

DVMs for distribution

Chief Port Health Officers (England)
Nominated Officers for Imported Food (England)
Border Inspection Posts (England)

cc: APHA
CIEH
LACORS
APA
Trading Standards Institute
Health Protection Agency

26 September 2008

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IFD/E/08/037

Dear Colleagues,

MELAMINE CONTAMINATION OF MILK & MILK PRODUCTS FROM CHINA

This letter is addressed to Chief Port Health Officers, Nominated Officers for Imported Food and Border Inspection Posts in England only.

I am writing to let you know that the European Commission will be imposing safeguard measures tomorrow on the import of products originating or consigned from China containing milk or milk products due to the presence of melamine. This is in addition to the existing ban on the import of milk and milk products from China.

A new Decision will prohibit the import of products originating or consigned from China containing milk or milk products, intended for the particular nutritional use of infants and young children. These products may be described as infant formula, infant milk, follow-on formula/milk or baby milks/foods.

Furthermore, all consignments of products originating or consigned from China containing more than 15% of milk products, or where the percentage of milk content cannot be established, will be subject to documentary, identity and physical checks, including laboratory analysis, to determine that any levels of melamine present in the product do not exceed 2.5 mg/kg.

Consignments will be detained pending the laboratory results. Non-compliant products should be destroyed without delay. All costs incurred by enforcement bodies



related to checks, analysis and enforcement action on non-compliant consignments are to be borne by the food business operator responsible for the consignment.

If you need any further information on the policy aspects on this issue please contact my colleagues Dr Jillian Spindura on 020 7276 8708, email jillian.spindura@foodstandards.gsi.gov.uk , or Kara Thomas on 0207 276 8711, email Kara.Thomas@foodstandards.gsi.gov.uk

The advice contained in this letter should not be taken as an authoritative statement of the law or its interpretation. Only the courts can decide whether in particular circumstances an offence has been committed.

I hope that this is helpful but if you need any further information please let me know. The Agency's imports section on our website can be found at <http://www.food.gov.uk/imports>

Local Authorities may also register for the Agency's on-line Guidance and Regulatory Advice on Import Legislation system (GRAIL) by following this link: <https://grail.foodapps.co.uk/grail/general/home.aspx>

A further letter will be issued when the Decision has been published.

Yours sincerely

Ian Grist
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Enforcement Support Division