

History of EU Food Law.

Development, Crisis and Transition.

Bernd van der Meulen



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Who am I?

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Part 1

- Development of EU food law
- How did the EU come to take such measures?



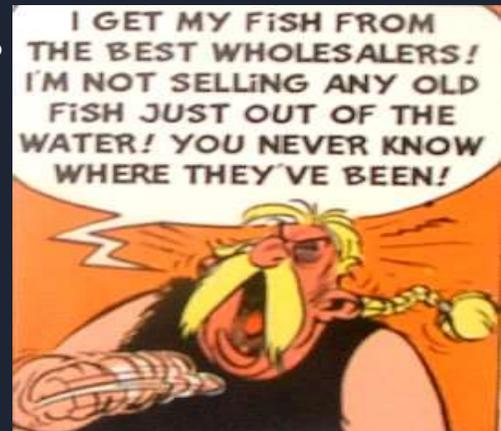
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27 states – one market

- What are the barriers to a common market?
- How does one create a market?
- What are threats to a common market?



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Development of EU food legislation

- 1960s – 1990s
 - First priority: how to make one MARKET?
- After 1990s
 - First priority: how to ensure SAFETY?



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Problem

How do you create one single market

6 states

6 different sets of legislation

6 different definitions of bread.....

Why define food in the law?



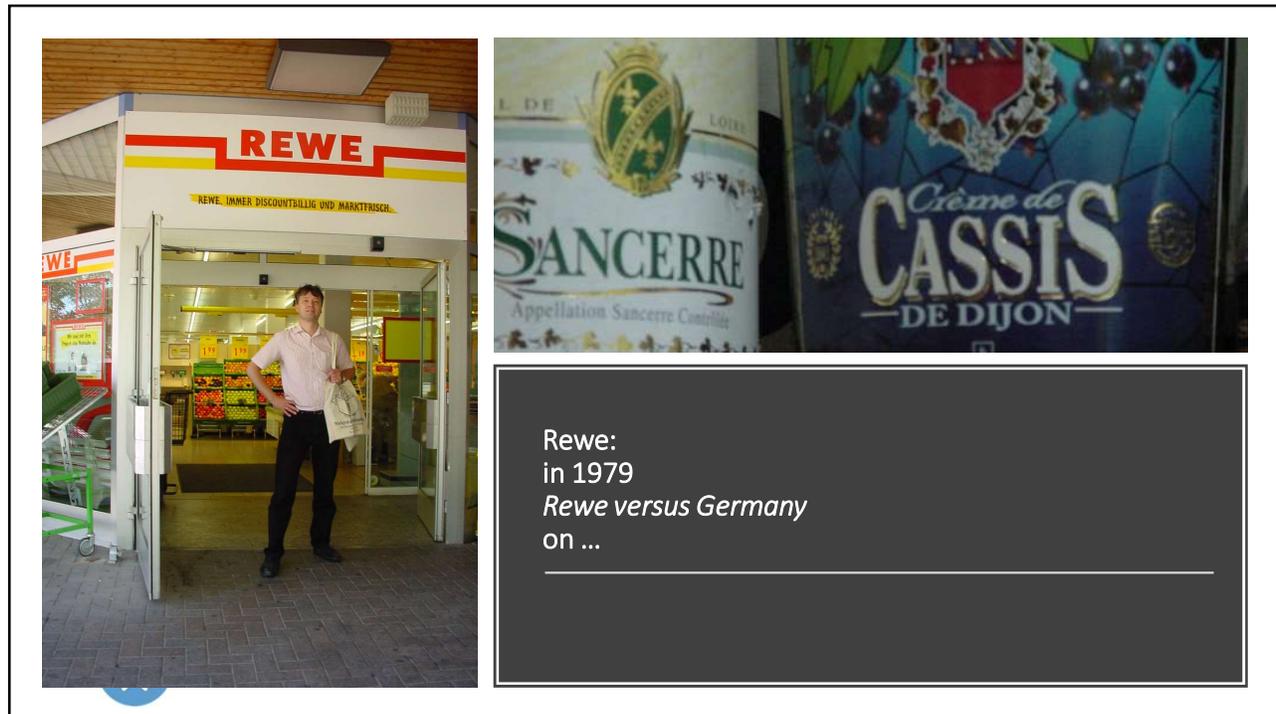
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European Food Law early phase

- Aim:
 - Internal market
- Means:
 - Harmonisation: turn 6 different sets into 6 similar sets
 - Vertical directives
- Problems
 - Unanimity rule
 - Quantity of products
 - Protectionism



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Mutual recognition

Differences in the national legal systems

- Foreign standards should be accepted as equal
- Limited exceptions
- Follow EU standards, or
- Show scientific necessity

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EU Crises 1990s

- BSE
- International
- Dioxin
- China
- Palm oil
- Melamine
- MPA
- USA
- FMD
- Spinach
- Etc.
- Peanut butter
- Etc.

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Reconstruction of European Food Law

- 1997 Medina Ortega report
- 1997 Green paper
- 2000 White paper
- 84 Legislative initiatives

- 2002 General Food Law
 - 2003: GMOs
 - 2004: Food and feed safety controls
 - 2004: Hygiene / HACCP
 - 2005: Allergen labelling
 - 2006: Nutrition and health claims
 - 2007: Policy on nutrition and obesity
 - 2008: Additives, flavourings, enzymes
 - 2011: Labelling
 - 2015: Novel foods
 - 2017: Official controls
 - 2020: Farm-to-Fork strategy

ANNEX

Action Plan on Food Safety³

No	Action	Objective	REF. N° WP	Adoption by Commission	Adoption by Council/ Parliament
I. Priority measures					
1.	Proposal for setting up a European Food Authority	To set up an independent European Food Authority.	29	September 2000	December 2001
2.	Proposal for laying down procedures in matters of food safety	To introduce a comprehensive safeguard measure covering the whole food chain, including feed.	80	September 2000	December 2001
		To establish a comprehensive Rapid Alert System covering all feed and food emergencies with harmonised requirements and procedures, including third countries on the basis of reciprocity.	18		
3.	Proposal for a General Food Law Directive	To establish food safety as the primary objective of EU food law. To lay down the common principles underlying food legislation (in particular: scientific basis, responsibility of producers and suppliers, traceability along the food chain, efficient controls and effective enforcement).	67	September 2000	December 2001

³ This action plan does not include all of the on-going actions resulting from the obligations in EU legislation.



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17.157 official documents

EuroVoc thesaurus

Filter

► (56) AGRICULTURE, FORESTRY AND FISHERIES

▼ (60) AGRI-FOODSTUFFS

► (6006) plant product

► (6011) animal product

► (6016) processed agricultural produce

► (6021) beverages and sugar

▼ (6026) foodstuff

► processed foodstuff

► foodstuff

► processed food product

► (6031) agri-foodstuffs

► (6036) food technology

► (64) PRODUCTION, TECHNOLOGY AND RESEARCH

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Search criteria

Domain: All, Subdomain: All documents, Eurovoc descriptor Tt: foodstuff, processed foodstuff, processed food product, EUROVOC descriptor: confectionery product, condiment, fresh product, cereal flakes, concentrated product, cereal product, freeze-dried product, molasses, irradiated product, frozen product, organic product, prepared foodstuff, food supplement, pasta, perishable goods, gelatine, food substitute, mother's milk, fish product, sugar product, bread, fruit product, vegetable product, refrigerated product, reconstituted product, dietary product, salted product, malt, desiccated product, cereal flour, baby food, meat product, smoked product, syrup, groat, deep-frozen product, preserved product, dried product, starch, instant product, meal, egg product, Search language: English

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Part 2

- EU legislates on safety
- How to make sense of the current situation?



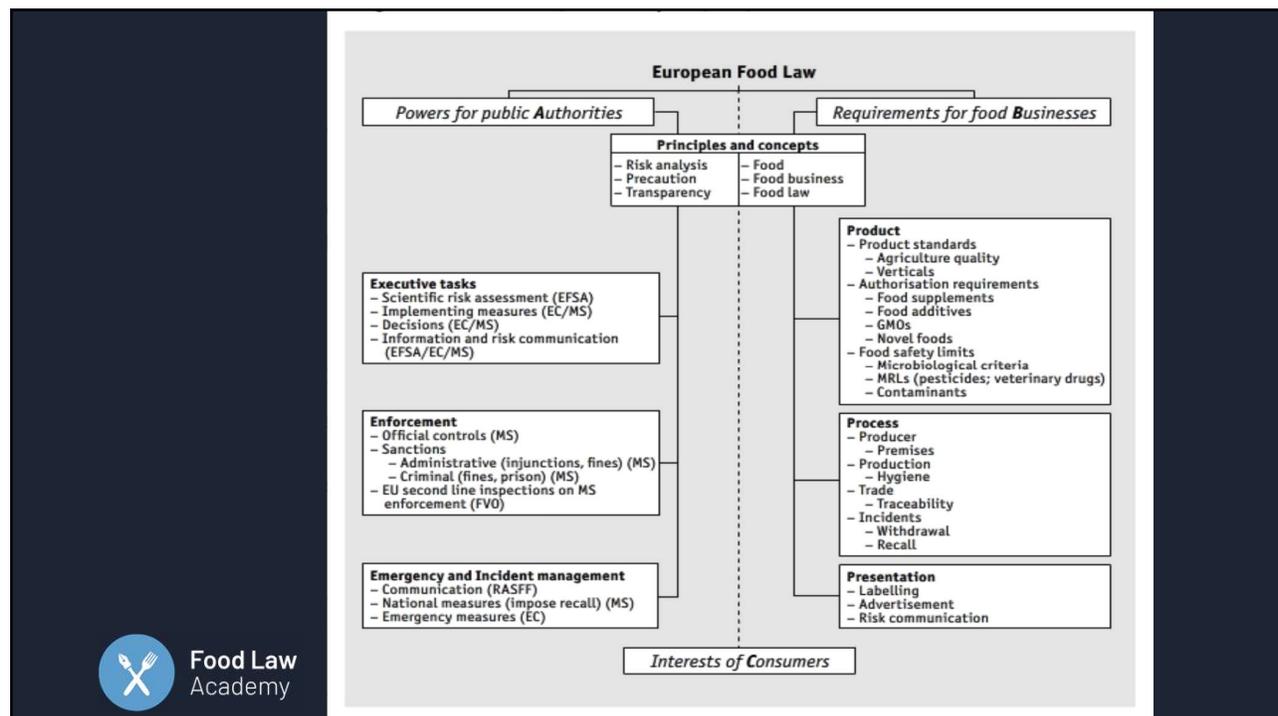
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How to study and teach food law?

- So many trees, but can you see the forest?
- Most people applying food law are not lawyers
- Food law is largely based on natural science
- Objective: not to *know* food law, but
- To *understand* food law
- → provide structure, tools and confidence



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Regulatory requirements on food

- **Principles**
- Legislation on procedures
 - Official controls
 - Incident management
 - Rapid alert system
- Legislation on the product
 - Compositional standards
 - Pre-market approval
 - Banned substances
 - Food safety targets (MRLs)
- Legislation on the process
 - HACCP
 - Traceability
 - Withdrawal & recall
- Legislation on Presentation
 - Labelling
 - Allergens
 - Nutrition and health claims



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Thank you for your
kind attention

Q&A

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