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Smarter rules for safer food: Commission proposes landmark package to modernise, simplify and strengthen the agri-food chain in Europe

1) What is "from farm-to-fork" policy?

The EU "from farm-to-fork" policy covers legislation to **protect health** by ensuring that the food we produce and import that ends up on our plates is safe to eat. This body of legislation is a complex, integrated system of rules which takes care of all the links in the food chain from: the protection of plants from pests, the protection of animals and humans from animal diseases (and from such diseases which are transmissible to humans) and the protection of human health from all the hazards that might arise along the agri-food chain. It also includes all those rules which allow the Single Market to function smoothly in this area and provides rules for the protection of consumers.

Official controls are carried out at various stages in the food production chain by EU Member States to ensure that the legislation is being correctly applied.

2) What will this package of reforms change?

Plant Health

The proposed Regulation aims to put in place a robust, transparent and sustainable regulatory framework to protect the health of our plants. Overall synergies with the plant reproductive material regime are reinforced, while avoidable duplications and unnecessary burdens are removed.

The main changes that are proposed:

- improved protection at import from third countries;
- reinforced surveillance of outbreaks and eradication obligations of pests;
- transparent plant passport system;
- stricter maintenance of protected zones;
- increased EU financial support for priority pests;
- financial compensation for operators subject to eradication measures.

Plant Reproductive Material

The main aim of the review is to ensure the health, identity and quality of plant reproductive material (which comprises of seeds and plant propagating material) to the users, in particular farmers.

Rules on the registration of varieties and the certification of plant reproductive material before marketing) are maintained, but a lighter regime for traditional varieties including material intended for niche markets is proposed.

The aim of the legislation is to introduce a broader choice for the users thus including new improved and tested varieties, material not fulfilling the variety definition (heterogeneous material), traditional varieties and niche market material. This will contribute to protection of biodiversity and to breeding oriented towards sustainable agriculture.

The use of seed in private gardens is not covered by the EU legislation and private gardeners can continue to buy any plant material and sell their seed in small quantities. Moreover, it will be clarified that any non-professional (e.g. private gardeners) can exchange seed with other private gardeners without falling under the rules of the proposed Regulation.

In line with the Commission's better regulation agenda, the proposal takes into account the type of material, production conditions and the size of the business involved. Thus for old traditional varieties and for heterogeneous material, there are only light registration rules. Such categories are exempted from the testing and other requirements of the legislation.

In addition, administrative burden is reduced for micro-enterprises who can market any type of material as 'niche market material' without registration. Furthermore, micro-enterprises are generally exempted from registration fees.

Animal Health

The proposal aims at providing a simpler and more flexible framework and significantly reduces the body of legislation that regulates animal health based on the principle that "prevention is better than cure". The proposal replaces a body of 40 Directives and Regulations with 1 piece of legislation which will ensure:

- more risk-based approach to animal health requirements;
- enhanced disease preparedness;
- increased disease prevention for listed diseases;
- reduce administrative burden and economic losses due to disease outbreaks,
- defines the roles and responsibilities of operators and veterinarians
- puts the primary responsibility for animal health on operators (animal keepers).

Official controls

Rules on official controls have been reviewed to simplify and clarify the system and create a single framework for all official controls along the agri-food chain. In particular, the proposal:

- allows the adoption of official control requirements adjusted to the needs of specific sectors (e.g. meat inspections, controls on organic products, animal welfare controls);
- increases the transparency of official controls activities carried out by national authorities, and allows them – under certain conditions - to publish information on the results of controls on individual operators and to establish "rating schemes" whereby consumers can consult data on the performance of retailers restaurants and other businesses;

- extends mandatory fees to most official controls to ensure that Member States appropriately resource their control authorities through fees charged on operators, whilst exempting micro-businesses from those fees;
- creates a common framework for carrying out border import controls on animals and goods entering the EU;
- eliminates inefficiencies in the system of official controls on residues of veterinary medicines in animals and animal products;
- strengthens mechanisms for administrative assistance and cooperation between Member States in case of cross-border breaches of agri-food chain rules;
- modernises the computerised systems for the management of data and information on official controls (a new system will integrate all existing and future systems and will allow the use of e-certificates and e-signatures);

Common Financial Framework for food and feed

A Common Financial Framework to manage expenditure will focus on EU funding priorities providing real added value. It aims at modernising the existing financial provisions in order to improve the functioning of a number of sectorial instruments and programmes implemented within this area.

The idea is to establish a single, modern and simple framework that:

- underpins the implementation of the EU-funded measures;
- ensures that this action is cost-effective;
- avoids unnecessary administrative burden on Member States.

3) Who benefits from it?

Better enforcement of agri-food chain rules will benefit **the public at large** by increasing food safety as a whole and the protection that those rules afford against plant and animal health, animal welfare and the environment.

Member States administrations tasked with official controls and other official duties (public health, veterinary and phytosanitary monitoring and action) will benefit from improved and more effective enforcement tools and from adequate resources.

Operators (agri-food businesses, from primary producers to retailers and caterers, but also importers, plant/animal breeders, growers and traders) will benefit from the increased efficiency of authorities and their controls resulting from streamlining and simplification of the legislative framework and from the risk based operation of all controls. The improved efficiency of official controls, regular unannounced controls directed specifically at identifying intentional violations (fraud), tougher rules on financial penalties in case of violations, an integrated and modernised control system at the borders and a better coordination between authorities in case of cross border food safety concerns will benefit **consumers**.

4) What is the added value of the EU regulating food safety?

In order to afford a high level of human, animal and plant health while encouraging the efficient functioning of the internal market, EU legislation provides a set of harmonised rules to prevent, eliminate or reduce health risks to humans which may arise along the whole of the agri-food chain and in the two areas most closely related to it, i.e. plant and animal health.

5) How does the package address the weaknesses in the EU control system that the recent horsemeat scandal has exposed?

The package gives national enforcers a more efficient legal framework and stronger enforcement tools to deliver on their control tasks along the food chain.

New elements of the proposal include:

- it requires the performance of regular unannounced official controls directed at identifying intentional violations
- financial penalties applied offset the economic advantage sought by the perpetrator of the violation.

It also gives the Commission more powers to:

- require (not only recommend) Member States to carry out controls and tests within a coordinated control plan of limited duration to ascertain the extent of specific shortcomings along the food chain; and
- establish permanent specific control requirements in relation to specific sectors and/or newly identified risks which emerge along the food chain or which emerge from new patterns of production or consumption of food.

The review also aims to **strengthen the mechanisms for administrative cooperation to fight cross-border violations** of the rules and the **coordination role of the Commission** in cases of widespread or recurrent violations.

6) Why has the Commission extended the system of fees for official controls on operators in times of austerity?

Fees are already mandatorily charged on operators where official controls are more intense (and therefore more costly) in particular in the fish, meat and dairy production sectors.

The proposal extends mandatory fees to other sectors of the agri-food chain and to nearly all official controls, most of which will cost far less than controls in slaughterhouses or meat processing establishments. By extending the scope, all sectors will pay compared to the current situation, therefore putting an end to the current unfairness of the system. All operators who benefit directly from efficiently performed official controls helping them to deliver safe food and feed on the market are now called to contribute to their financing.

The proposal, however, exempts micro-enterprises from the payment of fees.

7) Why has the Commission not legislated on country of origin labelling for processed meat in the wake of the horsemeat crisis?

The horse meat scandal is an issue of fraudulent labelling. This fraudulent practice infringes EU food labelling legislation, which requires that food labelling must not mislead the consumer as to their nature, origin and composition. All food ingredients must be labelled. The labelling of foods containing meat must also indicate the animal species concerned. If an ingredient is mentioned in the name of the food, its quantity expressed as percentage must be provided in the list of ingredients.

Mandatory origin labelling should not be confused with fraudulent food labelling and cannot be considered as a tool to prevent fraud in food labelling. This fraud could have occurred, even if there was mandatory origin labelling in place. The Regulation¹ on the provision of food information to consumers, which applies from 13 December 2014, has revisited and strengthened the origin labelling rules. It introduces a mandatory indication of origin for unprocessed sheep, goat, poultry and pig meat. It also requires the Commission to submit a report to the European Parliament and the Council by 13 December 2013 on the possibility to extend mandatory indication of country of origin or place of provenance to meat used as an ingredient.

This report will need to take into account the need of the consumer to be informed, the feasibility of providing the mandatory indication of the country of origin or place of provenance as well as a cost and benefit analysis of such measures along with an analysis of the legal impact and impact on international trade. The Commission has committed to deliver this report in autumn 2013. Based on the report, the Commission will decide on the appropriate course of action.

8) Why are high and uniform levels of safety essential to the continued competitiveness of the European food industry and its ability to generate growth and jobs for the future?

The EU's ability to export towards third countries relies on the reputation of the high production standards and added value that EU goods can prove to have compared to the ones produced outside Europe. This can only be achieved by a reliable and trusted official control system which ensures that EU agri-food chain safety and quality standards are consistently enforced and corresponding expectations from trade partners are met.

9) What is the Commission doing to prevent the loss of biodiversity and to support sustainable agriculture in relation to plant reproductive material?

The Commission is taking a number of steps to prevent the loss of biodiversity and to support sustainable agriculture. Variety testing has been further developed to include testing on sustainable cultivation and use.

The proposal will allow the marketing of traditional varieties and material intended for niche markets under a light and flexible regime to support their use and to protect biodiversity. A larger number of varieties and material have access to the market even if not complying with the general requirements for variety registration and marketing. The current rules on so called 'preservation mixtures', i.e. grass mixtures including wild plant species, to preserve the natural environment have been simplified.

Plant reproductive material intended for on-farm conservation or exchanged in kind between seed-savers is exempted from the scope of the Regulation. This exemption aims at promoting conservation of traditional seeds.

¹ Regulation (EU) No 1169/2011

10) Is the use of seed by private gardeners affected?

The use of seeds in private gardens is not regulated by EU legislation. Private gardeners can buy any seed or plant material and sell their material in small quantities. They have a choice to buy material that has not been tested and registered and its identity, health and quality will be only ensured by the producer of that material (niche market material).

Under this regime private gardeners also can sell any material. Or they choose to buy material that is produced and marketed by professional operators, meaning operators professionally involved in breeding, producing and selling seed in e.g. garden centres. In this case enhanced rules and testing concerning the identity, health and quality will apply.

The reform clarifies that any non-professional (e.g. private gardeners) can exchange seed with other private gardeners without falling under the rules of the proposed Regulation. The proposed Regulation provides that the user of seed receives the necessary information on the identity of the material (e.g. variety name with tested characteristics) and that the health and quality of the material is ensured.

11) Will fees for plant reproductive material be regulated by the package?

The principle of cost recovery will be introduced to ensure the necessary resources for the competent authorities. However, micro-enterprises will be exempted. Concerning fees for variety registration, the proposal foresees the possibility to reduce the fees for varieties with officially recognised description and heterogeneous material.

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