

Minutes
Expert Group on the general application of Reg. 882/2004 – Food Fraud
Fourth meeting of the Food Fraud Contact Points in the Member States
22 09 2014
10:00-17:00

Chair: Carmen Garau / Eric Marin DG SANCO E5

Attendees: 28 Member States (MS), 3 EFTA Member States, Commission staff (DG SANCO, DG RTD, DG MARE, DG AGRI, DG JUST, JRC - IRMM)

1. Introduction.

The chair welcomed the participants and introduced the agenda.

The chair then updated attendees with regards to: (1) review of Regulation 882/2004 on-going in the Council, and (2) the Italian presidency draft Council conclusions in relation to food crime.

The chair also reminded the participants that the Commission had sent a letter in July requesting that all Member States check and update their appointed liaison bodies, both for the general Administrative Assistance and Cooperation contact point and for the Food Fraud contact point. Only 12 Member States have so far sent a response. Member States were invited to send the outstanding replies, regardless of whether there had been any changes relating to contact points.

Finally, the chair also informed about the commissioned study on the definition of food fraud and subsequent penalties, the results of which are expected by mid- 2015.

2. Member State presentations

Two Member States presented how food fraud is addressed at national level, particularly with regards to the authorities and skills that are considered to be the most adequate to fight food fraud, and how to best combine different types of expertise.

2.1. PL

PL introduced the competent bodies involved in official controls highlighting in particular the actors relevant for the fight against food fraud, i.e. trade inspection, agricultural and food quality inspection, and the police when appropriate. The presenter touched upon the flow of information enabling cooperation at the regional and national level; the guidances drafted by different services in order to facilitate the understanding of EU food law; trainings given to FBOs; and the laboratories available at national level.

2.2. IE

IE highlighted the issue of understanding which authorities and competencies are the most adequate to fight food fraud, and how to best join different types of expertise. The important role played by screening, science, and cooperation in the context of food fraud was underlined. The role of the FSAI was presented, in particular the objective to protect

consumers and cooperate with other agencies, e.g. department of health, local authorities, and laboratories. Finally, the task force set up by IE to specifically address food fraud matters was discussed.

3. IT system update, presentations and discussion. Part 1

3.1 Datasystem

The IT tool that will support administrative assistance and cooperation between Member States was presented through a practical fictitious example detailing the procedures for the creation of an administrative assistance request in one MS, the validation of the request in that MS and the assignation of the request to a second MS, the response given by this second MS, and finally the confirmation of response by the first MS.

Member States welcomed the work that had been carried out by the Commission and inquired about the role that will be played by the different IT systems put in place to exchange information about food, e.g. RASFF, TRACES and the new Administrative Assistance and Cooperation System.

The Commission highlighted the fact that the RASFF would not be replaced by this new IT tool, and cases representing a potential threat to public health should always be notified on the RASFF. Further details were given in point 3.2.

3.2 Implementing Act

The Commission presented the purpose of establishing the AAC System and the need for the accompanying implementing act (IA). In particular, the IA would be necessary to lay down technical specifications, ensure a consistent exchange of information between Member States, and provide for personal data protection rules. The Commission will give access to the designated liaison bodies that, among other things, will have to comply with confidentiality requirements and upload information without undue delay. The Commission explained requirements regarding the closure of an AAC procedure, as well as requirements to ensure adequate data protection.

The Commission added that there will be a one-way flow of information, i.e. from TRACES and RASFF to the AAC System to ensure the security and confidentiality of information in the AAC system, particularly in relation to possible cross-border food fraud cases.

How the interaction among RASFF, TRACES and the AAC system will work in practice would probably need some further fine-tuning. In any case, the Commission pointed out that the idea of integrating all existing and future computerised systems will be further elaborated as part of the discussions on the proposal for official controls. The proposal would in fact establish IMSOC (Information Management System for Official Controls), an IT framework system that would enable the integration of systems such as TRACES, RASFF, Europhyt, etc. to facilitate a better exchange of information among MS.

4. Coordinated control plans, presentation of preliminary plans and discussion

An outline of the future coordinated control plans (CCPs) was presented. There were no major issues raised by Member States at the meeting. Documents detailing the plans will be

circulated to MS for comments. MS were requested to send their responses within 14 working days from receipt of the documents.

5. Update on other issues

5.1 Food Fraud Conference 2014. Update on planning

The Commission gave a short update regarding the planning of the Food Fraud Conference to be held on 23/24 October in Rome. Topics to be discussed during the conference as well as speakers were mentioned.

No questions were raised by Member States.

5.2. EU policy cycle to combat organised crime groups. Preliminary presentation of Member States answers to questionnaire on stakeholder involvement

The Commission presented the results of the questionnaire on stakeholder involvement with regards to the EU policy cycle to combat organised crime groups. The survey focussed on formal agreements, routine exchange of information and whistleblowing tools in the context of public-private partnerships.

No questions were raised by Member States.

5.3. Feedback from first BTSF sessions on alternative investigation techniques

The Commission commented positively on the BTSF training, highlighting particularly the effectiveness of the multidisciplinary approach, i.e. cooperation with customs, police and other agents.

No questions were raised by Member States.

5.4. The new proposal on horse identification

New elements of the proposal on horse identification were presented, particularly with regards to:

- (1) The obligation of Member States to establish and maintain a central database for equine animals. The new information to be disclosed concerning the equine animal was presented.
- (2) The responsibility of the veterinary competent authorities for supervising the issuance of passports for equidae.
- (3) The management of identification documents for equidae.
- (4) Technical amendments concerning the format and security features aimed at reducing the risk of passport falsification.

No questions were raised by Member States.

6. AOB

No AOB were raised by Member States.

The Commission encouraged experts to send comments in writing, e.g. regarding the way the Commission liaises with them, or regarding the way the Commission can be of further help in the context of administrative assistance and cooperation.