



Brussels, 10 April 2013

Subject: Minutes Working Group on the general application of Regulation (EC) 882/2004

Date of the Meeting: 10 April 2013

Place: CCAB Room 1C, Rue Froissart 36, Brussels

Chairman: Eric Pondelet [Director of food safety directorate E]

ITEMS ON THE AGENDA:

1. COMPILED AVAILABLE DATA ON CONTROL RESULTS (DNA AND PHB) (COM)

DG SANCO gave a short presentation on the state of play of Member States' reporting pursuant to Recommendation 2013/99/EU. As of 10 April 2013, DG SANCO had received reports (some only partial) from 16 Member States. A breakdown of the results presented to the working group is given in the table below:

DNA Testing		Phenylbutazone Testing	
Total no. samples	Non-compliances	Total no. samples	Non-compliances
2722	133	1729	2

Member States were strongly encouraged to continue sending their testing results to the Commission and were reminded that the final deadline for doing so is April 15 2013. DG SANCO pledged to make such results available immediately thereafter and informed Member States that a brief presentation of the final results would be given on 16 April 2013 at the SCOFCAH (Biological safety section). SANCO also informed of its intention to have more in-depth discussions on the testing results and any relevant follow-up to Commission Recommendation 2013/99 at the SCOFCAH (Controls and Import Conditions section) planned for 19 April 2013.

2. MEMBER STATES PRACTICES AS TO THE DESTINATION OF MISLABELLED MEAT PRODUCTS/ UNDECLARED HORSEMEAT (TOUR DE TABLE, DEBATE)

DG SANCO presented the data received by the Commission via the RASFF. A preliminary analysis of that data was also carried out in an attempt to identify the food supply chains involved in fraudulent meat labelling activities. It was made clear that the analysis of the data was not intended to represent the official opinion of the European Commission nor was it meant to identify culprits.

Member States requested DG SANCO to clarify the application of certain EU rules. DG SANCO explained how to interpret the relevant rules of Regulation 178/2002 and Commission implementing Regulation 931/2011. It was requested that the latter interpretation be made available to Member States in writing (see Annex).

During the discussion, the Netherlands informed that a RASFF notification had been issued to report 50.000 tonnes of untraceable meat which have apparently left an establishment in the Netherlands over a period of 2 years.

Generally, Member States reported that administrative cooperation amongst them is functioning well. However, DG SANCO was informed that in cases involving criminal investigations/proceedings exchanges of information are not always possible given the confidential nature of the said information. DG SANCO encouraged Member States to share information as much as possible and called for information exchanges to be guaranteed in cases involving health risks.

The RASFF was praised for being an efficient tool for tackling cases of serious risk. However, some Member States questioned its ability to perform efficiently in cases of fraud given the need to exchange confidential information.

3. THE ACTION PLAN SENT BY COMMISSIONER BORG TO MINISTERS AND TO THE EUROPEAN PARLIAMENT (COM)

DG SANCO presented the Action Plan that was sent to Member States on 20 March 2013.

The 5 priority areas identified by the action plan were all discussed (food fraud, the testing programme, horse passports, official controls and origin labelling). Member States welcomed the changes proposed by the Commission in most fields.

4. FUTURE OF RECOMMENDATION 2013/99 (MAP OPTIONS, ILLUSTRATE POSSIBLE NEXT STEPS) (COM, DEBATE)

DG SANCO informally presented its thoughts regarding possible options to follow-up Recommendation 2013/99 and stated that a final position would be presented at a later stage. The options included the possibility of resuming the testing for a further period of two months as indicated in recital 10 of Recommendation 2013/99. That option was not favoured by the majority of the Member States' representatives taking the floor.

Annex I – Interpretation of Commission Regulation (EU) No 931/2011 as given at WG

- Commission Implementing Regulation (EU) No 931/2011 lays down business to business traceability requirements for food of animal origin
- Composite products are food containing both products of plant origin and processed products of animal origin.
- The Regulation does not apply to composite products, however its traceability requirements should apply to the processed products of animal origin contained in the composite products.