



DG SANTE **Directorate F** **Health and Food** **Audits and Analysis**

BTSF Training
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Purpose of this presentation

To give you information about

- **the audit series on food labelling
=food information to consumers
(FIC) and nutrition and health claims
made on foods (NHC) and**
- **audit findings, conclusions and
recommendations**

Purpose of audits

- To assess the competent authorities' (CA) official control systems
 - **1) is there a system? 2) can it work?**
- To assess the operation of these systems in practice and on-the-spot
- **3) does it work?**
- To verify that Member States (MS) are compliant with EU law, including **national legislation and guidelines**



In total

- **7 MS were audited in 2017 and 2018: Greece, France, Portugal, Lithuania, Belgium, Romania and Italy**
- **12 reports have been published (separate reports on FIC and NHC for GR, FR, PT and LT and an additional report on national legislation on country of origin (COOL) and nano for FR).**
- **Containing 2+4+2 recommendations.**



Legal basis

- **Regulation (EC) No 178/2002**
- **Regulation (EC) No 882/2004**
- **->14 December 2019 Regulation (EC) No 2017/625**
- **Regulation (EU) No 1169/2011 on FIC**
- **Regulation (EC) No 1924/2006 on NHC**
- **Directive 2002/46/EC on food supplements (FS)**
- **...and specific legislation when relevant such as Regulation (EC) No 1333/2008 on food additives**

Findings and conclusions related to

- **Legislation and guidelines**
- **Competent authority: structure, coordination, cooperation, training, resources**
- **Organisation and scope of official controls**
- **Implementation of controls**



National legislation

- On substances causing allergies and intolerance in non-prepacked foods
- On country of origin (COOL) for certain foods and effective for a certain time period ("pilot")
- On non-commercial labelling rules to label health-friendly foodstuffs
- On notification systems for certain foods

National legislation

- In 2 MS notification procedures for national legislation were not followed or received a negative opinion from the EC (**on COOL and indication of the address of production/packing establishment**)
- 1 MS has national law related to "mandatory" nutritional/physiological effect on food supplement (while claims should always be used on a voluntary basis)

National guidelines

- Most of the MS visited (but not all) have provided guidelines for official staff and food operators, and information for consumers
- In 1 MS, a discrepancy was noted between national guideline and EU legislation (guideline allows to use non-authorised health claim for probiotics and prebiotics) and a need to update some guidelines
- **Recommendation to have national guidelines and legislation in line with EU rules**
- **Recommendation to provide documented procedures with necessary information and instructions for staff performing official controls on FIC and, in particular, on NHC**

Competent authority: structure, coordination, cooperation, training, resources

- **Organisation of official controls on labelling varies widely, for example:**
 - ✓ **1 CA is responsible for all controls on food safety and fraudulent practices;**
 - ✓ **FIC regulation is divided by articles and points between 2 CAs based on food safety and economical (fraud) aspects; or**
 - ✓ **8 different CAs in one MS are involved in prevention of fraud, unfair trade practises and misleading information**

Competent authority: structure, coordination, cooperation, training, resources

- **Gaps were noted** in controls related to NHC and some foodstuffs (e.g. FS) **and**
- **lack of specific knowledge among control staff** (mainly on NHC)
- **due to deficiencies in designation, coordination, cooperation, training, resources,...**

Organisation and scope of official controls

- Controls on labelling are carried out as a part of general hygiene inspections and during specific projects,
- Controls specifically related to fraud, fair trade and misleading information can be channelled differently e.g. due to complaints and suspicions and are mainly focused on retail level
- Controls may cover also information provided in internet and in other forms of advertising, but not routinely

Organisation and scope of official controls

➤ **Methods used**

- ✓ **Cross-checking food information and claims against written material and relevant records (traceability documents, technical specifications, calculations and analytical results, invoices, lists of suppliers, recipes, technical production sheets for chosen batches,...),**
- ✓ **Checking stocks and facilities, taking photos, sampling for analysis,...**
- ✓ **-> Controls can be very time-consuming**

Implementation of controls

- **Depth of checking food information against relevant documents varies (e.g. due to prioritisation of other official tasks):**
- **In general, very professional and effective inspections were observed**
- **On the other hand, very limited checks were seen as well, when non-compliances were not detected at all or wrong conclusions of compliance were made**
- **Non-compliances were detected mainly in non-prepacked foods (allergen information) and in foods bearing claims, especially in food supplements**

Audit reports

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3855

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3857

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3859

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3860

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3882

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3902

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=3877

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http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4010

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4058

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4188

http://ec.europa.eu/food/audits-analysis/audit_reports/details.cfm?rep_id=4185

Thank You

