



## New Chairman for FSAI

The FSAI welcomes the appointment of Prof. Michael Gibney as its new Chairman. Prof. Gibney, who is Professor of Food and Health at University College Dublin's (UCD) Institute of Food and Health, has a long and distinguished career as a world-leading expert in food science and nutrition. Prof. Gibney previously served as a Board member of the FSAI from 1999 to 2009; he has served on several EU and UN committees on nutrition and health including the EU Scientific Committee for Food and the EU Scientific Steering Committee, where he chaired its BSE Working Group.

The FSAI also welcomes the appointment of Prof. Patrick Wall, Associate Professor of Public Health in the University College Dublin's School of Public Health and Population Sciences, Raymond O'Rourke, a qualified barrister and a food regulatory and consumer affairs lawyer and Mr Derek Cunningham. Reappointed to the Board are Prof. Charles Daly, Emeritus Professor of Food Science and Technology at University College Cork and Mr Pat O'Mahony, CEO of the Irish Medicines Board.

According to Prof. Alan Reilly, Chief Executive, FSAI; "Prof. Gibney will be a tremendous asset to our Board's cumulative deliberations. His appointment reaffirms our science-based ethos which underpins all the decisions, policies and actions of our organisation. He has an impeccable global reputation for research on food and nutrition and has served on a number of high-level advisory committees in this area, both nationally and at EU level.

Prof. Alan Reilly thanked the outgoing Board, particularly its chairman Mr Eamonn Ryan, for their service, time and contribution to the FSAI over the past five years, stating that the Board's commitment to best practice in corporate governance ensured that the FSAI operated on an even keel during their tenure.



*Prof. Alan Reilly and Prof. Michael Gibney.*

The CEO and staff extend their gratitude to the previous Board and we look forward to working with our new chairman and Board.

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# Horse Meat used to Cheat Consumers

**In November 2012 when we began our authenticity survey of processed meat products in the Irish market little did we know that we would uncover a major EU-wide food scandal. The adulteration of products containing beef has resulted in numerous product lines, including burgers, meat pies, pasta dishes, sauces and soup, having been withdrawn from sale on an unprecedented scale. More than 23 EU countries are now involved and the scandal extends as far afield as Hong Kong. Investigations by the authorities are ongoing across Europe. Many supply chains are suspect. It seems clear that in respect of many convenience foods labelled as containing beef, cheating the customer is common practice.**

Every food safety control agency such as the FSAI has to understand what is happening in the industry sectors that it regulates. "Food safety intelligence" is essential to underpin our risk assessment, and to guide initiatives on horizon scanning and emerging risk analysis. All the information from these sources plus regulatory requirements feeds into planning the annual food monitoring and surveillance programmes which we implement in collaboration with official agencies.

As a consequence the FSAI oversees an extensive programme of food testing in Ireland aimed at safeguarding consumer health and checking compliance by industry with labelling and other relevant food legislation. These programmes cover a diverse range of microbiological hazards and chemical compounds whose possible presence in food is tested in a network of official modern laboratories. Each year the FSAI organises additional surveys on selected foods. Our recent survey on the authenticity of meat products falls into this category.

Our survey was carried out against a background of increasing prices of raw materials used in food and feed manufacture, and the global sourcing of ingredients. This can lead to a temptation to cut corners, to substitute cheaper raw materials for higher priced ingredients. The longer the food supply chain the higher the risk that something may go wrong, such as the substitution of beef with horse meat.

The survey findings led to the uncovering of serious malpractices which had the potential to damage both consumer confidence and Ireland's reputation as a producer of safe and wholesome foods. The findings were, however, just the tip of the iceberg. In a series of almost daily revelations since, what has unfolded is a major pan European food fraud. In many supply chains, horse meat is being substituted for beef to varying degrees in processed meat products. What is surprising is the number of major food companies involved both in the retail and processed food sectors.

As an enforcement authority we are very familiar with calls to reduce the regulatory burden on industry and assertions that private sector standards are more rigorous and demanding than those of the public authorities. Given that most of the food companies caught up in this scandal adhere to private sector standards, is it not reasonable to conclude that such standards have been found wanting? Such standards tend to focus food safety and food hygiene, but clearly now need to be strengthened to include food authenticity. For meat products this should include meat speciation and the use of DNA-based analytical techniques to test for animal species which may be present in raw ingredients.

Equally claims that brands are a guarantee of quality and reliability have been deflated as a result of the horsemeat scandal. The convoluted supply chains which have emerged into the public gaze have done little to bolster confidence in traceability controls by food manufacturers and suppliers.

No doubt new ingredient testing regimes will be implemented by food businesses, but these should only act as a means of verifying authenticity and not a substitute for proper vigilance and control of the supply chain.

The FSAI is now coordinating a monitoring programme to establish the prevalence of fraudulent practices in the marketing of processed meat products. This programme is being organised in collaboration with retail, catering and meat processing sectors of the food chain as well as the European Commission. The FSAI is also working closely with the Department of Agriculture, Food and the Marine in implementing a monitoring programme for the detection of phenylbutazone residues in horses in order to ensure that only appropriate products enter the food chain.

Routine monitoring and surveillance work carried out by the FSAI and its official agencies is essential to protect consumers' health and consumers' interests. Our findings show how effective our nation food control system is in underpinning consumer confidence in the integrity of the Irish food supply.

While the FSAI considers that there was not a serious food safety risk associated with our findings it is still totally unacceptable to substitute beef with horse meat and to present products to an unsuspecting public.

Where and how in the food chain all of the fraudulent activities took place and who is responsible still need to be fully determined. What is evident is that the food chain is vulnerable to organised crime, a fact recognised by the European Commission. This will require a different response from control authorities above and beyond food safety audits and inspections.

As people become further and further removed from the sources of their food supply, trust becomes the most important ingredient. Consumer trust in major brands has been shattered by the unfolding events of the past six weeks. Regaining that trust after such a betrayal will require much reappraisal and systematic change.



**Alan Reilly**  
Chief Executive

# New Online Learning Resources Section on FSAI Website

In 2012 the FSAI developed online materials on food additives and food flavourings. This information was made available through the FSAI's extranet to official agency staff involved in the enforcement of food safety legislation.

Although these resources were originally developed to support the professional development of official agency staff, the FSAI recognises that they are also a valuable resource for the food industry. The resources on food additives and food flavourings can now be accessed at the new 'online learning section' of the FSAI website.

An overview of the learning resources currently available is given below:



## Food Additives

The food additives course covers the basic information on this topic. The course takes about 30-45 minutes to complete and covers the following:

- What a food additive is
- Key terminology associated with food additives
- A description of the food additive functional classes
- The labelling requirements for food additives
- The legislation that governs food additives along with the current transitional arrangements

It's an ideal place to start for anyone who wants to know the facts about food additives



## Food Flavourings

The online material consists of video interviews with FSAI staff, who cover the key points addressed at a flavourings seminar held by the FSAI at the end of 2012. The FSAI speakers answer questions such as:

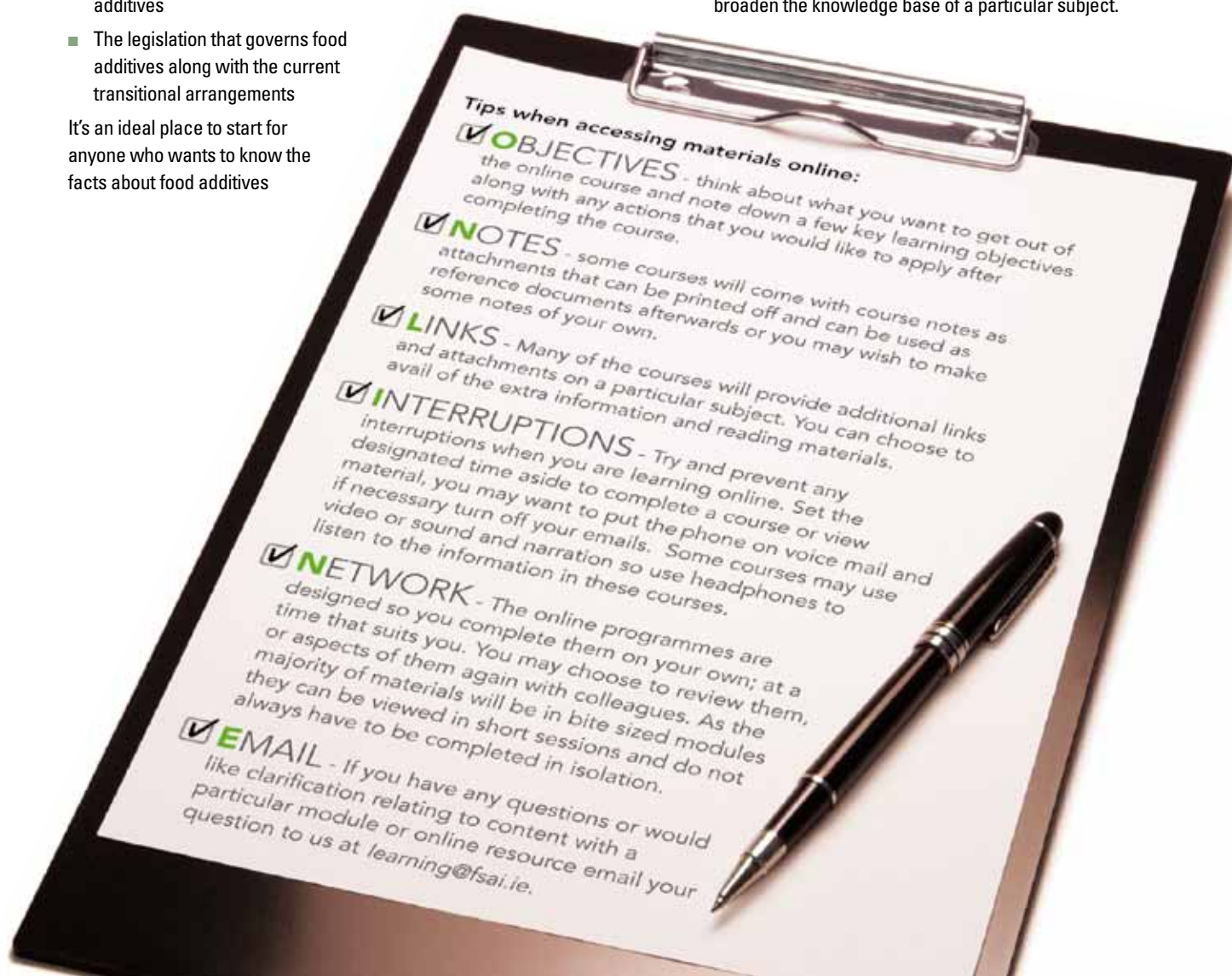
The FSAI speakers answer questions such as:

- How flavourings are assessed for safety?
- What food businesses should be doing to comply with the requirements of the legislation?
- How to declare flavouring in an ingredient list?

The video interviews are an excellent opportunity for food business operators to get a real understanding of the regulatory controls on the use of flavourings in food

The resources are available to access at [www.fsai.ie/onlinelearningresources](http://www.fsai.ie/onlinelearningresources).

The online materials will be added to as more resources are developed. They can be used to get up-to-date information on a topic relevant for a particular work area, refresh on a topic, relevant for a particular work area, refresh on a topic, or in some cases just to broaden the knowledge base of a particular subject.





# FVO General Follow-Up Mission to Ireland – December 2012

The Food and Veterinary Office (FVO) is part of the EU Health and Consumers Directorate-General and it is based in Grange, Co. Meath. As one of the EU services, it is responsible for ensuring that EU legislation on food safety, animal health, plant health and animal welfare is properly implemented and enforced.

## How does the FVO carry out its role?

The FVO carries out its duties through audits, inspections and related activities in order to:

- check on compliance with the requirements of EU food safety and quality, animal health and welfare and plant health legislation within the EU and on compliance with EU import requirements in third countries exporting to the EU
- contribute to the development of EU policy in the food safety, animal health and welfare and plant health sectors
- contribute to the development and implementation of effective control systems in the food safety, animal health and welfare and plant health sectors, and to inform stakeholders of the outcome of its audits and inspections

## Mission to Ireland

The FVO conducted a general follow up mission in Ireland from 3-7 December 2012. The objective of this mission was to review progress on the implementation of recommendations identified during previous FVO missions in Ireland. As required under Article 45 of Regulation (EC) No 882/2004 on official controls, the FVO auditors, Mr Ioannis Antonopoulos (Lead auditor) and Ms. Mirela Nicola (FVO Inspectors, Health and Consumer Directorate-General) assessed Ireland's level of compliance with EU and Irish legislation governing the feed, food, animal health and welfare and plant health sectors.

Recommendations from the following specific audits on EU legislation were evaluated as part of this mission:

- intra-Community trade in live animals
- bovine tuberculosis eradication programme and animal health controls in place in relation to bovine tuberculosis
- intra-community trade in semen and embryos of domestic animals of the bovine species
- production and placing on the market of infant formulae, follow-on formulae and baby foods, including the supply chain
- food safety control systems in place governing the production and placing on the market of poultry meat and poultry meat products
- traceability of beef and beef products
- production and placing on the market of bivalve molluscs
- food safety and process hygiene criteria (Commission Regulation (EC) No 2073/2005)
- Salmonella National Control Programmes in particular poultry populations (breeders, laying hens, broilers and turkeys)
- safety of food of animal origin, in particular meat, milk and their products



Mr Ioannis Antonopoulos (Lead auditor) (FVO Inspectors, Health and Consumer Directorate-General).

- import/transit control system and border inspection posts
- controls on food of non-animal origin
- controls of pesticides in food of plant origin
- controls for animal welfare on farms, during transport and at the time of slaughter.
- system of import controls for plant health
- monitoring of residues and contaminants in live animals and animal products
- identification of hazards and management of risks along the feed chain

The general follow-up mission commenced with an opening meeting, which took place on 3 December and this was attended by the FVO, FSAI and representatives of the relevant Government Departments and Competent Authorities. At this meeting the FVO outlined the objectives and scope of the general follow up mission. The FVO audit team met with representatives of the relevant competent authorities during the course of the mission and discussed in detail any outstanding recommendations from 2010's general audit and FVO missions since then.

The closing meeting took place on 7 December. The FVO presented a preliminary summary of their findings which was followed by discussion and clarification of some issues with the Competent Authorities present. A draft report is expected to be issued within the coming months, at which point the Irish Competent Authorities will have an opportunity to comment on the findings and recommendations.

# A Look Back at the FSAI's Information Services in 2012

One of the main functions of the FSAI is to keep our stakeholders informed of their obligations in terms of food law and of the implications of any new legislation. We do this in a variety of ways, including the provision of an advice-line service, an extensive and up-to-date website, a walk-in Information Centre and the use of facebook and, most recently, Twitter.

## Advice-line

Our Advice-line operates Monday to Friday, 9am-5pm, and is manned by trained advisors and food scientists. It is available to all stakeholders and has a Lo-call number 1890 336677. In 2012, the Advice-line dealt with just over 12,000 queries covering a wide range of topics (see Figure 1). Requests for information were received from caterers, retailers, manufacturers, members of the public, consultants, trainers, distributors, researchers, environmental health officers, veterinary inspectors and laboratories.

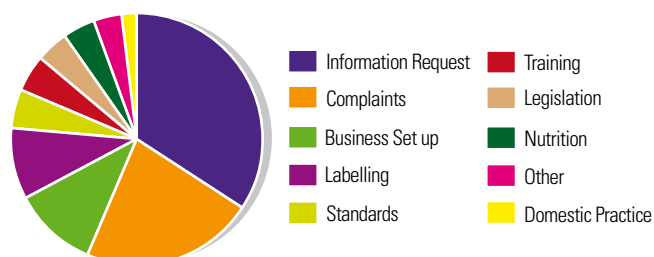


Figure 1: Top 10 Requests 2012

Requests for information on starting a food business remained extremely popular, with information being sought on the legislation that applies to food businesses, how to register a food business, what equipment is required, premises layout and operating a mobile food business and food stall. In addition, over 1,300 Safe Catering Packs were purchased by food businesses in 2012, to assist them in implementing their food safety management system. Also, having attended two Irish Village Markets' business start-up events in 2011, the FSAI contributed food business start-up information to the new 'Irish Village Markets Handbook – A Simple Guide to Becoming a Market Trader', which was published in June 2012.

Questions on labelling legislation represented almost 10% of total queries and included requests for information on the new Food Information Regulation, as well as general labelling and product specific labelling legislation requirements.

Other popular requests included information on food supplements (legislation and import requirements), food hygiene training, industry standards, the new recommendation for businesses to display calories on menus and requests for our new Healthy Eating and Active Living booklet.

Approximately 20% of queries received by the Advice-line relate to complaints about foods or food premises. In 2012, over 2,500 complaints were dealt with and referred to environmental health officers for investigation. Complaints related to unfit food (e.g. presence of a foreign object like glass, hair, an insect etc.)(36%), suspected food poisoning (18%), poor hygiene standards (visible

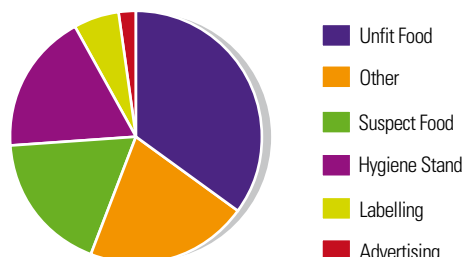


Figure 2: Complaints, 2012

dirt on surfaces, unsafe handling of foods by staff, unsatisfactory toilet facilities etc.)(18%) and labelling (6%). 'Other' which amounted to 20% refers to complaints that were of a general nature (e.g. complainants were not happy about EU rules) and went no further, or those that were not under the remit of the FSAI and had to be referred to a different body.

## Website

Our website has a huge amount of information for both food businesses and our service contract staff. It is continually monitored and updated to ensure efficient and timely provision of relevant information. Last year, 262,572 people visited the website, an increase of over 37% on 2011. These visitors accounted for a total of 1,596,940 pageviews (an increase of 17%) and 450,706 visits (up over 13%).

The most popular sections of the site were 'Resources and Publications' and 'Legislation'. In particular, though, all the content of the 'Food Businesses' section continue to attract an increasing level of interest.

Visitors came to the site from 208 countries in 2012, with 65% coming from Ireland and almost 10% from the UK. Although the number of visits from Ireland increased, there was a substantial rise in interest from overseas, particularly the USA, India and Australia.



## Information Centre

The FSAI's Information Centre contains a wide range of food safety related books, journals and online databases and is open to all our stakeholders, including members of the public, by appointment. If you would like to come and use the facilities in our Information Centre, please contact us at [library@fsai.ie](mailto:library@fsai.ie) or on 01 817 1354.

## Facebook

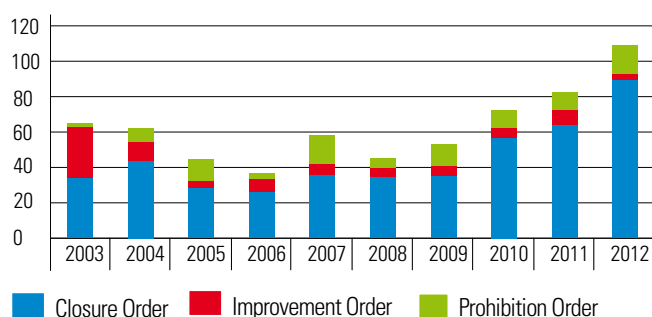
The FSAI's facebook page continues to provide regular updates on topical food safety issues and legislative requirements, as well as fun and informative food safety quizzes and FAQs. It also acts as a forum for questions and discussion. Find us on facebook at [www.facebook.com/FSAI](http://www.facebook.com/FSAI)

# Enforcement Orders Rise in 2012

Figures from 2012 show a rise in the number of enforcement orders served for breaches in food safety legislation. The issuing of 109 enforcement orders compared with 84 in 2011 meant an increase of 30% which makes the year 2012 the highest to date for the number of enforcement orders issued. Almost 29% of the orders in 2012 were served during the months of October and November.

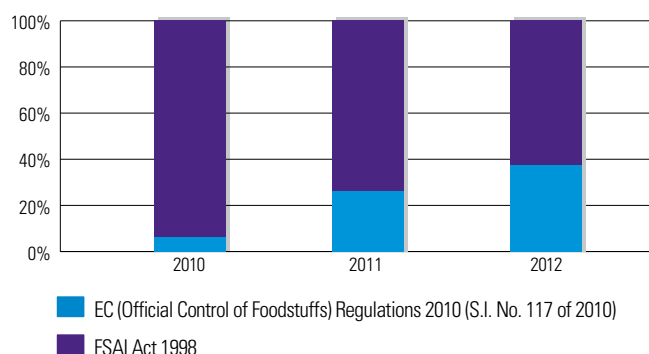
## Trend in Enforcement Order Served, 2003 – 2012

Over the past ten years, 631 enforcement orders were served on food businesses where breaches of food safety legislation were found. Between 1 January and 31st December 2012, enforcement officers served 91 Closure Orders, three Improvement Orders and 15 Prohibition Orders on food businesses throughout the country. This compares with 66 Closure Orders, seven Improvement Orders and 11 Prohibition Orders issued in 2011. An increase can be seen year on year with 42% of orders served in the last 3 years. (fig 1)



**Figure 1:** Ten Year Trend - Enforcement Orders Served

Since 2009, there has been a steady increase in the total number of orders served (54 in 2009, 73 in 2010, 84 in 2011 & 109 in 2012) and this correlates to the use of both the FSAI Act, 1998 and the implementation of EC (Official Control of Foodstuffs) Regulations 2010 (S.I. No. 117 of 2010).



**Figure 2:** Percentage Breakdown of Enforcement Orders Served by Legislation

The substantial increase in the number of Enforcement Orders serves as an unfortunate reminder that some food business operators continue to put consumers' health at risk by not complying with their legal obligations for food safety and hygiene. Consumers must be confident that the food they are eating is safe to consume and the onus is on each individual food business to take responsibility and commit to ensuring the food they serve is safe to eat. This requires food businesses putting appropriate food safety management procedures in place and making sure they are adhered to at all times.

Details of the food businesses served with Enforcement Orders are published on the FSAI's website. Closure Orders and Improvement Orders will remain listed on the website for a period of three months from the date of when a premises is adjudged to have corrected its food safety issue, with Prohibition Orders being listed for a period of one month. In addition, a press release is issued each month with details of enforcement orders served.

If any food business operator is unsure of what is required of them by law, they can contact the FSAI Advice-line on 1890 336677 or visit our website [www.fsai.ie](http://www.fsai.ie) or facebook page [www.facebook.com/fsai](http://www.facebook.com/fsai)



## Mobile Website

We now have a new mobile version of our website and the desktop version has also been revised with updated design and typography. The revised site is in accordance with the latest 'responsive design' principles so rather than an 'app' which requires a download and can be limited in functionality, the site 'responds' differently to individual devices, applying a suitable template for the required screen dimensions. The mobile version is compatible with at least iPhone 3G onwards, iPad, Android 2.2 (Froyo) onwards and more recent BlackBerry releases.

# EFSA's Data Standards Guidance

**In 2009, the European Food Safety Authority (EFSA) developed the Standard Sample Description (SSD), which is a standardised model for the reporting of harmonised data on analytical measurements of chemical substances occurring in food, feed and water.**

A working group was set up by EFSA to revise the SSD and the group has completed the final draft of the guidance and circulated it for comment by the relevant EFSA Networks. The new guidance (SSD2) has been revised to allow its use for reporting zoonoses, additives and antimicrobial resistance data as well as chemical contaminants and pesticides for which SSD was originally developed. The revisions have also taken account of EU Member States' experience in using SSD over the past few years.

The new guidance is expected to be published in September along with the revised guidance on data exchange which the working group continue to review.



*Pictured at a meeting in late 2012 are Working Group members including the chairperson Eileen O'Dea (FSAI) (Back row second from right)*

## Nanotechnology Forum in Dublin in 2013

**Nanotechnology has been a part of everyday life for a number of years now, with the general public largely unaware of its many manifestations. A rare opportunity to hear all about this revolutionary technology is coming to Dublin in June 2013 when the largest EU nanotechnology meeting of 2013 (EuroNanoForum) will be held in Dublin's Convention Centre.**

The meeting is designed to provide information and facilitate discussion on nanomaterials and their practical uses (nanotechnology) under general themes to include the environment, life sciences, applications and commercialisation and cooperation. The three day event will consist of plenary sessions, parallel seminars and workshops. The gathering is expected to attract a global audience and will include speakers such as the EU Commissioner for Research Science and Innovation, Maire Geoghegan Quinn, Minister for Research and Innovation, Mr Sean Sherlock, TD, along with a range of international academic experts and industrial leaders. Though much of the meeting will focus on the technology, its rapid progress

and growing list of applications, the importance of human and environmental safety is acknowledged and will receive particular attention.

The application of nanotechnology in food production and packaging will be addressed, with speakers from academia as well as representatives from the food industry outlining the promise of this technology and the ongoing work to ensure that its use in and by the food industry is safe.

Further information can be obtained at the following website where registration is also facilitated. <http://www.euronanoforum2013.eu/>



## International Network of Food Safety Authorities

Pictured at the recent meeting of the International Network of Food safety Authorities (INFOSAN) at the Korea Food and Drug Administration (KFDA) was Prof Alan Reilly, CEO, FSAI, Dr Hyomin Lee, Director, Risk Information Division, KFDA and Dr Cherl-Ho Lee, Chairman, Korea Food Security Research Foundation. The meeting, hosted by the KFDA was organised by the Western Pacific Office of the World Health Organization in collaboration with Food and Agriculture Organization of the United Nations. Fourteen countries from the Asia region participated and focused on how to strengthen networking and sharing information on food safety incidences.



# Legislation Update

## EU Legislation

### Health Claims

#### Guidelines for the implementation of specific conditions for health claims laid down in Article 10 of Regulation (EC) No 1924/2006

The EU has published Commission Implementing Decision 2013/63/EU of 24 January 2013 adopting guidelines for the implementation of specific conditions for health claims laid down in Article 10 of Regulation (EC) No 1924/2006.

Article 10 of Regulation (EC) No 1924/2006 lays down specific conditions for the permitted use of authorised health claims. A health claim is any voluntary commercial message or representation in any form such as words, statements, pictures, logos, etc. which states, suggests or implies that a relationship exists between the food that is the subject of the claim and health.

Both food business operators and EU Member States have raised a number of questions regarding the implementation of Article 10 of the Regulation. In order to ensure consistency in the application of the provisions, the EU have published this Decision which

contains guidelines regarding the implementation of Article 10. The guidelines provide detail on the following:

- Prohibition of unauthorised health claims and of health claims the use of which does not comply with - Article 10(1)
- Mandatory information accompanying authorised health claims - Article 10(2)
- Reference to general non specific health benefits - Article 10(3)

These guidelines can be viewed at <http://tinyurl.com/afuyygz>

### Food Additives

#### Commission Regulation (EU) No 25/2013 of 16 January 2013 amending Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council and the Annex to Commission Regulation (EU) No 231/2012 as regards the food additive potassium diacetate has been published in the EU Official Journal.

Regulation (EC) No 1333/2008 lays down an EU list of food additives approved for use and conditions of use. The newly published Regulation (EU) No 25/2013 amends Annexes II and III to Regulation (EC) No 1333/2008 following an application for authorisation of the use of potassium diacetate as a preservative.

Following evaluation by the European Food Safety

Authority, the use of potassium diacetate has been authorised to be used in the same way as potassium acetate. As a result, in the Annexes to Regulation (EC) No 1333/2008 the name of additive E 261, i.e. 'potassium acetate', has been replaced by the expression 'potassium acetates' covering both potassium acetate and potassium diacetate.

Specifications for potassium diacetate are included in Regulation (EU) No 231/2012 which sets out the specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008. In the Annex to that Regulation, the number E 261(ii) is assigned to potassium diacetate and the number for potassium acetate, has changed to E 261(i). This renumbering has no consequences on the labelling requirements set out in Articles 22 and 23 of Regulation (EC) No 1333/2008.

### Quality Schemes for Agricultural Products and Foodstuffs

#### Regulation (EU) No 1151/2012 of 21 November 2012 on quality schemes for agricultural products and foodstuffs.

The 2010 Communication from the EU Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on agricultural product quality policy identified the achievement of a greater overall coherence and consistency of agricultural product quality policy as a priority.

As part of this review Regulations (EC) No 509/2006 and (EC) No 510/2006 are repealed and replaced by this Regulation. The scope of this new Regulation is limited to the agricultural products

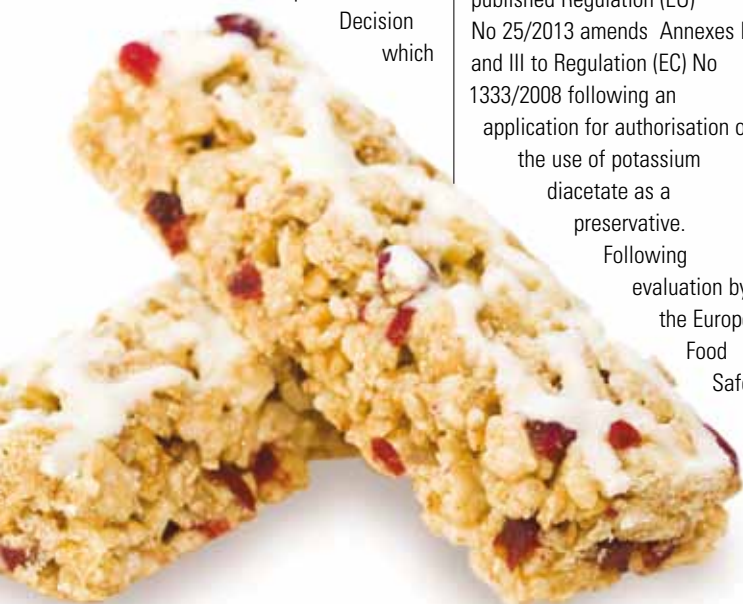
intended for human consumption listed in Annex I to the Treaty and to a list of products outside the scope of that Annex that are closely linked to agricultural production or to the rural economy. The names which were already registered under Regulation (EC) No 510/2006 on the 3rd of January 2013 continue to be protected under this Regulation and are automatically included in the register.

For those names already registered under Regulation (EC) No 509/2006 that, on the 3rd of January 2013, would otherwise not be covered by the scope of this Regulation, the terms of use laid down in Regulation (EC) No 509/2006 will continue to apply for a transitional period.

The new Regulation establishes the term 'mountain product' as an optional quality term. In order to facilitate the application of Directive 2000/13/EC (general labelling rules) where the labelling of foodstuffs may give rise to consumer confusion in relation to optional quality terms, including in particular 'mountain products', the Commission may adopt guidelines.

No later than the 4th of January 2014 the EU Commission must present a report to the European Parliament and to the Council on the case for a new term, 'product of island farming'.

The Regulation entered into force on the 3rd of January 2013; however Article 12(3) and Article 23(3) of the Regulation will apply from the 4th of January 2016, without prejudice to products already placed on the market before that date.





## EU Publications

### Questions & Answers Document on the Application of the New Food Information to Consumers Regulation

The Food information to Consumers Regulation (EU) No 1169/2011 replaces the current labelling rules and will apply from 13 December 2014, with the exception of mandatory nutrition declaration, which will apply from 13 December 2016, and specific requirements regarding the designation of minced meat, which apply from 1 January 2014.

The Commission's Health and Consumer Directorate General set up a working group consisting of experts from Member States. This working group have prepared a questions and answers (Q&A) document to facilitate food business operators and the competent national authorities to understand and apply the requirements of this Regulation appropriately.

The Q&A document is divided into two sections:

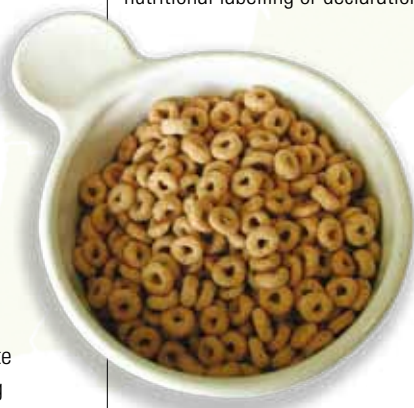
- General labelling, and
- Nutritional labelling

The document answers a series of questions concerning the application of the Regulation, including indication and designation of ingredients, indications accompanying product names as well as issues such as front of pack nutrition labelling.

The Q&A document is available on the European Commission website and is also available on our website at <http://tinyurl.com/agh79o>

### EU Guidance with Regards to Methods of Analysis For Determination of the Fibre Content Declared on a Label

The EU Commission has published a document which provides guidance to both food businesses and enforcement officials on methods of analysis for determining fibre content declared on a label with respect to nutritional labelling or declaration.



The term 'fibre' was defined by Commission Directive 2008/100/EC as:

Carbohydrate polymers with three or more monomeric units, which are neither digested nor absorbed in the human small intestine and belong to the following categories:

- edible carbohydrate polymers naturally occurring in the food as consumed
  - edible carbohydrate polymers which have been obtained from food raw material by physical, enzymatic or chemical means and which have a beneficial physiological effect demonstrated by generally accepted scientific evidence
  - edible synthetic carbohydrate polymers which have a beneficial physiological effect demonstrated by generally accepted scientific evidence
- The adopted definition of fibre encompasses a large and unrelated group of substances for which there is currently no single method of analysis available, therefore, a number of methods to determine the fibre content of foods have been identified. A list of methods of analysis of dietary fibre were adopted at the Codex Alimentarius Commissions 34th session in 2011. This list serves as a basis for the methods included in the guidance document. Taking this into account the guidance document contains of a table which summarises the methods of analysis for fibre and the table is divided into the following four sections:
- General methods that measure both the higher (monomeric units >9) and the lower molecular weight fraction (monomeric units =9)
  - General methods that do not measure the lower molecular weight fraction (i.e. monomeric units =9)
  - Methods that measure individual specific component (monomeric units: the whole range for each type of component is covered)
  - Other methods that have not been subject to interlaboratory evaluation

This guidance is currently available on the EU Commission's website and on our website at <http://tinyurl.com/aj4n99>

### 'Tolerances' for Nutrient Values Declared on a Label

The EU Commission's have published a guidance document on tolerances for nutrition labelling purposes and is available on their website. It is also available on the FSAI website at <http://tinyurl.com/aawgz4y>

### The following Regulations have been introduced over the last few months in Ireland:

#### S.I. No. 472 of 2012

European Union (Special Conditions Governing the Import of Certain Foodstuffs from Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) 2012

#### S.I. No. 473 of 2012

European Communities (General Food Law) (Amendment) Regulations 2012

#### S.I. No. 474 of 2012

European Union (Microbiological Criteria for Foodstuffs) Regulations 2012

#### S.I. No. 475 of 2012

European Communities (Official Controls on the Import of Food of Non-animal Origin) (Amendment) (No.3) Regulations 2012

#### S.I. No. 497 of 2012

European Communities (Pesticide Residues) (Amendment) (No.2) Regulations 2012

Many people contact our advice-line each month to ask questions on a variety of food safety issues. Some questions get asked time and time again – so in each issue of FSAINEWS, we will feature a Frequently Asked Question. This issue's question is ...

## Should I Perform the Detection Test or Enumeration Test for *Listeria monocytogenes*?

It is important that the correct test for *Listeria monocytogenes* is performed when assessing a foodstuff's compliance with the criterion set for Food Category 1.2 in Commission Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs. Food Category 1.2 covers "Ready-to-eat foods able to support the growth of *L. monocytogenes*, other than those intended for infants and for special medical purposes."

### Relevant limit

For Food Category 1.2, the Regulation sets two limits for *Listeria monocytogenes*: 100 cfu/g or absence in 25 g. Before any testing is carried out, the relevant limit must be determined. This is based on two pieces of information:

1. whether or not the food was sampled when it was still under the control of the food business operator who produced it, and
2. whether or not the food business operator who produced the food has studies that show how *Listeria monocytogenes* will grow in the food during the course of its shelf-life.

If the food is sampled when it is no longer in the control of the food business operator who produced it, only one limit applies: 100 cfu/g.

If the food is sampled when still under the control of the food business operator who produced it, the 100 cfu/g applies if the food business operator has studies which show how *Listeria monocytogenes* can grow in the foodstuff during the course of its shelf-life. These studies can then be used to determine if the number of *Listeria monocytogenes* cells enumerated in the sample could (in the time remaining on the shelf-life) grow to a level greater than 100 cfu/g. If the food business operator does not have these studies, the absence in 25 g limit applies.

### Relevant test

Once the relevant limit is determined, the choice of test is easy. The enumeration test (EN/ISO 11290-2) must be carried out to assess compliance with the 100 cfu/g limit. The detection test (EN/ISO 11290-1) must be carried out to assess compliance with the absence in 25g limit.

These tests are not interchangeable.

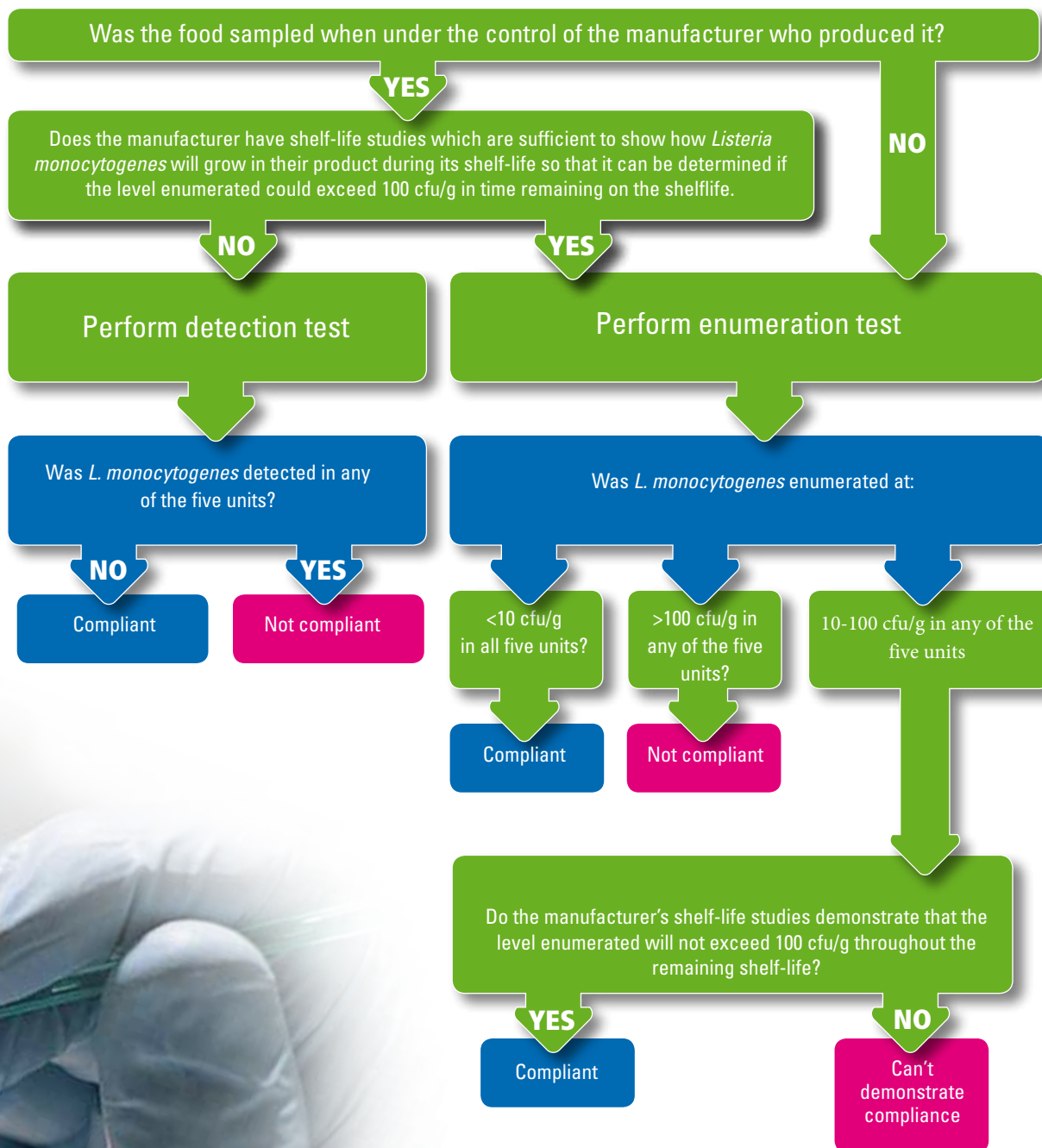
Compliance with the 100 cfu/g limit cannot be assessed using the detection test, nor can compliance with the absence in 25g limit be assessed using the enumeration test.

### Problems faced if the wrong test is performed

Performing the wrong test poses a problem for both the food business operator and the regulator. Compliance with the criterion cannot be demonstrated if the wrong test is performed on a sample. This makes it difficult to determine if a food can be placed, or remain, on the market.



## Flow Chart to Determine which Test to Perform when Assessing Compliance against Food Category 1.2 and Interpretation of Results





## Date for your Diary:

### FoodIEs Expo'

**Date:** Feb 27

**Time:** 15:00 - 18:00

**Location:** Limerick Strand Hotel, Limerick

**Details:** The FSAI will be participating in the **'FoodIEs Expo'** on 27 February from 3pm to 6pm in the Limerick Strand Hotel. The event is a meeting point for people in the catering and hospitality industries, both start-up and established. Industry experts and any related businesses with an innovative product/service will come together to offer advice and guidance.

So why not come and visit our stand if you need any information on; starting up a food business, food labelling, food safety requirements, food safety legislation or HACCP. There will also be an opportunity to win a Safe Catering Pack or Business Start-Up Pack worth €60 at the FSAI stand.

The event is free to attend. For a full list of exhibitors and to register, just visit: [www.foodiesexpo.ie](http://www.foodiesexpo.ie)



## Have your say!

**Would you like to see a particular issue or topic covered in our newsletter, if so email your suggestions to [newsletter@fsai.ie](mailto:newsletter@fsai.ie)**



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