estonia and Portugal absent & not represented


This proposal clarifies that it is for the food business operator take care of the removal of tonsils after post mortem inspection and that colostrum should be subject to official controls. Furthermore the double language requirement for certificates (of third country of dispatch and of Member State of entry) is replaced by an obligation to use at least the official language of the MS of entry.

Vote: in favour by qualified majority; Malta and Portugal absent & not represented


Amendments brought by this proposal aim at improving existing model health certificates for imports of products of animal origin intended for human consumption (frogs’ legs, snails, collagen and gelatine). New model health
certificates are added as well for the import of fishery products, live bivalve molluscs and honey, with the effect of repealing all existing Decisions setting import certificates. Certification procedure for fishery products and live bivalve molluscs is simplified.

The proposal amends the list of reference methods for analysis and testing of milk and milk-based products, approved by national reference laboratories.

As regards the analytical methods for the detection of the paralytic shellfish poison in bivalve molluscs the Lawrence method should be considered as an alternative method to the biological testing method. Its use will be reviewed in light of the analytical work currently carried out by the Community reference laboratory for marine biotoxins.

The French, Spanish and German delegations expressed the view that the Lawrence method could be used as an alternative only under certain circumstances. They wished the Commission to stipulate clearly the technical conditions for its use. To address these concerns the Commission presented a modified Annex I to the draft. Germany insisted on the need for further consultation on this issue before vote.

France made the following statement on the honey certificate:

‘Les autorités françaises émettent des réserves quant au certificat d’importation pour le miel. Le modèle se limite aux conditions de santé publique et ne comporte aucune condition de santé animale (loque américaine, petit coléoptère des ruches et Tropilaelaps). On s’expose de ce fait à utiliser un certificat plus sévère en alimentation animale. Les importateurs de miel pour l’alimentation animale seront tentés de détourner le règlement (CE) n°1774/02 en introduisant leurs produits sous couvert d’un certificat de consommation humaine dans la mesure où rien ne leur interdit de déclasser les produits après importation. Par ailleurs, les négociants français ont fait savoir qu’un tel projet les empêcherait désormais d’exercer leur activité de réexportation vers les pays tiers de miel importé dans l’Union européenne sans garantie de santé animale car la plupart des pays tiers imposent des conditions de santé animale à l’importation pour le miel.’

Vote: in favour by qualified majority, 29 votes against, 29 votes abstaining; Poland absent & represented by Estonia, Lithuania absent & represented by Luxemburg, Malta absent & not represented.


This proposal provides for derogation to the obligation to keep meat of domestic swine in slaughterhouses before communication of the results of *Trichinella* examination. Under very strict conditions the health mark can be applied to the meat which can then be released for transport before the results are known. In such cases the competent authority should verify full traceability is in place at all times.

Vote: in favour by qualified majority; Malta and Portugal absent & not represented

This proposal allows for maintaining on a transitional basis, until 31 October 2007, the possibility for certain third countries having not yet undergone Community control to export live bivalve molluscs and fishery products under certain conditions.

**Vote:** in favour by qualified majority, 10 votes abstaining, Malta and Portugal absent & not represented

(vi) **Draft Commission Decision repealing certain directives and decisions on implementation of some directives in relation to food hygiene and to the health regulations governing production and the placing on the market of certain products of animal origin intended for human consumption and the decisions laying down the special conditions of import of the fishery and live bivalve mollusc products (Right of scrutiny of the European Parliament) (SANCO/226/2006 Rev. 8) (ACR)**

Former implementing measures which have been replaced by the new implementing measures of the ‘hygiene package’ which entered into force on 11 January 2006 should be formally repealed. This proposal lists the directives and decisions to be repealed as from that date.

**Vote:** in favour by qualified majority, Malta and Portugal absent & not represented

(vii) **Draft Commission Decision establishing the lists of third countries from which imports of bivalve mollusces, echinoderms, tunicates and marine gastropods and fishery products are permitted, the lists of establishments from which imports of fishery products are permitted and the lists of production areas from where live bivalve molluscs are permitted (SANCO/10245/2006 Rev. 8) (PCA/TG)**

The competent authorities of Australia, New Zealand and Uruguay having provided appropriate guarantees on equivalent sanitary conditions, they can be included into the lists of third countries from which imports of bivalve mollusces, echinoderms, tunicates and marine gastropods and fishery products are permitted. Armenia, Belarus and Ukraine can be added to the list of third countries for imports of fishery products since they have also provided appropriate guarantees.

**Vote:** in favour by qualified majority; Lithuania represented by Luxemburg, Poland and Austria by The Netherlands, Slovakia by Slovenia, Sweden by Finland; Malta absent & not represented

Due to the incorporation of animal health certification procedures into the health certificates under Regulation (EC) No 853/2004 for consignments intended for human consumption, it is necessary to amend Decisions 2003/804/EC and 2003/858/EC. Germany expressed a scrutiny reserve.

Vote: in favour by qualified majority; 29 votes abstaining; Lithuania represented by Luxemburg, Poland and Austria by The Netherlands, Slovakia by Slovenia, Sweden by Finland; Malta absent & not represented

4. Exchange of views and possible opinion of the Committee on a draft Commission Decision concerning a financial contribution from the Commission towards a baseline survey on the prevalence of Salmonella in slaughter pigs to be carried out in the Member States (SANCO/40162/2006 Rev. 6) (Legal basis : Council Decision 90/424/EEC ) (SI/KDS) (See point 7 of the SCFCAH’s of 17 May and 19-20 June 2006)

This survey covers a one year period starting on 1 October 2006 and aims at assessing the prevalence of Salmonella spp. across the Community in slaughter pigs sampled in the slaughterhouse. It will be used to collect at the same time information on contamination of carcasses in slaughterhouses and on the relation between bacteriological and serological tests. Financial Community contribution is foreseen up to EUR 20 per test for bacteriological detection, EUR 30 for serotyping of the relevant isolates and EUR 10 for serology on meat juice. The Commission gave further technical clarification and amended the draft to address final comments made by some Member States.

Vote: in favour by qualified majority; Lithuania represented by Luxemburg; Portugal absent & not represented

5. Exchange of views and possible opinion of the Committee on a draft Commission Decision concerning a financial contribution from the Commission towards a baseline survey on the prevalence of Salmonella in turkeys to be carried out in the Member States (SANCO/40161/2006 Rev. 4) (Legal basis : Council Decision 90/424/EEC ) (SI/KDS) (See point 8 of the SCFCAH’s of 17 May and 19-20 June 2006)

Vote: in favour by qualified majority; Lithuania represented by Luxemburg; Portugal absent & not represented

Regulation (EC) No 2160/2005 lays down rules to ensure that measures are taken to detect and control salmonella and other zoonotic agents. In particular, from 1 January 2010, eggs must not be used for direct human consumption unless they originate from a commercial flock of laying hens subject to a national programme and not under official restriction. The outcome of the baseline study on the prevalence of salmonella in laying flocks of *Gallus gallus* showed a high prevalence of *Salmonella enteritidis* and *Salmonella typhimurium*, which causes great public health risk. It is therefore appropriate to advance the date of restrictions on the intra-Community trade of table eggs. The Member States were requested to consult their Chief Veterinary Officer on their position on the extension of the measure to national trade as well. Many Member States could already express the option they prefer. The British delegate insisted on considering the negative economic impact such measures would cause on the egg industry. It is intended to discuss this issue further in autumn.


This proposal sets the maximum amounts of the Community contribution per Member States for implementing their programme for the eradication and monitoring of TSEs. These amounts have been increased as a result of the increase in the number of tests to be carried out. Furthermore the amount for Sweden will be increased more significantly as result of the detection of the first case of BSE in that country. The French delegate referred the Commission’s promise to consider additional financing for the additional screening tests on the French territory and asked whether the Commission could already give a follow up to its declaration made at the May 2006 SCFCAH. The Commission replied that it was too early to determine whether there was Community budget left to be redistributed.

**Vote:** in favour by qualified majority; Czech Republic represented by Belgium, Poland and Austria by The Netherlands, Slovakia by Slovenia, Sweden by Finland; Malta absent & not represented


This document explains the Commission’s purpose in organising training courses for the staff of the competent authorities in the Member States in charge of verifying compliance with EU food and feed law, animal health and animal welfare requirements, and with plant health requirements. These are also open to third countries and developing countries. An Executive Agency will be entrusted with this assignment in
accordance with a work programme imposed by the Commission. Training courses were already organised on avian influenza, import controls at border inspection posts, HACCP, by-products, etc. The Commission insisted that participants should always fill in and send the evaluation fiche since they help to improve the quality of the courses. A number of issues can be better dealt with at national level; therefore Community training should not replace national training. Member States were requested to forward information on the organisation of their national trainings. The Community training programme is meant to reach 10% of the control staff in the Member States. This white paper will be sent to the European Parliament and to the Council for further discussion.

9. Discussion and possibly consensus on a document titled “Avian influenza and food safety” (Document SANCO/1153/2006 Rev. 1) (TC) (See point 3 of the 19-20 June SCFCAH)

As no further comments were received from the Member States no change was made to the proposed text. The Commission would like to present it in the form of a guidance document on the actions to be taken by the competent authorities in case poultry is found to be infected by highly pathogenic avian influenza. Community legislation already provides for measures of withdrawal from the market and destruction of eggs and meat from infected poultry holdings. The intention here is to harmonise these actions. Once the general consensus is reached, the document is meant to be published on the SANCO Food Safety website. Many Member States were concerned that the text could convey a negative message leading to a reaction of panic from the consumers. A withdrawal measure of products having reached shops seemed disproportionate compared to the public health risk. Panic is also what the Commission wants to avoid in case of a crisis by giving clear recommendations to the Member States. The Commission will present an amended version of the document at the September SCFCAH.

10. Discussion and possibly reaching of a consensus on a draft Guidance document on official controls, under Regulation (EC) No 882/2004, concerning microbiological sampling and testing of foodstuffs (SANCO/2952/2005 Rev. 8) (MH) (See point 1 of 19-20 June SCFCAH)

The Commission representative distributed a revised version of the guidance document taking into account the comments form the MS. She presented the main changes and editorial ones. The reference to in-house control in section ‘Methods of analysis’ was for example deleted. The Danish delegate asked for a clarification in the meaning of cross contamination (section 9.2). The UK delegate did find appropriate to go beyond the ISO standards, notably by setting a time limit between sampling and arrival at the laboratory. The Austrian delegate required a more precise wording of the phrase ‘selective sampling’. France suggested extending the delay between sampling and arrival at the laboratory to 36 hours and between sampling and analysis to 48 hours. France also asked that Commission to consider the possibility to work on requirements for in-house control laboratories. The Spanish and Italian delegations expressed the need for more time and could not conclude on the document. The Commission re-worked the document over lunch going through all the comments made in the morning and presented the changes in the afternoon. The chairman suggested that MS send any further comments to the Commission though he considered the current document clarifies many of the issues raised.
11. Miscellaneous / Divers

- France wished to be informed of the follow-up to the report of the Commission on **residues control in Brazil**, in particular what replies were received from Brazil further to the conclusions of the report. France expressed concerns about the recurrence of problems in such a big exporting country. Further to the 2003 Food and Veterinary Office (FVO) mission, Brazil delivered an action plan which was satisfactory. The mission carried out in November 2005 revealed that the actions planned were not followed up as it should be. Inspectors gave an early warning after their mission. Problems mainly concern honey, game meat and fishery products. Brazil was deleted from the list of third countries authorised for imports honey and game meat. Residues plan was not submitted for fishery products. Brazil was given a possibility for correction: by 11 July 2006, a full blown action plan had to be provided, as well as the 2006 residue monitoring plan, and the 2005 report. These documents are being assessed by the FVO. France and the Netherlands asked the Commission to report fully on what Brazilians have done and how their actions are assessed.

- The Commission distributed the **Rapid Alert System for Food and Feed Annual Report 2005 (RASFF) (JLFG)**
  The Commission representative apologised for the delay in presenting the report. He explained that the Commission has tried to produce a better issue, which will be published on the SANCO Food Safety website ([http://ec.europa.eu/food/food/rapidalert/report2005_en.pdf](http://ec.europa.eu/food/food/rapidalert/report2005_en.pdf)). This issue is also meant to be mailed to the European Parliament, all stakeholders and all interested Directorates Generals.
  The RASFF is a network where information on food and feed is exchanged between the competent authorities of the Member States in case a risk on human health has been identified and measures have been taken. The Commission thanked the Member States and the Commission delegations for their help in making this report possible.

- **Fishery products from Indonesia (PVG)**
  As a result to non-compliance with the recommendations of the Food and Veterinary Office (FVO), the Commission has taken measures as regards imports of fishery products from Indonesia, reinforcing import checks for histamine and heavy metals. The Indonesian authorities have been updating the Commission and providing guarantees on corrective actions to the situation. They have submitted a residue monitoring plan recently which is undergoing evaluation of the FVO. The discussion is postponed until Member States have sent their report on the import checks to better assess the situation and decide on further actions.

  In its opinion of 18 January 2006 on “Quantitative assessment of the human BSE risk posed by gelatine with respect to residual BSE risk” ([http://www.efsa.europa.eu/en/science/biohaz/biohaz_opinions/1333.html](http://www.efsa.europa.eu/en/science/biohaz/biohaz_opinions/1333.html)) the European Food Safety Authority states that the acid treatment is equivalent to the alkaline treatment as regards gelatine reduction from ruminant bones. The Commission intends to propose the official introduction of the acid treatment into basic legislation.