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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Food safety: State of play on the major issues - <i>Information from the Commission</i>

Delegations will find in Annex an information note from the Commission on the above mentioned subject to be raised under "Any other business" at the session of the Council ("Agriculture and Fisheries") on 14-15 October 2019.

Food safety: State of play on the major issues

1. The Commission would like to draw the attention of the Member States to the some important recent developments in food safety policy and related activities.

Official controls and crisis management

2. The revision of the rules on official controls was adopted in 2017. The new rules will step up the fight against food fraud and improve the cooperation of competent authorities across sectors.
3. To improve preparedness and crisis management, the Commission updated earlier this year its general plan for crisis management in the food safety field. The Decision 2019/300/EU stems from the experience gained from several multi-country foodborne incidents that have occurred in the EU since 2004, such as E.coli in sprouts in 2011, fipronil in eggs in 2017, *listeria monocytogenes* in frozen vegetables in 2018. The Decision also builds on the outcome of the REFIT evaluation of the General Food Law, which included crisis management arrangements. It should help managing more effectively multi-country food/feed-borne incidents.
4. In parallel, the Commission worked towards improving Member States' preparedness for managing multi-country food/feed-borne incidents by organising yearly inter-sectoral simulation exercises. Those exercises focus on testing the use and usability of existing systems and communication tools (such as the Rapid Alert System for Food and Feed and the Early Warning and Response System) during a multi-country food or feed-borne outbreak and the ability of the Member States to work collaboratively and conduct proper investigations if needed.

Animal health

5. Regulation (EU) 2016/429 on transmissible animal diseases (Animal Health Law), replaces 39 Directives and Regulations governing animal health, some of which were in place for decades.
6. The Animal Health Law introduces a modern, risk-based approach together with a single animal health policy. The new legislation takes account of the “One health approach” and of international commitments. Further to the adoption of the Animal Health Law, the Commission is in the process of adopting a number of delegated and implementing acts in order to make the new legislation applicable.
7. Simultaneously, the Commission continues to provide the necessary tools to support the Member States and stakeholders in their efforts to prevent and control animal diseases and to ensure safe trade, such as the well-established EU laboratory network, vaccine banks and financial support for disease control programmes and for emergencies. To defend our high animal health standards in international arena, the Commission plays a proactive role by promoting EU standards, in particular in the context of standard setting bodies such as the World Organisation for Animal Health (OIE).

Animal welfare

8. In 2018, the Commission completed 12 actions of the EU Animal Welfare Strategy. Following a recommendation of the European Court of Auditors, an evaluation of the Strategy is ongoing and would be completed in 2020.
9. Given the difficulties observed in the enforcement of animal welfare legislation, the Commission supported the Member States through a number of initiatives and in particular two major enforcement projects, on animal transport and on the welfare of pigs. These projects included audits but also many complementary activities such as development of guidelines, recommendations, educational materials and workshops.

10. As a result, in the area of animal transport, an increasing number of Member States are preventing the transport of animals over long distance when forecasted temperatures rise above 30°C at any point of the journey up to the final destination in the non-EU country. Member States have considerably reduced the transport of animals during summer. Member States also agreed a common document to approve livestock vessels, which should improve the welfare of the animals.
11. Regarding the welfare of pigs, 26 Member States were asked to prepare action plans to implement the legislation. Consequently, several Member States have proposed implementation plans. This is going in the right direction even if more needs to be done for tangible progress on the welfare of pigs.
12. The Commission designated the first EU reference centre focusing on the welfare of pigs (2018); and is about to designate a second EU reference centre focusing on the welfare of poultry and other small-farmed animals.
13. The Commission established the first EU Animal Welfare Platform (2017), of which six plenary meetings took place. Two subgroups were also established, one on animal transport and another on the welfare of pigs. In parallel, members of the Platform took voluntary initiatives in five different areas to share information and best practices.
14. The Commission has also continued its activities to promote animal welfare globally, in particular by participating to the setting of international standards on animal welfare and including in the trade agreements. The results of the Eurobarometer survey on animal welfare requested by Commission showed that 94% of EU citizens believed it is important to protect the welfare of farmed animals.

Plant health

15. The new Plant Health Regulation will become applicable at the end of this year. The Commission is in the process of adopting all delegated and implementing acts for the completion of this new regime. It has already adopted a list prohibiting the import into the Union of high-risk plants (pending their final risk assessment), a list of priority pests as well as acts establishing five European Union Reference Laboratories for plant pests.
16. The Commission is also supporting Member States financially. In 2018, it allocated almost EUR 17 million to co-finance Member States' surveys and eradication measures.
17. The Commission encourages Member States to ensure adequate human and financial resources to help detect and eradicate proactively dangerous plant pests.

Food waste

18. The new EU waste legislation, adopted in 2018 requires Member States to reduce food waste at each level of the food supply chain, to monitor food waste levels and to report on progress made.
19. Supported by the EU Platform on Food Losses and Food Waste, the Commission adopted, in 2017, EU guidelines to facilitate food donation and, in 2018, EU guidelines to help valorise food no longer marketed for human consumption as animal feed. The Platform itself is due to adopt, by the end of December, recommendations for action that will guide future policy action by all actors concerned.
20. The Commission has recently harmonised food waste measurement methodology through a Delegated Decision. The new data on food waste levels will allow Member States to establish effective food waste prevention strategies. This information will help the Commission to assess by 2023 the feasibility of establishing EU-wide targets for 2030, as called for by EU waste legislation.

Risk assessment in the food chain

21. The Transparency Regulation governing the EU risk assessment in the food chain will apply as of 27 March 2021.
 22. The Transparency Regulation is a major step in enhancing our EU food safety system. The additional resources and staff will reinforce the European Food Safety Authority (EFSA) capacity to provide high quality, impartial scientific advice. The proactive public disclosure of all scientific studies and data supporting a request for a scientific output takes place early in the risk assessment process, once an application has been considered valid or admissible. At the same time, the Regulation maintains the competitiveness of the EU food and feed sector. In order to stimulate innovation, the Regulation sets out safeguards for the protection of justifiable confidential information. Similarly, it respects existing intellectual property rights, data exclusivity rules, and protection of personal data.
 23. The Commission collaborates closely with EFSA and the Member States to ensure a smooth implementation of the Regulation.
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