

To: Interested parties – see attached list

19 February, 2009

Reference: OCR 005

Dear Sir/Madam,

EU REGULATION 882/2004 ON OFFICIAL CONTROLS – COMMISSION REGULATION ON IMPLEMENTING RULES FOR IMPORT CONTROLS FOR 'HIGH RISK' FEED AND FOOD OF NON-ANIMAL ORIGIN (NON-POAO)

1. I wrote to you on 27 January 2009¹ to invite views on Rev 23 of the above draft Regulation and to let you know of the Commission's intention to present this for vote at the meeting of the Standing Committee on the Food Chain and Animal Health (SCoFCAH) on 12 February. This letter reports the outcome of the SCoFCAH meeting.

Outcome of SCoFCAH meeting

2. At the meeting, we highlighted that the UK still has a number of serious reservations about the draft Regulation. We emphasised the need for greater transparency on the criteria for identifying products to be added to (and removed from) Annex I and for determining the frequency of identity and physical checks to be undertaken. We stressed the need for greater clarity on the rules concerning consignments awaiting the outcome of physical checks. We expressed concern that there had been insufficient consideration given to the impact of the proposed measures on industry and the competent authorities, and reminded the Commission that any control measures must be proportionate. We pressed the Commission to take the draft back to the Expert Group and for that Group to focus first on reaching agreement on the general principles, i.e. the control framework and the criteria for adding/removing products from Annex I, before detailed discussions on individual products take place. The majority of other Member States also had serious reservations and agreed with the UK that further work was needed before a vote could take place. In the light this, the Commission postponed the vote and a further meeting of the Expert Group will be convened.

Next steps and further information

3. We will let you know when the Expert Group meeting is scheduled and will circulate for comment any further revisions of the text that are made available. In the meantime, if you wish to discuss any issues in relation to the draft Regulation, please get in touch with me or with David Millis on 020 7276 8424 (email: david.millis@foodstandards.gsi.gov.uk).

Yours faithfully,

Rufina Acheampong
Official Control and Enforcement Policy Team

¹ A copy is available at: <http://www.food.gov.uk/foodindustry/regulation/europeleg/euupdates/offcupdate0901>

Interested parties

ADM Milling Ltd
Advisory Committee on Organic Standards
AFBI
Agricultural Industries Confederation
Allied Bakeries Ltd
Allied Domeqc PLC
Allied Technical Centre
American Peanut Council
Araches Ltd
Arla Foods Uk
ASDA
Aspall Cider
Associated British Foods PLC
Association
Association of Cereal Food Manufacturers Ltd
Association of Convenience Stores
Association of Malt Product Manufacturers
Association of Port Health Authorities
Association of Public Analysts
Assured Food Standards
BAA
BAFSAM (British Association of Feed Supplement & Additive Manufacturers)
Barrow Lane & Ballard Ltd.
Basildon Chemicals
Belso's Cereals Ltd
Besana Group
BETA
BFP Wholesale
Biscuit Cake, Chocolate & Confectionery Association (BCCCA)
Booker Plc
Brand Technical Centre
British Retail Consortium (BRC)
Brent Environmental Health
Brewers of Europe
Brewing Research International
British Bakeries
British Beer and Pubs Association
British Chambers of Commerce
British Coatings Federation Ltd
British Coffee Association
British Frozen Food Federation
British Fruit Juice Association
British Hospitality Association
British Importers Association Ltd
British Independent Fruit Growers' Association
British International Freight Association
British Leafy Salads Association
British Medical Association
British Oat and Barley Millers Association
British Peanut Council
British Pharmacoepia Commission
British Ports Association
British Poultry Meat Federation Ltd
British Retail Consortium
British Soft Drinks Association
British Starch Industry Association
British Veterinary Association
Britvic Soft Drinks Ltd
BSCPIA
Budgens Stores Limited
Cabi Bioscience
Cambridge Manufacturing Company Ltd
Campden & Chorleywood Food RA
Cargills plc (Milling Division)
CEFIC
Central Science Laboratory
Centre for Environment, Fisheries & Aquaculture Science
Cereal Partners UK
Cereal Partners Worldwide
Chamber of Shipping
Chartered Institute of Environmental Health
Chemical Business Association
Cheshire Scientific
Chilled Food Association
CIEH Northern Ireland
CIEH Wales
CJ Wildbird Food Limited
Clearspring Ltd
CMS Cameron McKenna
Coca Cola GB & Ireland
Cocoa Association of London Ltd
CoE Food Safety & Chemistry
Coffee Trade Federation
Cold Storage and Distribution Federation
Combined Edible Nut Trade Association (CENTA)
Community Foods Ltd
Confederation of British Industry
Consumers' Association
Consumers in Europe Group
Convention of Scottish Local Authorities
Co-operative Retail
Corporation of London
CoSIC
Craft Guild of Chef
Crop Protection Association
Crop Services
Crown Cork & Seal Co Inc
CWS Ltd
DACSA LTD
Dairy Industry Association Ltd (DIAL)
Dairy UK
Dairy UK, Scotland
DARDNI, Food Policy Branch
DARD, Quality Assurance Banch
Del Monte Foods (UK) Ltd
Diageo
Dragan Milicevic
Ebrahimoff & Sons
Ellis Northover
English Apples and Pears Ltd
EU Food Law
Eurofins Laboratories Ltd
European Consumer's Organisation (BEUC)
European Sales & Marketing Association
European Snacks Association / SNACMA
Exponent International Ltd
F. Duerr & Sons Limited
Farley Health Products
Farm Animal Welfare Council

Federation of Bakers
Federation of Cocoa Commerce Ltd (FCC)
Federation of Oils, Seeds and Fats Association
Ltd
Federation of Small Businesses
Federation of Wholesale Distributors
Feed Fat Association
Findus Ltd
Flagship Fruit & Nut Ltd
Food Additives & Ingredients Association
Food and Drink Federation
Food Chemical Risk Analysis (FCRA)
Food Commission
Foodaware
Foodialog
Ford & Dain
FOSFA International
Freeworld Trading Ltd
Friends of the Earth UK Ltd
Frozen Food Importer
Fruit and Vegetable Cannery Association
GAFTA
Gala Coffee & Tea Limited
Geest Plc
General Consumer Council
Gerald McDonald & Co Ltd
Gerber Foods
Glanbia Milk Ltd
Glasgow Caledonian University
Government Chemist
Greenangle Ltd
Greencore Group
H J Heinz Co Ltd
H R Higgins (Coffee-Man) Ltd
Halliwell Landau
Hampshire Scientific Services
Hapico
Harper Adams University College
Hayman Horticultural Consultancy
Heads of Service in UK LAs
Health Food Association Manufacturers
Health Protection Agency
Health Protection Scotland
Helen Ameganvi
Hipp UK Ltd
Holland & Barrett UK
Home Grown Cereals Association (HGCA)
Home Grown Cereals Authority
Horticultural Research International
Horticulture Development Council
Ice Cream Alliance Ltd.
Iceland Frozen Foods
IGD
ILS Ltd
IMKO The Nut Company
Imkonut
Independent Toxicologist
Infant and Dietetic Foods Association
Institute for Environment & Health
Institute for Environment & Health
Institute of Auctioneers and Appraisers in
Scotland
Institute of Food Research

Institute of Food Science & Technology
International Food Hygiene Magazine
International General Produce Association
International Pectin Producers Association
J Pao and Co Ltd
J Sainsbury Plc
James White Drinks
Joint Food Service Industry Group
Julian Graves Ltd
K & S Fruit Washers Limited
Karen Holt
Kas Mycotoxins
Kellogg Supply Services (Europe) Ltd
Kentish Cobnuts Association
Kettle Foods Ltd.
Kinnersley Bros Ltd
Kraft Foods International
LACORS
LEAF
Leatherhead Food RA
LGC
Lincolne Sutton & Wood Ltd
Livestock & Meat Commission, Northern Ireland
London Port Health Authority
Malaysian Palm Oil Board
Marks & Spencer
Medical Research Centre
Mexican Trade Commission
Minerva Scientific Ltd
Mycotoxin Laboratory
National Association of Healthstores
National Cattle Association (Dairy)
National Consumer Council
National Council of Women
National Farmers Union
National Farmers Union, Scotland
National Federation of Community Organisations
National Federation of Meat and Food Traders
National Federation of Womens' Institutes
National Food Alliance (SUSTAIN)
National Office of Animal Health
National Pharmacy Association Ltd
National Starch & Chemical Ltd
Natural Resources Institute
NDFTA
Neogen Europe Ltd
Nestle Rowntree
Nestle UK Ltd
NFU Cymru
Nickerton (UK) Ltd
Northern Foods PLC
NI Agricultural Producers' Association
Northern Ireland Food and Drink Association
Northern Ireland Local Government Association
NRM
Nut Company
Orchard House Foods
Organic Herb Trading Company
Organic Mushroom Committee
Organix Brands Plc
Percy Dalton (Holdings) Ltd.
PFMA
Port Association

Potato Processors Association
Provision Trade Federation
Quaker Oats Limited
Quality Meat Scotland
Rafsanjan Pistachio Producers Cooperative
Rathbones Bakeries
R-Biopharm AG
R-Biopharm Rhone Ltd
Readifoods Ltd
Reading Scientific Services
RHM Technology
Rice Association
Robert Wiseman & Sons Ltd
Ross Biosciences
Rother DC
Royal Association of British Dairy Farmers
Royal Environmental Health Institute of Scotland
Royal Pharmaceutical Society of Great Britain
Royal Society of Chemistry
Royal Society of Health
S W Trading Ltd
Sainsburys Supermarkets Limited
Salamon & Seaber
School of Biological Sciences
Scientific & Regulatory Affairs
Scientific Analysis Laboratories Ltd
Scientific and Regulatory Affairs Division
Seed Crushers' and Oil Processors' Association
Scotch Whisky Association
Scotch Whisky Research Institute
Scottish Audit Advisory Committee
Scottish Civil Forum
Scottish Consumer Council
Scottish Enterprise
Scottish Environment Protection Agency
Scottish Food and Drink Federation
Scottish Food Safety Officers Association
Scottish Salmon Producers Organisation
Seasoning and Spice Association
Shipton Mill Ltd
Shoreham Port
SITPRO
Smithfield Foods
Smiths Flour Mills Head Office
Snack, Nut & Crisp Manufacturers Association
Society of Chief Officers of Environmental Health
Officers
Soil Association
Solvay S.A
Speedibrews
Spitfields Market Tenants Association
State General Laboratory
Sun Valley Peanuts
Swedish Food Administration & EUFIC
Syngenta Crop Protection
T M Duche and Sons Ltd
Taylors of Harrogate
Tepnel BioSystems Ltd
Tesco Stores Ltd
Terry Troxell
Trading Standards Institute
Tropicana
UK Association of Frozen Food Producers

UK Herbal Infusions Association
UK Maize Millers Association
UK Major Ports Group Ltd
Ulster Farmers Union
Unilever Research
University of Bristol
University of Nottingham
University of Reading
University of Surrey
University of Sussex
VEGA (Vegetarian Economy & Green Agriculture)
Vegan Society
Vegetarian Society of the United Kingdom
Verner Wheelock Associates Limited
Veterinary Laboratories Agency
VetNI
Vittrion UK
Voicevale Ltd
Waitrose Ltd
Warner Jenkins Europe Ltd
Weetabix Limited
Welsh Consumer Council
Welsh Local Government Association
West Yorkshire Analytical Services