

APPENDIX 5 – THE GENERAL GFL STUDY

ANNEX 5A

On-line survey questionnaire to stakeholders



Evaluation of Regulation (EC) No 178/2002, the General Food Law

**On-line survey questionnaire to
stakeholders**

Contents

| | |
|---|----|
| Introduction | 4 |
| Instructions for completing the questionnaire | 7 |
| Identification data | 9 |
| 1 Objectives of the GFL | 11 |
| 2 Scope and definitions | 12 |
| 3 GFL requirements and responsibilities | 13 |
| 3.1 Core requirements and responsibilities for food/feed business operators | 13 |
| 3.2 Food/feed safety requirements | 15 |
| 3.3 Allocation of responsibilities | 17 |
| 3.4 Traceability requirements | 19 |
| 3.5 Withdrawals and recalls | 21 |
| 4 International trade | 22 |
| 5 Risk analysis and precautionary principle | 23 |
| 6 Transparency | 25 |
| 6.1 Public consultation | 25 |
| 6.2 Public information | 27 |
| 7 Administrative costs and burden for food/feed business operators | 27 |
| 8 Overarching issues | 31 |

Introduction

The evaluation of Regulation (EC) No 178/2002, the “General Food Law” (GFL), forms part of the Commission’s Regulatory Fitness and Performance Programme (REFIT)¹, in particular the fitness check of the General Food Law. This study is being carried out for the European Commission by the Food Chain Evaluation Consortium (FCEC) and is managed by Agra CEAS Consulting.

The ultimate aim of this survey is to collect data to feed into the analysis of the evaluation questions as outlined in the Terms of Reference (ToR) for the evaluation of the GFL. The purpose of the evaluation is to assess whether the regulatory framework established by the GFL (Regulation (EC) No 178/2002) is effective and efficient and provides added value to stakeholders, so as to establish whether the GFL continues to be ‘fit for purpose’. The information and assessments provided in your responses to this questionnaire will be crucial in assessing the relevance, effectiveness, efficiency, coherence and added value of this regulatory framework and in informing the EU policy process. For this reason we highly appreciate you taking the time to respond to this survey.

This questionnaire is targeted at key stakeholders involved in the GFL, including organisations representing business operators of the entire feed and food supply chains from ‘farm to table’, other sectors of relevance, international organisations, relevant government bodies in third countries and consumer organisations, both at EU and national level. Please note that a separate complementary survey, using a similar questionnaire, will be carried out at the level of Member State Competent Authorities. In your answers, please express **your expert opinion based on the actual experience** with the GFL of the organisation/s that you represent. EU-level stakeholders should refer to the situation across the EU, and note any limitations in geographic coverage in the comment fields if needed. National stakeholders should refer to the situation in their own country, unless otherwise asked by the question.

A distinction is made between the GFL as such and secondary legislation that is based on the GFL. ‘Secondary legislation’ means all legislative (or non-legislative) texts that are enshrined in the scope of the GFL. **The present study is an evaluation of the General Food Law (Regulation (EC) No 178/2002); it is not an evaluation of the entire food and feed law or of individual areas of secondary legislation.** However, this Regulation is a framework and as such it contains general provisions and definitions, general principles, general obligations and general requirements. Some Articles stand alone because they provide for requirements directly imposed on food/feed business operators (FBOs), in particular the provisions relating to traceability (Article 18) and requirements for recalls/withdrawals (Article 19). Where the principles and general requirements set out in the GFL only become effective through implementation via secondary legislation, the relevant parts of this secondary legislation will be examined within the scope of this evaluation. The general objectives and principles such as the risk analysis (Article

¹ http://ec.europa.eu/smart-regulation/refit/index_en.htm

6), the precautionary principle (Article 7) and the principles of transparency (Articles 9 and 10) form a general framework to be followed when measures are taken by EU and national Competent Authorities (Article 4(2)). Indicatively, in application of the risk analysis principle, subsequent secondary EU food and feed legislation had to include specific procedures ensuring a prior independent scientific assessment of the relevant risks (*e.g.* authorisation procedures).

Some of the general obligations foreseen by the GFL, such as the general obligation of food/feed safety (Articles 14 and 15) and the responsibility of business operators at all stages of the supply chain to ensure that food/feed complies with the requirements of food law and to verify that such requirements are met (Article 17.1) are also a basis for subsequent secondary EU food/feed legislation (*e.g.* HACCP requirement introduced by Regulation (EC) No 852/2004 on the hygiene of foodstuffs).

A number of questions thus refer to **secondary legislation** stemming from the GFL. Key areas of secondary legislation relevant to the purposes of this evaluation are the following:

- Food hygiene
- GMOs
- Novel foods
- Food for specific groups (foods for infants and young children, total diet replacement for weight control, foods for medical purposes)
- Addition of vitamins, minerals and other substances to foods
- Irradiation
- Food labelling
- Contaminants
- Food improvement agents (food additives, flavourings and enzymes)
- Food contact materials
- Maximum residue limits for plant protection products
- Feed hygiene
- Feed additives
- Feed labelling

In this questionnaire, where reference is made to a specific article of the GFL, please consult the GFL Regulation in the link below:

[http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:031:0001:0024:EN:PDF)

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:031:0001:0024:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:031:0001:0024:EN:PDF)

Please consult the Commission's guidance on the implementation of Articles 11, 12, 14, 17, 18, 19 and 20 of Regulation (EC) No 178/2002 on general food law.

http://ec.europa.eu/food/food/foodlaw/guidance/docs/guidance_rev_8_en.pdf

Similarly, please refer to the DG SANTE website for any reference to the EU legislative texts applicable in the various areas of secondary legislation:

http://ec.europa.eu/food/food/index_en.htm

The scope of this evaluation is limited to Articles 1-21 of the GFL. It excludes the Articles covering the European Food Safety Authority (Articles 22-49; EFSA has already been evaluated), and the Rapid Alert System for Food and Feed (RASFF) and crisis management procedures (Articles 50-57) which are being evaluated in parallel in a *separate* study also mandated by DG SANTE.

The GFL evaluation will coordinate closely to avoid any potential overlap with these two studies. This is facilitated by the fact that these studies are also being carried out by the Food Chain Evaluation Consortium under the management of different FCEC partners.

The **time period** covered by the evaluation of the General Food Law is **2002-2013**. Please keep this timeframe in mind when answering any of the questions of this survey.

Please submit the completed questionnaire on line, no later than 27 March 2015.

Instructions for completing the questionnaire

This questionnaire is comprised of closed, mostly multiple-answer, questions, of two types:

- **yes/no questions**, where a tick means that you agree with the statement;
- **scoring questions**, where you are required to score your position on a scale from 1 to 5. In general terms, unless otherwise indicated in the question, the scoring scale is to be interpreted as follows: 1 = not at all/totally negative response, 5 = fully/totally positive response, with 3 = a middle or average position, e.g. more or less achieved/effective/relevant, etc.

While this is the general rule, more detailed instructions are provided for each question to guide your answers. Answers to some questions are compulsory, in which case you will not be able to move on to the next question if answers are missing. A “*don't know*” answer is available for each question, although we encourage respondents to always provide an actual answer to the extent possible. Most questions are followed by a **comment box** for any specific examples, evidence or comments you may have on the specific issue covered. Comment boxes may also be used to indicate the caveats, if any, related to your answers. *Please fill in free text every time you see “+ Comment box”.* *The on-line survey offers comment boxes to provide your free text answers.*

Please note that the host platform does not allow you to save your responses and go back to the questionnaire at a later stage. Therefore we strongly recommend that you **fill in the survey online only when all replies are ready** so that you complete the questionnaire in one session, otherwise you may lose all previous answers.

In addition, most questions are likely to require an **internal consultation within your organisation**, therefore please ensure that you allocate sufficient time to enable this consultation to take place and to prepare your replies.

EU-level organisations are encouraged to distribute this questionnaire to their national members and to organise internally their method of response, i.e. whether they wish to provide a coordinated response on behalf of their members or individual responses from their national members or both; it is noted that **this on-line survey is open only to associations and not individual companies**².

To facilitate your response, we have also provided a Word version of this questionnaire to use in your consultation with the relevant services/departments within your organisation or other relevant organisations, prior to filling in the on-line questionnaire. Please note that **your response to this questionnaire needs to be submitted online** (Word versions of the questionnaire will not be accepted).

² SMEs will be consulted on this evaluation via the Europe Enterprise Network SME Panel.

Data protection: All data collected through the survey will be used by the FCEC for the purposes of statistical analysis for the present study. The confidentiality of your responses and statements is guaranteed in the sense that only aggregated statistical data will be published and that you will not be personally identified as having responded to the questionnaire, unless you explicitly wish your organisation to be identified as such. Please note that in the use of the data collected, we conform to our contractual obligations with regards to personal data protection within the **FWC 2013-2017 Framework Contracts for evaluation, impact assessment and related services**³.

List of acronyms and terminology:

- Art.: Article of the General Food Law (Regulation (EC) No 178/2002)
- EU: European Union
- FBOs: feed/food business operators (as defined in Article 3 of the General Food Law)
- ‘food law’: means law governing any stage of production, processing and distribution of food and feed.
- FCEC: Food Chain Evaluation Consortium
- GFL: General Food Law (Regulation (EC) No 178/2002)
- HACCP: Hazard Analysis of Critical Control Points
- MS CAs: Member State Competent Authority/ies
- SMEs: Small and Medium Enterprises
- ToR: Terms of Reference of the evaluation of the General Food Law (Regulation (EC) No 178/2002)

THE FCEC THANKS YOU IN ADVANCE FOR YOUR COOPERATION

³ In line with these obligations, after having finalised the analysis of the answers to surveys and interviews and prepared reports, we are instructed to transfer all raw data to the European Commission without personal references. We are requested to erase in all the material the personal data of the respondents collected during the fieldwork, meaning the contact details, names, countries, addresses, and ages. The answers to the surveys and the personal data potentially contained in the contributions should during the performance of our contractual obligations only be accessed by the experts listed in our team as part of the staff executing the contract.

Identification data

1. Name of your organisation:

2. Sector of activities:

| | |
|---|--|
| | |
| Feed | |
| Food | |
| Other (e.g. transporters, food contact materials producers) <i>please specify</i> | |

3. Stage in the supply chain:

| | |
|--|--|
| | |
| Agricultural input production | |
| Feed production | |
| Agricultural production | |
| Primary processing | |
| Secondary and further processing stages | |
| Transport | |
| Wholesale/Trading/Brokerage/Distribution (B2B) | |
| Retailer (B2C) | |
| Consumers | |
| Other, <i>please specify</i> | |

4. Geographical location:

| | |
|----------------|--|
| EU-28 | |
| Non-EU | |
| Austria | |
| Belgium | |
| Bulgaria | |
| Croatia | |
| Cyprus | |
| Czech Republic | |
| Denmark | |
| Estonia | |
| Finland | |
| France | |
| Germany | |
| Greece | |

Evaluation of Regulation (EC) No 178/2002, the General Food Law: questionnaire for the on-line survey of stakeholders

| | |
|----------------|--|
| Hungary | |
| Italy | |
| Ireland | |
| Latvia | |
| Lithuania | |
| Luxemburg | |
| Malta | |
| Netherlands | |
| Poland | |
| Portugal | |
| Romania | |
| Slovenia | |
| Slovakia | |
| Spain | |
| Sweden | |
| United Kingdom | |

1 Objectives of the GFL

5. To what extent has the general horizontal framework introduced by the GFL and its implementation/application at EU/national level contributed to achieving the following core objectives of the GFL? *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Protection of human life/health | | | | | | |
| Protection of consumer interests | | | | | | |
| Free movement of food in the internal market | | | | | | |
| Free movement of feed in the internal market | | | | | | |

+ Comment box for justifications

Please fill in free text every time you see "+ Comment box". The on-line survey offers comment boxes to provide your free text answers.

6. To what extent is the general horizontal framework introduced by the GFL adequate to address:

(a) - Other objectives/needs? *To score on a scale 1-5 (1=not adequate; 5=fully adequate)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Innovation potential of the food chain | | | | | | |
| Consuming healthier food / nutritional needs of general population | | | | | | |
| Competitiveness of the food supply chain | | | | | | |
| Other: please specify | | | | | | |

+ Comment box, to specify other objectives/needs

(b) - Specific trends of today? *To score on a scale 1-5 (1=not adequate; 5=fully adequate)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Sustainability/food waste | | | | | | |
| Food quality | | | | | | |
| Food availability | | | | | | |
| Distance selling, including e-commerce | | | | | | |
| Globalisation of trade | | | | | | |
| Other: please specify | | | | | | |

+ Comment box, to specify other trends of today

2 Scope and definitions

Introduction

This section refers to the scope and definitions of the GFL as laid down in Articles 1 to 4: Articles 1 and 4 provide the scope of the GFL; Article 2 provides the definition of food; Article 3 provides other definitions.

7.

- (a) To what extent have the scope and general definitions of the GFL been **sufficiently broad** to ensure an integrated approach to food/feed safety management? *To score on a scale 1-5 (1= not sufficiently broad; 5=fully sufficiently broad)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Definition of food (Art. 2) | | | | | | |
| Food business operator (Art 3.3) | | | | | | |
| Definition of feed (Art. 3.4) | | | | | | |
| Feed business operator (Art. 3.6) | | | | | | |
| Retail (Art. 3.7) | | | | | | |
| Placing on the market (Art. 3.8) | | | | | | |
| Risk (Art. 3.9) | | | | | | |
| Hazard (Art. 3.14) | | | | | | |
| Other definitions of Art. 3: please specify | | | | | | |
| Scope (Art. 1 and 4) | | | | | | |

+ Comment box, to specify cases where it has been/has not been sufficiently broad to ensure an integrated approach to food/feed safety management

- (b) To what extent have the scope and general definitions of the GFL been **relevant** to address the objectives of food law (EU/national), *i.e.* high level of protection of human health and consumers' interest and the effective functioning of the internal market? *To score on a scale 1-5 (1= not relevant; 5=fully relevant)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Definition of food (Art. 2) | | | | | | |
| Food business operator (Art 3.3) | | | | | | |
| Definition of feed (Art. 3.4) | | | | | | |
| Feed business operator (Art. 3.6) | | | | | | |
| Retail (Art. 3.7) | | | | | | |
| Placing on the market (Art. 3.8) | | | | | | |
| Risk (Art. 3.9) | | | | | | |
| Hazard (Art. 3.14) | | | | | | |
| Other definitions of Art. 3: please specify | | | | | | |
| Scope (Art. 1 and 4) | | | | | | |

+ Comment box, to identify any areas/aspects that are missing. For example, other general definitions that could be included in the GFL to avoid duplication or inconsistencies throughout EU and national food law

3 GFL requirements and responsibilities

3.1 Core requirements and responsibilities for food/feed business operators

Introduction

This section refers to the following **core requirements/responsibilities** set out in the GFL for FBOs to:

- place only safe food/feed on the market (compliant with food/feed safety legislation) (Articles 14, 15) and verify that food/feed is compliant with food/feed law (EU/national provisions) (Article 17.1);
- establish one step back - one step forward traceability at all stages of production, processing and distribution (Article 18);
- withdraw/recall food/feed at risk (Article 19.1, 19.2, 20.1 and 20.2) ;
- notify public authorities in case food/feed considered at risk (Articles 19.3 and 20.3); and,
- collaborate with public authorities on actions taken to avoid or reduce risk (Articles 19.4 and 20.4).

8. To what extent have the core requirements/responsibilities imposed by the GFL on food/feed business operators (FBOs) achieved the following outcomes? *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

(a) The requirement to place safe food/feed on the market and verify that food/feed is compliant with food law has ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Entailed a fair and proportionate burden on FBOs | | | | | | |
| Contributed to improving cooperation between public authorities and FBOs | | | | | | |
| Contributed to fit for purpose withdrawals and recalls | | | | | | |
| Ensured a high level of protection of consumer's health | | | | | | |
| Ensured consumer confidence/trust in food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to provide examples where these outcomes have been/not been achieved

(b) The requirement to establish one step back - one step forward traceability has ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| | | | | | | |

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Entailed a fair and proportionate burden on FBOs | | | | | | |
| Contributed to improving cooperation between public authorities and FBOs | | | | | | |
| Contributed to fit for purpose withdrawals and recalls | | | | | | |
| Ensured a high level of protection of consumer's health | | | | | | |
| Ensured consumer confidence/trust in food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to provide examples where these outcomes have been/not been achieved

(c) The requirements of the GFL on withdrawals/recalls of food/feed at risk have ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Entailed a fair and proportionate burden on FBOs | | | | | | |
| Contributed to improving cooperation between public authorities and FBOs | | | | | | |
| Contributed to fit for purpose withdrawals and recalls | | | | | | |
| Ensured a high level of protection of consumer's health | | | | | | |
| Ensured consumer confidence/trust in food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to provide examples where these outcomes have been/not been achieved

(d) The requirement to notify public authorities in case food/feed considered at risk has ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Entailed a fair and proportionate burden on FBOs | | | | | | |
| Contributed to improving cooperation between public authorities and FBOs | | | | | | |
| Contributed to fit for purpose withdrawals and recalls | | | | | | |
| Ensured a high level of protection of consumer's health | | | | | | |
| Ensured consumer confidence/trust in food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to provide examples where these outcomes have been/not been achieved

(e) The requirement to collaborate with public authorities on actions taken to avoid or reduce risk has ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Entailed a fair and proportionate burden on FBOs | | | | | | |
| Contributed to improving cooperation between public authorities and FBOs | | | | | | |
| Contributed to fit for purpose withdrawals and recalls | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|------------|
| Ensured a high level of protection of consumer's health | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Ensured consumer confidence/trust in food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to provide examples where these outcomes have been/not been achieved

3.2 Food/feed safety requirements

Introduction

Article 14 of the GFL prohibits food being placed on the EU market if it is unsafe. Food is 'unsafe' if it is:

- Injurious to health; or
- Unfit for human consumption.

In general, to determine if a food is unsafe, one should take into account the normal conditions of use of the food and the information provided to the consumer. To determine whether a food is 'injurious to health', one should take into account (a) the short- and long-term effects of consuming such food, (b) the probable cumulative toxic effects and (c) the particular health sensitivities of a specific category of consumers when the food is intended for that category of consumers. To determine whether a food is 'unfit for human consumption', one should consider whether it is unacceptable for human consumption according to its intended use.

Article 15 of the GFL prohibits feed being placed on the Union market or fed to any food-producing animal if it is unsafe. Feed is unsafe if it has an adverse effect on human or animal health or makes the food derived from food-producing animals unsafe for human consumption.

9. The GFL imposes a general obligation on economic operators to market only food/feed that is safe. For this purpose, it sets out specific basic considerations (see introduction above) for establishing whether a food/feed is safe. In this context:

(a) Which of the following considerations have been relevant for protecting consumers' health?

| i. To determine whether FOOD is unsafe | Relevant | Not relevant | Don't know |
|--|----------|--------------|------------|
| Short- and long-term effects of consuming a specific food | | | |
| Probable cumulative toxic effect | | | |
| Particular health sensitivities of a specific category of consumers when the food is intended for that category of consumers | | | |
| Unacceptability of a food for human consumption | | | |

+ Comment box to justify on what basis the above considerations are relevant/not relevant

| ii. To determine whether FEED is unsafe | Relevant | Not relevant | Don't know |
|---|----------|--------------|------------|
| Adverse effect of a feed on human or animal health | | | |
| Food derived from food-producing animals unsafe for human consumption | | | |

+ Comment box to justify on what basis the above considerations are relevant/not relevant

(b) Are there any other considerations that are relevant in protecting consumers' health?

| | Yes | No | Don't know |
|-----------------------|-----|----|------------|
| Other considerations? | | | |

+ Comment box to specify other potential considerations and justify why these are relevant

(c) To what extent have the following considerations contributed to the effective functioning of the internal market? *To score on a scale 1-5 (1= have not contributed; 5=fully contributed)*

| i. To determine whether FOOD is unsafe | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Short- and long-term effects of consuming a specific food | | | | | | |
| Probable cumulative toxic effect | | | | | | |
| Particular health sensitivities of a specific category of consumers when the food is intended for that category of consumers | | | | | | |
| Unacceptability of a food for human consumption | | | | | | |

+ Comment box to provide examples of cases where the above considerations have contributed/not contributed to the effective functioning of the internal market

| ii. To determine whether FEED is unsafe | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Adverse effect of a feed on human or animal health | | | | | | |
| Food derived from food-producing animals unsafe for human consumption | | | | | | |

+ Comment box to provide examples of cases where the above considerations have contributed/not contributed to the effective functioning of the internal market

10. The GFL stipulates that food/feed that complies with EU food/feed safety legislation (including provisions laid down in secondary legislation) is deemed safe (Articles 14.7 for food, and 15.4 for feed). In this context:

(a) To what extent has the presumption that food compliant with EU food/feed legislation is safe proved to be **effective** in protecting consumers' health in the areas listed below? *To score on a scale 1-5 (1= not effective; 5=fully effective)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Food improvement agents (additives, enzymes and flavourings) | | | | | | |
| GMOs | | | | | | |
| Addition of vitamins, minerals and other substances to foods | | | | | | |
| Feed (feed labelling, feed additives, feed hygiene) | | | | | | |
| Novel foods | | | | | | |
| Hygiene of foodstuffs | | | | | | |
| Foods for specific groups (i.e. foods for infants and young children, total diet replacement for weight control., foods for special medical purposes) | | | | | | |
| Other, specify | | | | | | |

+ Comment box to provide examples of cases where the legal presumption has proved/not proved effective in protecting consumers' health

- (b) To what extent the presumption that food compliant with EU food/feed legislation is safe increased or decreased **administrative burden** for business operators in the areas listed below? *To score on a scale 1-5 (1= burden considerably increased; 3= no change; 5=burden considerably decreased)* *Note: for definition of administrative burden, please see introduction to Section 7 “Administrative costs and burden”.*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Food improvement agents (additives, enzymes and flavourings) | | | | | | |
| GMOs | | | | | | |
| Addition of vitamins, minerals and other substances to foods | | | | | | |
| Feed (feed labelling, feed additives, feed hygiene) | | | | | | |
| Novel foods | | | | | | |
| Hygiene of foodstuffs | | | | | | |
| Foods for specific groups (i.e. foods for infants and young children, total diet replacement for weight control., foods for special medical purposes) | | | | | | |
| Other, specify | | | | | | |

+ Comment box to provide examples of cases where the legal presumption has increased/decreased administrative burden

3.3 Allocation of responsibilities

Introduction

Article 17 of the GFL defines the roles of food/feed business operators and the national competent authorities:

- Food/feed business operators have the primary responsibility for food safety. They also must ensure compliance with the requirements of (EU/national) food law which are relevant to their activities and verify that such requirements are met. The scope of these requirements is the same as food law, in that they cover both the issues of feed/food safety (e.g. the hygiene legislation) and the protection of consumers' interests (e.g. food/feed labelling). (Article 17.1)
- National competent authorities monitor and enforce this responsibility through the operation of national surveillance and control systems. (Article 17.2)

As such, Article 17 lays down the foundations of an allocation of responsibilities both along the food chain and between business operators and national competent authorities, which is based on the principle that food/feed business operators have primary responsibility for ensuring compliance with EU/national food law while national competent authorities are responsible for monitoring and controlling enforcement.

11. Has the allocation of responsibilities along the food chain as laid down in Article 17 achieved the following outcomes? *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Contributed to a high level of protection of human health and consumers' interests as regards feed/food products placed on the market | | | | | | |
| Facilitated the placing on the market of feed/food products | | | | | | |
| Contributed to the effective functioning of the internal market | | | | | | |
| Ensured a fair and clear distribution of responsibilities amongst feed/food business operators along the 'farm to table' supply chain | | | | | | |
| Ensured a fair and clear distribution of responsibilities between feed/food business operators and Member State Competent Authorities | | | | | | |
| Reduced administrative burden (e.g. by avoiding unnecessary repetition of operators' self controls along the 'farm to table' supply chain) | | | | | | |
| Freed up resources at Member State Competent Authorities' level to focus on the enforcement of feed/food law | | | | | | |
| Strengthened 'trust' along the 'farm to table' supply chain | | | | | | |
| Ensured a consistent implementation of the 'farm to table' policy | | | | | | |
| Created a level playing field for all feed/food business operators in the EU | | | | | | |

+ Comment box, to provide examples

12. To what extent have feed/food business operators at all stages of production, processing and distribution been verifying (e.g. via their own internal controls) that the feed/food law requirements (set out at EU and national level) which are relevant to their activities are met?
To score on a scale 1-5 (1=do not verify; 5=fully verify)

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Food/feed business operators at the stage of production | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Food/feed business operators at the stage of processing | | | | | | |
| Food/feed business operators at the stage of distribution | | | | | | |
| Importers of food and feed into the EU | | | | | | |
| Transporters of food and feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box to indicate how operators conduct verification (e.g. via their own internal controls), and reasons why some operators may not conduct verification

13. To what extent have the above benefits resulting from the primary responsibility provisions of the GFL outweighed the costs of meeting this requirement (e.g. via own internal controls)?

| | <i>Tick</i> |
|--|-------------|
| Benefits have considerably outweighed costs | |
| Benefits have more or less outweighed costs (break even) | |
| Benefits have not for the most part outweighed costs | |
| Don't know | |

+ Comment box, to identify any data on the annual costs of meeting this requirement (e.g. costs as % of total production costs?), or the estimated cost-benefit ratio

3.4 Traceability requirements

Introduction

Article 18 of GFL establishes rules on traceability for food/feed safety purposes. It requires FBOs (a) to be able to identify from whom and to whom a food/feed/food-producing animal/any other substance intended to be (or expected to be incorporated into a food/feed has been supplied (“one step back – one step forward” approach) and (b) to have systems and procedures in place that allow this information to be made available to the competent authorities upon request.

14. To what extent did your members apply one step back – one step forward traceability, as outlined in Article 18, prior to the introduction of this requirement by the GFL?

| | <i>Tick</i> |
|-----------------------------|-------------|
| Yes (always/ in most cases) | |
| Yes, but not systematically | |
| Only rarely | |
| Never | |
| Don't know | |

+ Comment box, to highlight any examples of the application of one step back – one step forward traceability prior to the GFL obligation

15. To what extent has the requirement to implement one step back – one step forward traceability in the supply chain, as outlined in Article 18, improved tracing of food/feed for food/feed safety purposes in the EU, compared to the situation prior to the GFL? *To score on a scale 1-5 (1=not improved; 5=fully improved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|------------------------------|---|---|---|---|---|------------|
| Traceability for food safety | | | | | | |
| Traceability for feed safety | | | | | | |

+ Comment box, to highlight any examples of improvement of the tracing of food/feed compared to the situation prior to the GFL

16. To what extent has the general traceability requirement of Article 18 of GFL (“one step back – one step forward” approach and own systems/procedures in place to provide relevant information to the competent authorities) achieved the following outcomes? *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Assists in containing a food/feed safety problem | | | | | | |
| Assists in containing/addressing a non-compliance problem with food/feed legislation (not safety-related) | | | | | | |
| Ensures fair trading amongst FBOs | | | | | | |
| Ensures the reliability of information supplied to consumers for controls purposes (<i>i.e.</i> FBOs have to substantiate their claims to consumers) | | | | | | |
| Ensures effective tracing of feed/food across the full ‘ <i>farm to table</i> ’ supply chain in the EU | | | | | | |
| Ensures efficient (<i>i.e.</i> at lowest possible administrative burden) tracing of food/feed across the full supply chain in the EU ‘ <i>from farm to table</i> ’ | | | | | | |
| Facilitates risk identification | | | | | | |
| Ensures effective and efficient targeted withdrawals/ recalls of unsafe food/feed | | | | | | |
| Avoids/limits unnecessary disruption of trade | | | | | | |
| Contributes to maintain consumer trust and confidence to the safety of a food/feed | | | | | | |
| Other, please specify | | | | | | |

+ Comment box, to highlight any examples of the achievement of the above outcomes

17. To what extent have the above benefits resulting from the traceability requirement (one step back – one step forward approach) outweighed the costs of setting up and operating traceability systems, as required by the GFL?

| | <i>Tick</i> |
|--|-------------|
| Benefits have considerably outweighed costs | |
| Benefits have more or less outweighed costs (break even) | |
| Benefits have not for the most part outweighed costs | |
| Don't know | |

+ Comment box, to identify any data on the annual costs of traceability (e.g. traceability costs as % of total production costs?), or the estimated traceability cost-benefit ratio

3.5 Withdrawals and recalls

Introduction

Articles 19 and 20 of the GFL oblige food/feed business operators to withdraw or recall unsafe food, notify accordingly national competent authorities and collaborate fully on any further action taken to avoid or reduced risks posed by a food supplied.

Withdrawal is the process by which a product is removed from the supply chain, with the exception of a production that is in the possession of consumers.

Recall is the process by which consumers are asked to take the product back to the place of purchase or destroy it.

18. Have your members sought assistance from the competent authorities in the case of withdrawals and recalls? Have competent authorities provided your members with the necessary assistance in the case of withdrawals and recalls?

| | Yes (always/ in most cases) | Yes, but not systematically | Only rarely | Never | Don't know |
|---|-----------------------------|-----------------------------|-------------|-------|------------|
| Have your members sought assistance from CAs? | | | | | |
| Have CAs provided your members with the necessary assistance? | | | | | |

+ Comment box when this has not been the case

19. To what extent have the combined application of the provisions on determining the safety of feed/food, both in terms of traceability and withdrawals/recalls, achieved the following outcomes: *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Ensured targeted withdrawals/recalls of unsafe food/feed | | | | | | |
| Resulted in withdrawals/recalls of safe food/feed | | | | | | |
| Avoided disruption of trade | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|------------|
| Restored consumer confidence/trust in food | | | | | | |
| Ensured a high level of protection of consumers' health | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Other, please specify | | | | | | |

+ Comment box to justify answers

4 International trade

Introduction

Article 11 of GFL requires food and feed imported into the EU to comply with the EU requirements (also to be found in sectoral legislation) or to provisions considered equivalent to those or to requirements contained in specific agreements. Article 12 of GFL requires food/feed exported/re-exported from the EU to a third country to comply with EU requirements or with the requirements of the third country. In other circumstances, except in the case of food injurious to health or unsafe feed, food/feed can only be exported/re-exported if the competent authorities of the third country of destination have expressly agreed.

Note: The following questions refer to the impact of the GFL core responsibilities/requirements as such on the imports of food/feed into the EU and the international competitiveness of EU food/feed .

20. To what extent has the GFL influenced, positively or negatively, the following aspects of EU imports of feed/food from third countries? *To score on a scale 1-5 (1=very negative; 2=negative; 3=neutral; 4=positive; 5=very positive)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Quantity of imports | | | | | | |
| Quality/safety of imports | | | | | | |
| Consumer trust and confidence in imported feed/food | | | | | | |
| Business trust and confidence in imported feed/food | | | | | | |
| Acceptance/use of EU standards in international trade | | | | | | |
| Avoiding/limiting the impact of a feed/food crisis in the EU | | | | | | |
| Other (please specify) | | | | | | |

+ Comment box, to identify cases where the GFL has influenced, positively or negatively, any of the listed outcomes, and resulting benefits/losses incurred in terms of increased/decreased import value/volume, diversification of sourcing etc. Please report both any positive and any negative impacts of the GFL in terms of EU imports of feed/food from third countries

21. To what extent has the GFL influenced, positively or negatively, the following aspects of EU exports of feed/food to third countries? *To score on a scale 1-5 (1=very negative; 2=negative; 3=neutral; 4=positive; 5=very positive)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Quantity of exports | | | | | | |
| Quality/safety of exports | | | | | | |
| Consumer trust and confidence in EU exported feed/food | | | | | | |
| Business trust and confidence in exported feed/food | | | | | | |
| Acceptance/use of EU standards in international trade | | | | | | |
| Avoiding/limiting the impact of a feed/food crisis on international trade | | | | | | |
| Competitiveness of EU feed/food exports in international markets | | | | | | |
| Other (please specify) | | | | | | |

+ Comment box, to identify cases where the GFL has influenced, positively or negatively, any of the listed outcomes, and resulting benefits/losses incurred in terms of increased/decreased export value/volume, geographical presence etc. Please report both any positive and any negative impacts of the GFL in terms of EU exports of feed/food to third countries

5 Risk analysis and precautionary principle

Introduction

The GFL (Article 6) requires that national and EU measures on feed/food should be based on risk analysis, except where this is not appropriate to the circumstances or the nature of the measure. Risk analysis is composed of three elements: (a) risk assessment, which is to be carried out in an independent, objective and transparent manner on the basis of available scientific information and data, (b) risk management which takes into account the risk assessment as well as other legitimate factors and, where relevant, the precautionary principle, and (c) risk communication. The precautionary principle (Article 7) should be triggered in specific circumstances where a risk to life or health exists and there is scientific uncertainty.

22. To what extent have EU measures on feed and food been adopted on the basis of a risk analysis, as laid down in Article 6?

| | <i>Tick</i> |
|-----------------------------|-------------|
| Yes (always/ in most cases) | |
| Yes, but not systematically | |
| Only rarely | |
| Never | |
| Don't know | |

+ Comment box to identify and provide examples of EU measures that have not been adopted on the basis of a risk analysis

23. To what extent have national (Member State) measures on feed and food been adopted on the basis of a risk analysis, as laid down in Article 6?

| | Tick |
|-----------------------------|------|
| Yes (always/ in most cases) | |
| Yes, but not systematically | |
| Only rarely | |
| Never | |
| Don't know | |

+ Comment box, to identify and provide examples of national measures taken by Member States that have not been adopted on the basis of a risk analysis

24. Where national and EU measures on feed/food have been adopted on the basis of a risk analysis, to what extent have the following outcomes been achieved? *To score on a scale 1-5 (1=not achieved; 5=fully achieved)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Unjustified barriers to the free movement of feed/food have been avoided in the case of EU measures | | | | | | |
| EU measures have been effective | | | | | | |
| EU measures have been proportionate | | | | | | |
| EU measures/actions have been targeted to protect health | | | | | | |
| Unjustified barriers to the free movement of feed/food have been avoided in the case of national measures | | | | | | |
| National measures have been effective | | | | | | |
| National measures have been proportionate | | | | | | |
| National measures/actions have been targeted to protect health | | | | | | |
| Other (please specify) | | | | | | |

+ Comment box to identify and provide examples of cases where EU/national measures that have been adopted on the basis of a risk analysis have achieved or not achieved any of the above outcomes. Please report both any positive and any negative impacts of EU/national measures

25. To what extent has the precautionary principle been applied correctly? *To score on a scale 1-5 (1=not correctly applied; 5=correctly applied)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|----------------|---|---|---|---|---|------------|
| EU level | | | | | | |
| National level | | | | | | |

+Comment box to identify any cases of national measures taken where the precautionary principle has not been applied correctly

6 Transparency

6.1 Public consultation

26. To what extent has there been an open and transparent public consultation for EU feed/food legislation, during the following phases of its development?

(a) Open and transparent public consultation during **preparation** of EU legislation

| | <i>Tick</i> |
|--|-------------|
| Yes (always/ in most cases) | |
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

(b) Open and transparent public consultation during **evaluation** of EU legislation

| | <i>Tick</i> |
|--|-------------|
| Yes (always/ in most cases) | |
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

(c) Open and transparent public consultation during **revision** of EU legislation

| | <i>Tick</i> |
|--|-------------|
| Yes (always/ in most cases) | |
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

27. To what extent has there been an open and transparent public consultation for national feed/food legislation, during the following phases of its development? *For national organisations: please reply with regards to measures taken in your Member State.*

(a) Open and transparent public consultation during **preparation** of national legislation

| | <i>Tick</i> |
|-----------------------------|-------------|
| Yes (always/ in most cases) | |

| | |
|--|--|
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

(b) Open and transparent public consultation during **evaluation** of national legislation

| | |
|--|-------------|
| | <i>Tick</i> |
| Yes (always/ in most cases) | |
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

(c) Open and transparent public consultation during **revision** of national legislation

| | |
|--|-------------|
| | <i>Tick</i> |
| Yes (always/ in most cases) | |
| Yes, but not systematically - <i>Justify your answer</i> | |
| Only rarely - <i>Justify your answer</i> | |
| Never - <i>Justify your answer</i> | |
| Don't know | |

+ Comment box, to justify negative answers

28. To what extent have your members been sufficiently consulted by the national CAs during the preparation, evaluation and revision of food/feed legislation at EU or national level? *Sufficient = your input has been sought in a structured manner and has been taken into account by the CAs in a balanced way. To score on a scale 1-5 (1=not sufficiently consulted; 5=fully sufficiently consulted)*

| | | | | | | |
|---|---|---|---|---|---|------------|
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Preparation of new legislation | | | | | | |
| Evaluation and revision of existing legislation | | | | | | |

+ Comment box to identify any cases where feed/food business operators have not been sufficiently consulted

6.2 Public information

Introduction

Article 10 of GFL obliges national authorities to inform the general public where there are reasonable grounds to suspect that a food or feed may present a risk to human or animal health.

29. To what extent has the process of risk information improved over time, in particular taking into account lessons learnt from previous crises (e.g. dioxin, *E. coli*, etc.)?

| | <i>Tick</i> |
|--------------------------|-------------|
| Yes, considerably | |
| Yes, to some extent | |
| Only to a limited extent | |
| Not at all | |
| Don't know | |

+ Comment box, to identify cases of continuing failure in risk communication, and impact of these cases

30. In the case of recalls that have occurred in the last five years in your country, to what extent communicating to the public that a food/feed may present a risk for human or animal health has had an impact, positive or negative, in terms of the following aspects? *To score on a scale 1-5 (1=very negative; 2=negative; 3=neutral; 4=positive; 5=very positive)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Consumer confidence/trust | | | | | | |
| Preventing/managing food and feed crises | | | | | | |
| Limiting unnecessary disruption of trade | | | | | | |
| Limiting financial damage | | | | | | |
| Other (please specify) | | | | | | |

+ Comment box to justify the answer given

7 Administrative costs and burden for food/feed business operators

Introduction

Administrative costs are defined as the costs incurred by economic operators in meeting the legal obligations stemming from the GFL, and secondary legislation based on the GFL, to provide information in the context of these obligations, either to public authorities or to private parties. Information is understood in a broad sense, i.e. including labelling, reporting, registration, monitoring and assessment needed to provide the information (see next question on types of information obligations).

In some cases, the information has to be transferred to public authorities or private parties. In others, it only has to be available for inspection or to be supplied on request. These costs include:

- Recurring administrative costs; and,
- Where significant, one-off administrative costs.

The administrative costs include business-as-usual (BAU) costs and administrative burdens. The business-as-usual costs correspond to the costs resulting from collecting and processing information which would be done in any case, even in the absence of the legislation e.g. having a book-keeping system. The administrative burdens stem from the part of the process which is done solely because of a legal obligation stemming from the GFL, e.g. adjusting an existing book-keeping system, or changing the book-keeping system, in order to be able to provide information to meet a legal obligation required by the GFL and secondary legislation based on the GFL. In the questions below, a distinction should be made between costs to provide information that would be collected and processed by businesses even in the absence of the legislation (which generates **BAU costs excluded from the analysis**) and information that is solely collected because of the legal obligation (which generates administrative burdens).

31. What have been, typically, the most burdensome Information Obligations (IOs) stemming from the provisions of EU food law (i.e. the GFL and secondary legislation based on the GFL)?

Please rank the most burdensome IOs, in terms of the administrative actions typically involved to fulfil these obligations and associated administrative costs (excluding BAU costs). Please start by ranking the most burdensome of all IOs (this should rank #1), followed by the second most burdensome (rank #2), and so on.

| Information Obligation | Rank <i>(based on costs)</i> |
|--|--|
| Notification of (specific) activities or events stemming from the GFL, e.g. information on traceability made available to CAs on demand (GFL Art. 18.2 and 18.3); notifying CAs when reasons to believe food injurious to health (GFL Art. 19.3) or feed placed on the market may not satisfy the feed safety requirements (GFL Art. 20.3) | |
| Notification of (specific) activities or events stemming from secondary legislation** | |
| Submission of (recurring) reports** | |
| Information labelling for third parties | |
| Information, other than labelling, for third parties | |
| Application for individual authorisation or exemption** | |
| Application for general authorisation or exemption | |
| Registration** | |

| Information Obligation | Rank (based on costs) |
|--|----------------------------------|
| Certification of products or processes** | |
| Cooperation with audits and inspection by public authorities (GFL), e.g. ad hoc inspections in the context of the GFL Art. 19 and 20 | |
| Cooperation with audits and inspection by public authorities (secondary legislation), e.g. regular inspections in the context of secondary legislation on official controls (Regulation (EC) 882/2004)** | |

Note: The information obligations will imply various administrative actions including: familiarisation with IOs; record keeping; staff training; putting into place ICT systems and equipment etc. The costs associated to these activities should exclude business-as-usual (BAU) costs, i.e. costs that would have been incurred anyway, even in the absence of the information obligation.

*** There is no direct provision on this in the GFL. This is generated by secondary legislation, e.g. registration of operators in the context of hygiene rules (Hygiene Package).*

+ Comment box to provide example or comments on the ranking of Information Obligations

32. What have been, typically, the current administrative costs of EU food law (i.e. the GFL and secondary legislation based on the GFL)? *Please estimate the costs typically involved, in % of total operational costs and in % of total staff numbers, by size of company, excluding business-as-usual (BAU) costs. In view of the range of companies your organisation may represent, please indicate the typical costs involved, on average, for representative companies in your sector, depending also on their size.*

| | Micro | Small | Medium | Large |
|--|-------|-------|--------|-------|
| Total annual administrative costs, including training, as % of total operational costs | | | | |
| Total number of FTEs involved, as % of total number of FTEs | | | | |

Note: the survey offers, for each cell in the table above, a drop-down menu to choose between: 0-5%; 5-10%; 10-20%; >20%.

+ Comment box for justifications, evidence and/or to highlight any caveats or constraints related to your answer

33. In which of the following key obligations stemming from the GFL is there a potential for (legislative, non-legislative) simplification and reduction of administrative costs and burden?

| | Yes, considerable | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|--|-------------------|------------------------------------|--------------------------|----|------------|
| | | | | | |

| | Yes, considerable | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|--|-------------------|------------------------------------|--------------------------|----|------------|
| Placing safe food/feed on the market) | | | | | |
| Obligation of verification (internal controls) | | | | | |
| Traceability (one step forward one step back) | | | | | |
| Withdrawals and recalls | | | | | |
| Other (please specify) | | | | | |

+ Comment box for cases (analysis of specific areas) where simplification potential exists, including actions taken in the context of ongoing/recent revisions to secondary legislation. In particular, by type of simplification: areas where legislation can be replaced by codes of good practice or guidelines; areas where simplification is possible (but legislation remains essential)

34. To what extent have any of the following tools helped you to save money/work more efficiently in meeting your legal obligations (GFL and secondary legislation)?

| | Yes systematically | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|--------------------------------|--------------------|------------------------------------|--------------------------|----|------------|
| EU guidelines | | | | | |
| National guidelines | | | | | |
| Private guidelines | | | | | |
| Private standards | | | | | |
| Private codes of good practice | | | | | |
| Other (please specify) | | | | | |

+ Comment box, to provide examples of best practice cases, e.g. private standards that complement EU food law provisions in the GFL to maximise efficiency

35. To what extent have any of the following tools helped you to meet your legal obligations (GFL and secondary legislation) more effectively?

| | Yes systematically | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|---------------------|--------------------|------------------------------------|--------------------------|----|------------|
| EU guidelines | | | | | |
| National guidelines | | | | | |
| Private guidelines | | | | | |
| Private standards | | | | | |

| | Yes systematically | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|--------------------------------|--------------------|------------------------------------|--------------------------|----|------------|
| Private codes of good practice | | | | | |
| Other (please specify) | | | | | |

+ Comment box, to provide examples of best practice cases, e.g. private standards that complement EU food law provisions in the GFL to maximise effectiveness

36. In which areas of the EU food law do you see alternative means/measures of ensuring compliance other than law (e.g. guidelines, private standards or codes of good practice)?

| | Yes | No | Don't know |
|--|-----|----|------------|
| GFL core areas | | | |
| Food hygiene | | | |
| GMOs | | | |
| Novel foods | | | |
| Food for specific groups | | | |
| Addition of vitamins, minerals to foods | | | |
| Irradiation | | | |
| Food labelling | | | |
| Contaminants | | | |
| Food improvement agents | | | |
| Food contact materials | | | |
| Maximum residue limits for plant protection products | | | |
| Feed hygiene | | | |
| Feed labelling | | | |
| Feed additives | | | |
| Other (please specify) | | | |

+ Comment box for indicating which alternative means for which areas

8 Overarching issues

37. To what extent has the legislative framework introduced by the GFL provided any of the benefits highlighted below, compared to what could be achieved, in the absence of a common framework, by Member States at national and/or regional levels or at international level (Codex, OIE)? *To score on a scale 1-5 (1=benefit not provided; 5=benefit fully provided)*

The GFL has ...

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|---|---|---|---|---|---|------------|
| Provided the basis for a single, uniform framework and principles to develop EU rules in secondary legislation on food/feed safety | | | | | | |
| Improved coherence of food safety rules across Member States | | | | | | |
| Improved internal coherence of food safety rules between sectors | | | | | | |
| Raised the overall level of food safety standards applying across the EU, including the scientific and technical soundness of these standards | | | | | | |
| Allowed both EU and third country food/feed supply chains a unique reference to food safety standards applying across the EU | | | | | | |
| Provided improved EU product safety recognition worldwide | | | | | | |
| Contributed to an improved quality perception in third country markets | | | | | | |
| Contributed to an increased demand for EU products in third countries | | | | | | |
| Facilitated enforcement of rules across the EU | | | | | | |
| Allowed simplification, thus leading to a reduction in administrative costs and burden | | | | | | |
| Consistently allocated responsibilities among FBOs along the chain | | | | | | |
| Other: please specify | | | | | | |

+ Comment box, to justify any of the above benefits stemming from the common framework of the GFL

38. To what extent has each of the core requirements of the GFL had an impact, positive or negative, in terms of ensuring food/feed safety in the EU? *To score on a scale 1-5 (1=very negative; 2=negative; 3=neutral; 4=positive; 5=very positive)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Traceability (one step forward one step back) | | | | | | |
| FBO responsibility to place safe food/feed on the market | | | | | | |
| Withdrawals and recalls | | | | | | |
| Obligation of verification (internal controls) | | | | | | |
| Penalties | | | | | | |
| Other (please specify) | | | | | | |

+ Comment box, to explain which areas have had a positive or a negative impact, and reasons why

39. To what extent have the EU guidelines concerning the following areas of the GFL been useful in assisting feed/food operators to comply with their obligations? *To score on a scale 1-5 (1=not used/useful; 5=fully used/useful)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|--|---|---|---|---|---|------------|
| Guidelines on traceability requirements (Article 18) | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | Don't know |
| Guidelines on the determination of safe food and food safety requirements (Article 14) | | | | | | |
| Guidelines on the allocation of responsibilities between food/feed businesses and control authorities (Article 17) | | | | | | |
| Guidelines on recalls/withdrawals of unsafe food (Article 19) | | | | | | |
| Guidelines on recalls/withdrawals of unsafe feed (Article 20) | | | | | | |
| Guidelines on imports of food/feed (Article 11) | | | | | | |
| Guidelines on exports of food/feed (Article 11) | | | | | | |

+ Comment box, to explain in which areas guidelines have been/not been useful and reasons why

40. To what extent have there been differences in the implementation/application of the GFL amongst Member States, in any of the following areas?

| | Yes systematically | Yes, to some extent/ in some cases | Only to a limited extent | No | Don't know |
|---|--------------------|------------------------------------|--------------------------|----|------------|
| Definitions of GFL | | | | | |
| Risk analysis | | | | | |
| Application of the precautionary principle | | | | | |
| Imports of feed/food in the EU from third countries | | | | | |
| Exports of EU feed/food to third countries | | | | | |
| Determination of safe food | | | | | |
| Determination of safe feed | | | | | |
| Allocation of responsibilities between food/feed businesses and control authorities | | | | | |
| Traceability | | | | | |
| Requirements regarding recalls/withdrawals of unsafe food | | | | | |
| Requirements regarding recalls/withdrawals of unsafe feed | | | | | |

+ Comment box, to provide examples of differences in implementation, reasons why, and problems caused

41. To what extent has the general framework introduced by the GFL sufficiently taken into account, where appropriate, the following aspects? *To score on a scale 1-5 (1=not taken into account; 5=fully taken into account)*

| | 1 | 2 | 3 | 4 | 5 | Don't know |
|----------------|---|---|---|---|---|------------|
| Animal welfare | | | | | | |
| Animal health | | | | | | |
| Plant health | | | | | | |
| Environment | | | | | | |

+ Comment box to justify why these aspects have been/not been taken into account