

Report of the FSAI Retail Forum: The Retailers View on the Handling of the 2008 Irish Dioxin Incident

June 2009

Background

In December 2008 Ireland detected dioxins in pig meat and traced it back to contaminated feed. This resulted on the 6th December in the total withdrawal and recall of all pork products containing Irish pig meat from the Irish market. Many parts of the food industry were affected by the decision, not least of which were the pig farmers and the pig meat processors. However, the retailers who are the consumer interface with the food industry also suffered massive disruption.

At the FSAI Retail Forum meeting held 18th February 2009 retailers were asked to air their views on the management of the crisis. This report was adopted by the Retail Forum at the meeting 18th June. For submission to the Food Safety Authority of Ireland.

This report contains the views of the retailers attending the Retail forum and does not necessarily represent the views of the Food Safety Authority of Ireland.

State Body Roles During the Crisis

Different State Bodies had roles during the Dioxin crisis. In the context of the pig meat industry these can be broadly articulated as follows:

- The Department of Agriculture Fisheries and Food (DAFF) and the Department of Health and Children (DoHC) are responsible for establishing Irish food safety policy and introducing relevant Irish food laws that control the pig industry.
- The Food Safety Authority of Ireland (FSAI) is responsible for the safety of the Irish food chain from the farm-gate forward to the consumer. Through contracts with different enforcement agencies the FSAI the food law enacted by the Government. The FSAI has a risk assessment capability and the powers to take appropriate action during a food incident including ordering the recall of pig meat and products containing pig meat.
- DAFF are responsible for local enforcement of food law under contract to the FSAI in larger pig slaughter plants, cutting establishments and cold stores. Critically, DAFF are also responsible for enforcing feed law, the disposal of animal by-products and animal welfare issues. Smaller establishments handling pigs and pig meat are under the supervision of the Local Authority Veterinary Service.
- The Health Service Executive (HSE), through its Environmental Health Service (EHS) is responsible for enforcement of food law under contract to the FSAI in retail and catering establishments as well as some butchers shops and small cold stores handling pig meat and pig meat product.

- The Department of the Environment, heritage and Local Government drafts environmental legislation that is enacted by Local Authorities and overseen by the Environmental Protection Agency (EPA) who advise on safe disposal of contaminated foods.
- An Bord Bia is charged with supporting the Irish food industry by promotion and trade activities. Bord Bia also operates a pig meat quality assurance scheme involving most of the pig industry.

Retailer's Experiences

Views on the recall decision

The retailers were concerned about the involvement of politicians in the decision process and were of the view that the consumer protection role of FSAI should not be subjected to political interference whether perceived or otherwise. Decisions on food safety should be made on technical grounds alone in the interests of public health protection. Retailers understood that the scale of the recall necessitated briefing the Government but it was not clear to them who had ordered the recall when the Taoiseach and Minister for Agriculture were both seen informing the nation about the recall. There seemed to be no role for the Minister for Health. Retailers were of the opinion that it should have been made clear that the FSAI had ordered the recall as a public health measure. The involvement of politicians gave the impression that other considerations, like trade, were involved and that food safety was not the issue. Politicians should have made it clear that they were acting in support of the FSAI decision to protect public health.

Views on management of the crisis

Retailers expressed concern that they were not consulted during the crisis management process. The focus appeared to be on the farmers and the pig industry and retailers were a low priority. Consequently they felt excluded from the process and felt that their issues were not considered. Retailers were left feeling the crisis was a complete over-reaction because the issues were not explained to them. They felt that they were at the end of a confused communication chain. Retailers said they were left in a very difficult position during the crisis without clear instructions on what to do with the recalled products.

It was noted that the major obstacle during the crisis was the lack of effective and efficient communication. Retailers stated that most information they received came from an informal channel. The role of Retail Ireland (RI) was commended as pivotal to improving retailer's understanding of the crisis. The information and guidance RI provided was very helpful in making the recall process possible. RI

stated that its priority was to support the industry, hold periodic briefings for the retailers by giving them updated information to explain how to carry out the actions required. During the crisis RI got its information from informal contacts within FSAI which was less than ideal. RI stated that they found it difficult to get information from the DAFF and it wasn't clear who could be contacted within that Department. However, RI did acknowledge the role of the Minister of Agriculture's private secretary who helped them to make contact with key DAFF staff. There was eventually one meeting with the Minister of Agriculture but regrettably not all retailers were invited.

Disposal of withdrawn product was a key problem for retailers during the crisis. Retailers understood that the safe disposal of such products was the responsibility of the DAFF and the EPA. Retailers should not have been put in the position of holding withdrawn stock within their distribution systems which are designed to function only in the supply direction on a just-in-time principle and therefore do not have the capacity to store products. Overall, retailers were of the view that decisions were made on the spot without due consideration of all the issues. It appeared to retailers that Government Departments did not understand the retailers systems of distribution and disposal, their structures and policies. Members stated that the DAFF's guidance on disposal was not sufficient and there was no template procedure for disposal of products available to retailers. The retailers were relying on DAFF to provide the information on rendering but there was no official statement at the time to help. It became clear that disposal of withdrawn products was not considered at the initial stage of the crisis and even one week later there were still no clear instructions on how to dispose of them. RI found that the EPA was easily accessible and very helpful in terms of advice on safe disposal and destruction of the affected products. However, rules on disposal were complicated by the need to administer the compensation claims system agreed with DAFF. In fact, this agreement actually reinforced the media perception that the recall was a trade issue not a food safety issue.

Retailers found that information on clearance of new product into the supply chain was slow in coming. However, they accepted that FSAI had to wait for an EFSA risk assessment and a Commission decision on rules regarding replacing affected product. Although this was a relatively quick process compared to previous events, it still left the supply chain without product for several days. When the rules were clarified an early decision was made by retailers that it was too difficult to re-stock previously recalled product. Consequently the retailers re-stocked with new products covered by certificates of compliance from their suppliers. The requirement by FSAI to apply regulatory controls to oversee re-stocking made it very difficult for retailers. They felt that FSAI and DAFF did not co-ordinate information well which meant that suppliers under DAFF control had problems getting certificates that were acceptable to EHOs supervising the retailers. There appeared to be divergence in the format of certificates which meant that their legitimacy was questioned in some instances. Suppliers who

were supplying more than one retailer found it cumbersome to duplicate information to suit the requirement of the retailers working in-turn to the requirements of EHOs.

Retailers stated that in some cases the EHOs were coming up with confusing information which made the retailers do things that were not necessary. Lists of certified products were continuously changing and the head office checks on the lists instigated by FSAI didn't really work in practice. Smaller retailers were even more affected by the confusion, particularly butchers shops that relied on accurate information from the local environmental health office. Although FSAI posted re-stocking rules on its web site and communicated with DAFF in developing them, the retailers confirmed that the information came in too late and that most of them were not aware that such information had been posted.

Retailers were also critical of Bord Bia's involvement in the crisis. During the dioxin crisis Bord Bia were asked to develop a logo that could go on unaffected pork supplies to signal to consumers that they were safe to eat. Retailers were of the view that this was a bad approach and that it actually complicated the re-supply process after the recall. Retailers were not clear if application of the logo was a legal requirement or not. They found it was hard to get the logo, the system of application was cumbersome and that in any event, the public did not look to Bord Bia for reassurance on food safety..

After Effect:

Retailers were of the opinion that sales of pork products had improved and had almost returned to pre-crisis levels. They also noted that, from their data, people who switched to other meats at the time had returned to buying pork products. RI noted that there were still some issues with some overseas countries in relation to Irish pork products being exported into their country.

It was agreed by all that if FSAI had not ordered the total recall of pork products, there would have been no Irish pork industry today.

Retailers Recommendations to the Authorities

1. During a crisis, retailers should be included, at an early stage, in any communication system that affects products stocked by them. For example, there should be a daily conference call between the FSAI, other relevant authorities like DAFF and the retailers to co-ordinate what retailers need to do.

2. A permanent system for disposal of recalled products should be developed by DAFF and EPA in conjunction with the food industry. This can then be enacted with confidence during a crisis. It would also help generally in the disposal of food at other times.
3. FSAI should create a phone text messaging service for retailers so that in times of crisis they can be updated when new information is posted on the FSAI website
4. FSAI should consult retailers on a general system for re-stocking affected products under regulatory supervision and in general, re-stocking controls should focus on the supplier not the retailer for a more efficient system.
5. Food promotion activity should be avoided during a crisis as it does not reassure consumers and complicates crisis management. The implementation of new logos and schemes in such circumstances leads to inconsistency and confusion and is therefore counter productive.
6. DAFF is a large entity with little day-to-day interaction with retailers. Consequently, it is difficult for retailers to identify the staff they need to interact with for efficient crisis management. A system whereby staff in DAFF are easily identifiable and contactable would be beneficial.
7. Retailers invest heavily in efficient traceability systems and these should be acknowledged and trusted during product recall for the purposes of official controls.
8. Out of hours capability should be extended to all Government departments and agencies including emergency contact lists.
9. A long-term strategy should be enacted aimed at food safety incident prevention involving collaboration between the food industry and the food regulatory agencies.
10. FSAI and official agencies should develop systems to ensure that all enforcement officers are up to date regarding required actions during a crisis to ensure consistency and reduce confusion.
11. Improvement in the traceability of pig-meat should be implemented without delay.