

Annex 5

COMMENTS

Statement from Asda Wal-Mart UK:

"We at Asda Wal-Mart UK, are very concerned that as a result of a survey carried out by the Food Standards Agency in conjunction with Leatherhead Food International, levels of aflatoxin above those allowed under current legislation were found in products offered for sale by ourselves.

As retail traders, Asda Wal-Mart expect our suppliers operate systems to ensure wholesome, safe food products are offered for sale. In doing so we insist all of our suppliers achieve and maintain standards consistent with the requirements of the British Retail Consortium. In this regard we can confirm our supplier of pistachios has achieved higher level of accreditation through the European Food Safety Inspection Service (EFSIS).

In defence of this particular instance our supplier has confirmed the following;

The batch of pistachios in question was independently tested by

- a. The approved / authorised testing laboratory in Iran.*
- b. EU Port Health Authority facility.*
- c. Independent Accredited laboratory in the UK*

Each of the above tests are sampled and tested according to Commission Directives 1525/98 and 98/53 EC. In addition the supplier perform their own in-house aflatoxin testing and positively release products into production. I am sure you will be aware that in respect of current legislation, in particular " The Food (Pistachios from Iran) (Emergency Control) (England) Regulation 2003, S.I No 1956, no nut or nut products undergo such a rigorous regime of testing before release to sale. The element of risk therefore, is substantially reduced by the sampling regime undertaken in each case.

We have commissioned our supplier to conduct independent tests on all retention sample packs with the same code as that tested by the FSA, in none of these tests did the supplier find any indication of levels exceeding statutory limits. These independent accredited laboratory test results are freely available for analysis".

Statement from Makro:

"We at Makro, are very concerned that as a result of a survey carried out by the Food Standards Agency in conjunction with Leatherhead Food International, levels of aflatoxin above those allowed under current legislation were found in products offered for sale by ourselves.

As wholesale traders, Makro expect our suppliers operate systems to ensure wholesome, safe food products are offered for sale. In doing so we insist all of our suppliers achieve and maintain standards consistent with the requirements of the British Retail Consortium. In this regard we can confirm

Annex 5

our supplier of pistachios has achieved higher level of accreditation through the European Food Safety Inspection Service (EFSA).

In defence of this particular instance our supplier has confirmed the following;

The batch of pistachios in question was independently tested by

- a. The approved / authorised testing laboratory in Iran.*
- b. EU Port Health Authority facility.*
- c. Independent Accredited laboratory in the UK*

Each of the above tests are sampled and tested according to Commission Directives 1525/98 and 98/53 EC. In addition the supplier perform their own in-house aflatoxin testing and positively release products into production. I am sure you will be aware that in respect of current legislation, in particular " The Food (Pistachios from Iran) (Emergency Control) (England) Regulation 2003, S.I No 1956, no nut or nut products undergo such a rigorous regime of testing before release to sale. The element of risk therefore, is substantially reduced by the sampling regime undertaken in each case.

We have commissioned our supplier to conduct independent tests on all retention sample packs with the same code as that tested by the FSA, in none of these tests did the supplier find any indication of levels exceeding statutory limits. These independent accredited laboratory test results are freely available for analysis."

Statement from Waitrose:

"At Waitrose we are well aware of the hazard presented by mycotoxins on nuts and in particular in-shell Brazil nuts, where you report a high level. We have in place strict procedures to ensure the safety of all our products including careful supplier control and regular testing. For the season in question several visits were made to Brazil on our behalf to screen and select suitable suppliers. Nuts were sorted and inspected in Brazil and extensively sampled for aflatoxin analysis. We only allowed batches which showed zero aflatoxin on all three pre-shipment samples drawn for each batch to be selected for shipment in refrigerated containers to prevent any mould growth in transit. Upon arrival here they were also subject to analysis by Port Health Authorities and finally on receipt at our supplier's factory. We only allowed loose Brazils that showed no aflatoxin detections to be packed for Waitrose. Our records indicate that all these comprehensive precautions were carried out satisfactorily; so it is very disappointing that your laboratory should return such a high result.

This has been given the fullest discussion both with our supplier and internally to determine what improvements could be made and we are taking best advice on what products can safely appear on our shelves for Christmas this year."