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Ramazzini study criticised

A UK government advisory committee is highly critical of the Ramazzini Institute's study on aspartame which suggested that the artificial sweetener caused cancer in rats. The meeting of the Committee on Carcinogenicity (COC) was attended by Susan Barlow, chair of the AFC panel at the European Food Safety Authority (EFSA) which will issue the opinion next Friday, and by the chair of the EFSA working group Iona Pratt.

The leaked draft minutes have led to speculation that EFSA too will criticise the Ramazzini study. Pratt is said by people who attended the meeting to have supported criticisms made by the COC.

The draft minutes of the COC meeting conclude that: "In view of the problems in the design of the study and some concerns about the microbiological status of the colony, it was not possible to draw conclusions about the potential carcinogenicity of aspartame from the results."

UK Liberal Democrat MP Roger Williams, who is campaigning for a ban on aspartame and attended the meeting, says the Committee did not make one positive comment on the Ramazzini study. His assistant told EU Food Law: "They were wholly negative. Nobody said anything positive about the study. They were looking at it from a wholly negative point of view." She and Williams had not been expecting the COC to call for an urgent recall of foods but they were shocked that not one member of the committee said anything in support of the study. She also claimed that false allegations were made about the study. "Some of the comments were wholly inaccurate." Williams has visited the Ramazzini Institute in Bologna, Italy, and knows, for example, that the feeding trial was done with pellets and not with powder as the assistant claimed was suggested at the meeting.

The COC draft minutes give a long list of what the Committee considers to be faults in the study and puts forward several explanations as to why the rats had tumours, although these seem to be speculative rather than proven.

"The high doses of aspartame used in some treatment groups may have resulted in nutritional imbalances which could have affected the tumour incidence. Members commented that survival seemed good in the circumstances," say the draft minutes.

The Committee disagreed with the study authors that the Wistar strain of rat was potentially less sensitive than the Sprague-Dawley strain used in the study.

It criticised a lack of stability data on the aspartame in the information provided by the Ramazzini Institute and said that infra red spectroscopy was not the best way to determine purity.

Theories for the tumours

It argued that the presence of abscesses in the brain indicated that there might be an unusually high level of infection with mycoplasma in the study in the colony, which could account for some of the effects observed. (Mycoplasma cause various diseases in humans and animals including pneumonia.), It was unclear if screening for infection had been done, it said. Infection with mycoplasma could have been a factor in determining the incidence of lymphomas.

The Committee says it was "not appropriate to summate" (add together) all malignant tumours in the reporting of analysis of results nor to summate the numbers of lymphomas and leukaemias.

It says the dose response was unusually shallow given the wide range of doses used.

Rather than attribute the tumours to the diet of aspartame, it said that infection with mycoplasma could have been a factor in the incidence of the lymphomas. It attributed the tumours in the renal pelvis to calcification or to urinary tract infection. It suggested that some of the effects could have been caused by inhaling aspartame although this was most commonly reported with a powdered diet whereas the Ramazzini study used pellets.

Call for clarification

The Committee called for an analytical specification of the test substance, individual animal data and clarification about the fixative used (the study says ethyl alcohol was used but the Committee says it is not generally used and its use would have made histopathological evaluation very difficult.)

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The two representatives from EFSA attended as observers. The findings of COC were to be passed to EFSA.

Accusations of bias

Prof Erik Millstone, from the University of Sussex, who was also an observer, accused the Committee of only addressing if the study gave false positives and not that it might be underestimating risks. He said this demonstrated a systematic bias in the discussion and that the original studies carried out on aspartame were deficient. Millstone has supplied papers to EFSA.

He told EU Food Law that he felt the COC assumed the tumours were caused by anything other than aspartame and that some of the points made were speculation. He said that his dossier claiming that previous studies had been flawed or carried out incompetently had been sent to EFSA but that he had not received any questions from EFSA. He claims

that in one of these older studies, rats that died were replaced with another rat. "One rat was alive, dead and then alive again," he alleged. He said that another study discarded tumours.

The Ramazzini Institute declined to comment specifically on the COC conclusions, saying that it had carried out the study and it was now leaving it to EFSA to reach an opinion.

Whatever the conclusions of EFSA, the Ramazzini study has increased consumer concern about the artificial sweetener aspartame and some companies have stopped using it.

New study

The industry funded Aspartame Information Center says that there is overwhelming evidence that aspartame is safe and not associated with adverse health effects. A new epidemiology study from the National Cancer Institute (NCI) confirms previous study conclusions that

there is no link between aspartame consumption and leukaemias, lymphomas and brain tumours.

The study, presented at the American Association of Cancer Research meeting in Washington, evaluated 500,000 men and women between the ages of 50 and 69 over a five year period. "Our findings from this epidemiologic study suggest that consumption of aspartame-containing beverages do not raise the risk of hematopoietic or brain malignancies," it says.

"Despite allegations by critics, this new NCI study, in conjunction with a multitude of other scientific studies, clearly demonstrates that aspartame is not a carcinogen and can be beneficial and safe tool in helping people reduce calories and control their weight. On the other hand, obesity has been shown to be directly related to certain types of cancer," said Lyn Nabors, President of the Calorie Control Council, which represents companies that make low calorie sweeteners and companies that use them.

Aspartame has been found to be safe by the Food and Drug Administration (FDA) and the Scientific Committee on Food in the EU. Agencies from more than 100 countries have reviewed aspartame and found it to be safe. The most recent review in Europe was in 2002 when the SCF concluded that it was safe.

Ramazzini to publish further work

Whatever the verdict of EFSA on Friday, the story is not over. The Ramazzini Institute is already carrying out a new study on aspartame and is also carrying out work on other sweeteners such as Splenda.

Its first study on aspartame claimed that rats fed aspartame had a statistically significant increase in the incidence of leukaemia and lymphomas. It called for an urgent re-examination of permissible exposure levels of aspartame in food and drinks, with particular regard to protection of children (see EU Food Law July 15 2005). This occurred at dose levels very near to those to which humans can be exposed, it said. The study used 1800 rats. EFSA had a first meeting with the Ramazzini Institute in June last year but it took until December for the full data to be sent to EFSA, so that the risk assessment could be started. At the Ramazzini's conference last September, aspartame was linked to a range of cancers in the scientific presentation.

More questions on declarations of interest at EFSA

Questions were asked this week about links between the acting executive director of the European Food

Safety Authority (EFSA), Herman Koeter, and a committee funded by the sweetener, food and GM industries. The committee includes a strong contingent of representatives from companies involved in GM food and pesticides.

Last week the Liberal MEP Chris Davies asked the European Commission questions about Sue Barlow, chair of the AFC panel which is looking at aspartame, asking if it was satisfied that not only does no conflict of interest arise from consultancy at the International Life Sciences Institute (ILSI) but that no such conflict may arise (see EU Food Law last week). Barlow is also on the EFSA scientific committee and a working group member for the GMO panel.

According to the ILSI Europe web site, Koeter has been a member of a technical committee that Barlow also serves on at ILSI on agriculture chemical safety assessment, which produced a draft report in January 2005. He is listed both as one of the authors of the report and as a member of this committee in his capacity at EFSA. He is also listed in a presentation on the Life Stages Task Force given in November 2004.

However, EFSA says that Koeter attended only one meeting of this committee back in 2003 in the context of his previous position at OECD. "While he considers appropriate the participation of EFSA scientists actively involved in issues addressed by such committees, he would not consider this for himself at present given his present function and managerial role," a spokeswoman said.

The other members of the committee include two representatives from Bayer, as well as employees of Du Pont, Syngenta and Dow AgroSciences. It is chaired by James Lamb from the Weinberger Group, a Washington based consultancy, and also includes representatives from the US Environmental Protection Authority. ILSI itself is funded by a range of food companies including Monsanto. A spokesperson for EFSA said that the committee included representation from government, the academic community and industry (one third representation for each).

A spokesperson for ILSI Europe said that Koeter had attended one workshop when he was still at the OECD. In recognition of the contributions from those who attended the workshop, all the participants were listed as authors of the study. He denied that ILSI had been wrong to put Koeter in his role at EFSA on the report, saying it was policy to put the employer of participants at the time of publications. It was more transparent to name everyone and who they worked

for, he said. The report was done by ILSI in the US, where awareness of EFSA was not so high, and had the report been published by ILSI Europe, it might have explained that Koeter contributed when he was still at the OECD, the spokesman said.

The technical committee has produced a draft on exposure to pesticides over someone's life cycle (ie infants, middle age, the elderly). One of its other objectives is to reduce/replace animal usage, which is of keen interest to Koeter. He won a major prize last year for his contributions in this area.

With regard to Barlow, EFSA stresses that she has indicated in her declaration of interests, published on the EFSA web site, that she has been involved in activities co-ordinated by ILSI Europe as chair on the ITG on hazard characterisation and as an independent consultant on thresholds of toxicological concern monograph. "Dr Barlow contributed to these activities as an independent scientist and EFSA does not consider her involvement in these activities as a conflict of interest. A declaration of interest does not necessarily mean a conflict of interest as such. However it is of legitimate public interest that information on direct and indirect interests of relevance to the mission of the Authority are declared by the members of EFSA's scientific panels and made available on the EFSA web site."

She added that EFSA would consider future co-operation with ILSI on scientific matters where and as appropriate. "EFSA and many other organisations (national and international) as well as national government agencies co-operate with ILSI on defined scientific matters."

ILSI is a non-profit foundation which says it seeks to improve the well being of the general public through the advancement of science. Its critics, however, see it as a front for the food and biotech industries. It has different branches worldwide. Its members in Europe include Ajinomoto, which makes aspartame, Bayer CropScience, Cereal Partners, Coca-Cola, Danisco, Kellogg, Kraft, McDonald's Monsanto, Procter & Gamble. Red Bull and Unilever, to name but a few. It has four key issues – obesity, food biotechnology, functional foods and risk assessment.

Missing declarations of interest

Two members of the working group of the European Food Safety Authority (EFSA) which looks at additives and food contact materials, the AFC, have no published declaration of interest on the EFSA web site.

There is a long list of working group members, who are not all members of the panel but can be called upon to give their expertise at meetings. However two have no declaration of interest – Dr Barry Maycock and Dr Vibe Beltoft

It is not clear if either of them would be on the working group for aspartame, the opinion for which is to be published this week, because EFSA has not published a list of those involved.

Last week EFSA was stressing its declaration of interest system as it faced questions about conflicts of interests from MEPs among others. However, even on the eve of it facing the press with conclusions on aspartame, declarations were incomplete.

There is no declaration for Philippe Vannier, who is a member of the scientific committee, made up of chairs of the various panels and other scientists. There are none for three GMO working group members, Prof Inge Broer, Prof Michael James Wilkinson and Dr Achim Gathmann.

Tight budget but more cash for agencies

The European Food Safety Authority (EFSA) and the European Centre for Disease Prevention and Control (ECDC) have won more money for 2007 but the budgets for both agencies and consumer and health protection in DG SANCO will be tight.

The Commission announced a preliminary deal this week, subject to Parliamentary approval, which gives EFSA some EUR 57 million, the ECDC EUR 26.5 million. There is also EUR 44 million for health in DG SANCO and EUR 18.9 million for its consumer protection division.

In the original deal agreed by the Council last December, the EFSA and ECDC budgets were frozen even though they are still in their start up phases.

Commissioner Kyprianou's spokesman said that nobody was getting what had originally been asked for and that Kyprianou had said that the pain would be spread equally between the two agencies and DG SANCO.

"There will still be cuts relative to what we wanted," he said.

Kyprianou had written to the Commission President outlining what was necessary. In the end, DG

SANCO and the agencies had received about 84 per cent of what had originally been proposed by the Commission.

The budget for EFSA for 2007 was originally EUR 62 million which the Authority reduced to EUR 57 million after talks with the Commission (see EU Food Law March 31 2006) which was considered at the management board meeting in March. At the board meeting, it was said that this figure of EUR 57 million was at the expense of part of DG SANCO's health budget. One cut proposed to get the budget down to EUR 57 million included axing the live webcast of board meetings and only having a recorded version.

The 2007 budget is part of the Financial Perspectives for 2007 to 2013. The European Council, Parliament and Commission reached a deal in April (see EU Food Law April 7 2007) which brings in an extra EUR 4 billion over the perspectives period but was well short of the EUR 12 billion that the Parliament was seeking.

Compromise on claims

The European Parliament and Austrian Presidency were meeting as we went to press to discuss a possible compromise on health and nutrition claims on Wednesday 3 May.

The Presidency was then expected to go back to the Committee of Permanent Representatives (COREPER) in the afternoon. A second important meeting is planned for Monday 8th May.

The Austrian Presidency needs to get a deal thrashed out by 10 May because any compromise amendments will have to be tabled that day to the European Parliament, which is to vote the following week.

Despite this very condensed timetable, discussions on the key issue of nutritional profiles in Article 4 is only just starting. The Parliament wants to allow food companies to make a claim even if their food does not meet a nutritional profile, provided that any less healthy ingredients (such as fat, sugar and salt) are clearly stated near the claim. The Council would allow derogations for claims on low fat, low sugar and low salt but wants all other claims to be dependent on a satisfactory healthy profile for the food. There are also key difference on other issues such as the authorisation/notification procedure although these are perhaps less crucial than nutrient profiles.

The Austrian Presidency and the Parliament have both said that they want to avoid conciliation. This week the Austrian Presidency was taking some suggestions to the Parliament on a range of options on Article 4.

Some involved in the discussions say that so great is the determination to avoid conciliation that a deal will be struck and that the tight time pressure can sometimes help to find a deal. Others, however, think that nutrient profiles may be a stumbling block and that it will be difficult to get agreement by 10th May.

There have already been discussions on unpackaged food and trade marks (see EU Food Law last week). Once individual items have been discussed, both sides have to agree the total package.

The European Parliament will vote in the second reading on May 17.

In the first reading, MEPs completely deleted nutrient profiles but a higher proportion of votes is needed in the second reading so this outcome is considered extremely unlikely.

Disagreement over unsaponifiable oils

The UK government advisory committee on novel foods has taken issue with two recent European Food Safety Authority (EFSA) opinions on oils, saying that the Authority has not addressed the questions of either intake or labelling satisfactorily.

EFSA gave positive opinions on the maize germ oil and rapeseed oil high in unsaponifiable matter (see EU Food Law January 20 2006). The Advisory Committee on Novel Foods and Processes (ACNFP) in the UK had previously reached a negative opinion.

The ACNFP has reconsidered its opinion and decided that further information provided to EFSA on the product specification met its earlier concerns. However: "Members remained concerned about the lack of information on how the intake levels could be achieved in practice," say the draft committee minutes. There was also an absence of data on intakes for different age groups, it said.

Furthermore, the ACNFP said that the EFSA opinion did not include any consideration of the labelling for products containing the oils.

The ACNFP concluded that it agreed with the EFSA opinion that there were no safety concerns but maintained its original concerns over labelling and intake. The ACNFP questions the approach taken where the intake limit was set as a multiple of the recommended daily intake for vitamin E and not on the basis of scientific risk assessment.

Expanscience (formerly Pharmascience) made the application in 2001 to the French authorities which considered that it was safe provided intake was limited to 2g a day. Expanscience wants to market the product because it contains phytosterols which can effectively reduce LDL cholesterol levels. The company wants to use it in a wide range of foods.

Concerns over noni juice

The UK government's advisory committee on novel foods has outstanding concerns about an application for "substantial equivalence" for a noni juice.

The Advisory Committee on Novel Foods and Processes (ACNFP) has considered a request for "substantial equivalence" of Leap of Faith Farms noni juice with approved noni juice under the Novel Foods Regulation.

The Committee says the applicant has not offered any new compositional data to confirm the equivalence of the existing Tahitian produce and the equivalent Panamanian product. Members expressed concern that the applicant had not provided any information on the botanical identity of the fruits used for juice production in Panama.

The Committee has also not received any new data on the stability of the dehydrated form. Members were particularly concerned about the lack of information to support the quoted shelf life and noted that it was impossible to compare the stability of the product to other dried products.

The risk assessment is being conducted as the European Food Safety Authority (EFSA) considers literature reports of a possible link between hepatitis and the consumption of noni juice.

Noni leaf

There is also a new application for authorisation of a noni leaf which has been made via the Belgian competent authority. This concerns the leaves of the *Morinda citrifolia* L as a novel food in a wide range of products including Tahitian noni leaf tea.

The ACNFP will consider this at its May meeting, within the 60 day deadline for comments.

Monsanto stresses commercial confidentiality in GM studies

Monsanto is arguing that descriptions of the processes involved in its GM food and feed seeds are commercially confidential and should not be put in the public domain.

Green MEP Hiltrud Breyer is calling for the Commission to release eco toxicity studies from Monsanto so that independent scientists can examine them and the Commission has indicated that it wants to be transparent and give her the studies (see EU Food Law last week).

However it looks as though there may be a battle over what is considered to be genuinely commercially confidential. The Commission has indicated that it will take a robust review and only remove personal data and information which is genuinely commercially confidential.

A spokesman for Monsanto told EU Food Law that it was concerned that some information in the studies was commercially confidential and potentially of benefit to its competitors. He argued: "This is not about secrecy. The main point is that the regulators have access to the studies. We have provided them to the European Food Safety Authority (EFSA)."

He also argued that the studies were only comprehensible to highly qualified toxicologists and that Breyer was not a toxicologist.

The Commission said last week that it would require a further 15 working days before releasing the studies to Breyer.

She has applied for access to information on:

MON 863 x MON810 maize
NK603 x MON810 maize
MON863 x NK603 maize
MON 863 x MON810 x NK 603
H7-1 Round-up Ready sugar beet
MON 531 x MON 1445 cotton
MON 15985 cotton and MON15985 x MON 1445 cotton

She wants the ecotoxicological studies and particularly the feeding studies on MON863 x MON810 and MON 810.

WHO standards on child growth

The World Health Organisation published standards for child growth last week based on the breastfed child as the norm for growth and development. It is argued that past standards have been based on formula fed infants, who tend to be fatter than those that are breast fed. This has sometimes put pressure on mothers to use formula so that their babies match the weight charts. The new growth standards are published on the WHO web site.

Atypical scrapie work held up

Investigations into atypical scrapie in sheep, which scientists fear might theoretically be transmissible to humans, are being hampered by a shortage of infected material for research.

This concern was aired at the meeting of the Spongiform Encephalopathy Advisory Committee (SEAC) in the UK last week, when members discussed the very few samples that are available and ways of increasing this number. Some sheep are being infected to provide material but this takes several months.

SEAC's sheep sub-group said that atypical scrapie should be considered as a separate disease from classical scrapie and that urgent work was needed to see if it was transmissible to humans (see EU Food Law March 3 2006). The Food Standards Agency (FSA) discussed the issues at one meeting but there was insufficient information available and it is to return to the debate at its June board meeting. However SEAC members last week stressed that it was very difficult to make any progress until there were more samples.

The meeting also heard that a type of sheep genotype thought to be resistant to BSE (ARR/ARR) had developed infectivity in the spleen after being orally challenged. However, this was at a very high dose and chair Prof Chris Higgins said that although the genotype was not totally resistant, it "could still be very resistant."

He was also concerned about new findings that humans with the VV genotype could be infected with vCJD which has emerged from a survey of tonsils and appendix.

BSE in sheep

Prof Higgins discussed the Cypriot and two French sheep that might have BSE. Danny Matthews from the Veterinary Laboratories Agency said the disease

in the three sheep did not look compatible with BSE and that it could be differentiated from experimental BSE. The mouse bioassay takes 18 months to complete for a definitive answer.

Matthews also said that of the two cases of possible BSE in British sheep which had gone to the bio mouse assay, it looked as though one case was NOT BSE. There had been a delay in starting the test because of problems breeding the mice but scientists were now seeing incubation at 100 days which was "totally inconsistent" with BSE, he said. However he stressed that the pathology work had yet to be done.

Green light for GM feed additive

There are no safety or environment concerns over the use of an enzymatic preparation Phyzyme XP for use as feed additive for chickens for fattening, the European Food Safety Authority has said. Full details of the opinion from the feed panel and the GMO panel are on its web site. It is produced from fermentation with a GM yeast.

EFSA concern over feed additive

Concerns are raised about the enzyme preparation Bio Feed Pro designed to fatten chickens and pigs as a feed additive by the European Food Safety Authority (EFSA) in a risk assessment published this week.

Bio-Feed Pro is an enzyme preparation based on proteinase, produced by fermentation of a strain of *Bacillus licheniformis*.

There is no evidence of any genotoxic effects of Bio-Feed Pro but the available data to make it impossible to exclude the presence of potentially harmful residues.

"Therefore no conclusion can be reached on the safety for the consumer."

The panel also concluded that the range of potential effects meant that the product should be handled with extreme caution, with appropriate protection and management procedures to minimise all exposures. "The safety data provided by the applicant does not adequately identify the hazards," it concludes.

In summary, the Feed panel is unable to conclude on the efficacy of the product or its safety for the consumer. Bio-Feed Pro does pose risks to those handling the product, it says..

Lack of controls on Estonian fish

None of the inspection bodies in Estonia carries out specific controls to ensure that fish likely to contain dioxins/furans in excess of the maximum limits set for the EU do not enter the food chain. This is one conclusion of the Food and Veterinary Office inspection to Estonia which looked at dioxins in fish from the Baltic, where high levels of dioxins can be a problem.

The inspection team is also concerned that many of the samples are taken from shallower water rather than deeper waters where dioxin levels in the fish are known to be higher.

The Estonian ministry of agriculture has conducted several monitoring studies for dioxin content in the Baltic Sea, indicating that a small proportion of the total catch from Estonian coastal waters is likely to contain dioxin levels higher than the maximum levels under Community legislation.

The report concludes that the relevant authorities are co-operating on controls on Baltic Sea fish but there is no control to ensure that contaminated fish are not put on the market.

It says that only a small proportion of the national fish catch from the Baltic Sea has been shown to contain levels of dioxins/furans above maximum levels but that consumers may be being unnecessarily exposed to dioxins/furans.

Obesity figures dubbed misleading

One international standard should be used for obesity figures so that everyone understands what they are talking about and figures are comparable. This was the view of Dr Peter Marsh, Director Social Issues Research Centre, who criticised figures published last week on UK childhood obesity, saying that they made the problem look two and a half times worse than it was.

Marsh said the government figures which suggested the number of obese children in England had nearly doubled (see EU Food Law last week page 9) were misleading and that instead the formula developed by the International Obesity Task Force should be used.

The figures suggested that 20 per cent of children aged up to 15 were obese but this fell to 7.5 per cent at the age of 16, he told a meeting of the Westminster Diet and Health Forum "The statistics can be extremely misleading," he said. The figures made the problem look two and a half times worse than it was.

He argued that middle age obesity was more of a problem than childhood obesity

Douglas Smallwood, chief executive Diabetes UK, supported a complete ban on advertising fatty, sugary foods to children on television. He attacked the TV regulator Ofcom for not proposing this. "I know it means £240 million a year in lost advertising," he said. "But diabetes costs the NHS (National Health Service) £4.2 billion."

He spoke in favour of the Food Standards Agency's traffic light front of pack labelling saying that this was needed to change people's behaviour and that what the food industry was currently offering was insufficient.

Other speakers were concerned that the obesity issue is being demonised in the press and that this can spread angst and worry for people concerned about their weight. The media war on obesity could contribute to mental health problems, Prof Susie Orbach, convenor of Anybody argued. She was concerned about anorexics and about people binge eating.

*There will be further coverage of this event next week

Commission proposes voluntary registration for lobbyists

A voluntary registration system for lobbyists in Brussels is proposed by the European Commission to make relations between EU institutions and lobbyists more transparent. The plans have been attacked by the campaign group Alter EU (Alliance for Lobbying Transparency and Ethics regulation) for being too weak.

The Green Paper on European Transparency Initiative, which is out for public consultation, also suggests publishing information about the beneficiaries of funds under shared management, as well as the Commission's consultation processes.

The Commission says it considers lobbying as a legitimate part of the democratic system but says standards must apply and it must be clear to the general public who the companies represent and what input they provide to the European institutions.

It says there are concerns about lobbying practices that go beyond legitimate representation of interests, including distorted information on the economic, social or environmental impact of legislative proposals and mass communications. There are also

possible conflicts of interests from organisations relying on financial support from the EU budget.

It proposes a web based voluntary registration system for all lobbyists who want to be consulted on EU initiatives and a common code of requirements for all lobbyists, to be developed by the lobbying profession itself. There should also be a system of monitoring and sanctions for cases of incorrect registration and/or a breach of the code. A new watchdog would be created to monitor compliance.

ALTER-EU says the proposals fail to deliver transparency and will not improve public trust. "Entirely missing from the Green Paper are proposals for ending the privileged access by commercial lobbyists and on employment of Commission officials in the private sector (revolving doors)," it says. It also argues that the proposals do not provide for transparency regarding staff working for the Commission under temporary contracts.

Ban on British beef lifted

British farmers hailed a 'red letter day' on Wednesday, as the EU lifted its ten-year export ban on British beef. However, the English National Farmers' Union (NFU) warned that calf exports must be conducted to the highest humane standards now that trading restrictions have been lifted.

The EU decision opens the way to rebuilding a trade that was worth over £600 million a year to the British economy before the ban was imposed at the height of the BSE crisis in March 1996.

NFU president Peter Kendall said: "The lifting of the British beef ban is fantastic news for farmers and the UK economy. What this means is we can now take full advantage of the huge investment the British beef industry has made in quality assurance and which gives our beef a real edge over the competition."

Welfare standards

However, anxious about an animal welfare backlash, the union has asked exporters to give written assurances that British calves will only be exported to rearing units that comply with the new EU calf welfare regulations.

The regulations, which outlaw the use of veal crates and require calves to be reared in groups, will apply to all calf rearing units as from January 1 2007, but have already been widely adopted - including in the Netherlands, which was previously a major importer of British calves.

An NFU spokesman said that the resumption of the export trade would provide a much-needed market for dairy-bred calves, but it was vital that it was conducted to the highest possible standards, both for the welfare of the calves and to allay public concern on this controversial issue.

The union concedes that, in an ideal world, calves would be reared and slaughtered for veal in the UK, and only the meat exported. "While that remains the NFU's long-term objective, a combination of the costs and expertise required to set up specialised veal calf rearing units from scratch in this country, and the preference of continental consumers for 'home-reared' veal mean that this is not a realistic prospect in the short or medium term," the union explained.

The UK can now, like all other EU member states, export cattle born after August 1 1996 and beef products produced after 15 June 2005.

The EU agreed that measures put in place by the UK authorities to get rid of BSE were satisfactory and highlighted that UK cases of BSE had dwindled consistently, falling from a high of 37 000 cases at the height of the crisis in 1992 to 520 cases in 2005.

"The lifting of the British beef ban is fantastic news for farmers and the UK economy. We can now take full advantage of the huge investment the British beef industry has made in quality assurance and which gives our beef a real edge over the competition," said NFU president Peter Kendall.

Food contact law regulating phthalates and gaskets takes shape

The European Commission's directorate general for health and consumer protection (DG SANCO) is putting the finishing touches to a future EU regulation that will ban phthalates from use in articles that come into contact with fatty foods and set migration limits for other applications, as well as regulating plasticiser migration from gaskets.

In the middle of next month DG SANCO will put a draft of the proposal through the Commission's internal – “interservice” – consultation process for the other directorates general to comment before asking member states to clear the regulation in the Standing Committee on the Food Chain and Animal Health in June. An official said that the timing of the interconsultation process and then the vote in the Committee was uncertain due to public holidays over the next month. The vote could be in a Committee meeting early June or one later in the month.

Either way the Committee is expected to approve the regulation allowing the Commission to adopt it and the limits to take effect within a month or so – usually 20 days after publication in the EU's *Official Journal*. The official said there had been “no negative comments” from member states in a consultation on the proposed restrictions.

The future regulation will ban phthalates from being used as plasticisers in food contact materials destined for fatty foods – plasticisers soften plastic so the rule would affect packaging as well as tubes and other pliable plastic materials. The official explained that because phthalates migrate into fats, producers would not be able to ensure compliance with the limits “so it doesn't make sense to use them at all.”

Two compounds di(2-ethylhexyl) phthalate (DEHP) and di-n-butyl phthalate (DBP) are considered endocrine disruptors so will be banned from food contact materials, but with a transition period until 31 December 2007 for those not in contact with fatty foods. During the transition period DEHP and DBP could be used in corks and roll-on aluminium closures on mineral waters and other beverages, and as technical support agents provided the concentration in the final (food contact material) product does not exceed 0.1 per cent.

The limit would mean an effective ban on the two phthalates' use as plasticisers during the transition

period since plasticisers make up 30 to 40 per cent of the final product. Migration limits would also apply during the transition period with the regulation setting a 1.5 mg/kg of food ceiling on DEHP and a 0.3 mg/kg limit for DBP.

Diisononyl phthalate (DINP) and diisodecyl phthalate (DIDP) will have a 9 mg/kg of food migration limit. The limit would apply to the two compounds taken together because, the official explained, analytically they can not be differentiated. Butylbenzyl phthalate (BBP) is to get a 30 mg/kg food limit as a plasticiser in repeat use materials and articles in contact with non-fatty foods and as a technical support agent.

Gaskets migration limit

The future regulation will also set migration limits for plasticisers used in gaskets – seals used for metal lids on glass jars. The plastic food contact materials directive covers plasticisers used in other applications but gaskets fall into a loophole, since strictly speaking they are not food contact materials but coatings.

The limits are mainly aimed at epoxidised soybean oil (ESBO) in gaskets on jars of baby food. After studies showed migration levels could mean some babies being exposed to four or five times the tolerable daily intake, the European Food Safety Authority's Scientific Panel on Food Additives, Flavourings, Processing Aids and Materials in Contact with Food (AFC) advised the Commission to set limits.

The regulation will set a standard 60 mg/kg of food limit for plasticisers used in gaskets apart from those on jars of fatty food, which have a transition period – extra time to comply with the limit – until 31 December 2007. During the transition period a 300 mg/kg food limit will apply to plasticisers used in gaskets on jars of fatty foods.

COUNTRY REPORTS

FINLAND

Launch of new Authority

This month sees the launch of the Finnish Food Safety Authority, Evira, designed to create a single authority in line with the “from the field to the table” approach.

The new authority is responsible for tasks previously undertaken by the National Veterinary and Food Research Institute, the National Food Agency and the

Plant Production Inspection Centre. Executive functions of the Department of food and health of the ministry of Agriculture and forestry have also been transferred to the authority.

The authority is responsible for ensuring food safety, promoting animal health and welfare and plant health. It will control and inspect the quality of food products, as well as animal and plant health. Samples taken are analysed at the laboratories of Evira.

It employs about 750 people, with 500 based at the University campus in Vikki, Helsinki.

GERMANY

Germany extends poultry ban

The German government this week announced that its order for farm poultry to be kept indoors would be extended until May 12. It also committed a sum of €10 million for research into more effective ways of tackling the avian influenza virus in birds.

The announcement marks a significant softening of the government's previous line on this issue – on April 21 agriculture minister Horst Seehofer said that the lock-up order, imposed on February 17 to guard against avian flu, was to be extended indefinitely.

H5N1 avian flu has been discovered in more than 300 wild birds in Germany since February. But it has only been found on one farm which had an exemption permit allowing some birds outdoors to breed.

The new decision was agreed by the national crisis committee of the federal and state governments on Wednesday. It gives Germany and its regions time to negotiate exceptions to the outdoor ban.

Economic problems

At a hearing in Bonn, the states are reported to have raised objections to an indefinite lock-up order on the grounds that it would lead to massive economic problems for small producers in both the free-range and organic sectors. The ban on poultry markets also affects breeders of layer hens.

Producers in the eastern state of Thuringia say local supermarkets will stop stocking their eggs altogether if no free-range eggs are available. Foreign suppliers, such as the Netherlands, are waiting to take over the market.

Practicalities

Regional and federal authorities will discuss the practicalities of the regulations over the next two weeks. Lower Saxony and Rhineland-Palatinate had been among individual states that criticised an indefinite ban as unacceptable, despite Seehofer's assurance that birds would be allowed outdoors again in low-risk areas, under certain conditions.

Eckhard Uhlenberg, agriculture minister of North Rhine-Westphalia has put forward a four point plan for tackling avian flu. This consists of outdoor bans for poultry during the spring and autumn migratory seasons; regular testing for H5N1 in poultry flocks and monitoring of wild birds; development of an early warning system; and aid for the worst affected poultry producers.

Stork confirmed with H5N1

Meanwhile, a stork is reported to be the latest victim of H5N1 in Germany, although the exact strain from which it died is not yet clear.

It is the first time that a stork is known to have been affected. The bird came from an area in the east German state of Brandenburg, according to a spokesman from the farm ministry in Potsdam. The state has imposed 3 kilometre exclusion and 10km surveillance zones.

Austria extends ban

Austria has also announced that it also would extend its ban on keeping poultry outdoors until May 12. Health minister Maria Rauch-Kallat said the government would be meeting with veterinary and industry representatives and regional authorities to discuss what protective measures should be imposed beyond that date.

Austria first imposed an outdoor poultry ban on October 22 last year, lifting it again on December 15. It was reintroduced on February 19 and was due to lapse at the end of April. The current ban will now be lifted after twelve weeks - the time limit for free-range eggs to still qualify as such if the hens have been kept indoors as a health precaution.

NETHERLANDS

Dutch Energy Logo helps consumer with conscious choice

The first products with the energy logo are on the shop shelves. "The Dutch Food Industry Federation (FNLI) hopes that the energy logo will soon appear

on a lot of food products“ spokesman Marco Kreuger told EU Food Law. “But it will take some time for the food industry to change their packaging.”

The voluntary energy logo is the direct and visible result of the contribution of the food industry in the battle against obesity.

In the prevention note “Longer Healthy Live 2004-2007” the Dutch Government set the aim to stop the increase of obesity in the Netherlands.

To confirm these goals in an official way, involved social parties including the Dutch government, signed the Dutch Obesity Covenant.

One of the agreements in the covenant was the realisation of a united action plan. The result: “Action Plan Energy in Balance” is based on the individual action plans of all involved partners. The action plan contains the following important themes: information, education, marketing, composition of products, labelling, portion size, advertisement, assortment in canteens, stimulation of exercise etc.

Some 28% of the Dutch population stated that they find it very important that food products are provided with an energy logo. Some 44% of the population find it important to a certain extent and 25% find it not important.

With the clear and unambiguous energy logo the Dutch consumer can make an easy and conscious choice on the intake of the number of kilocalories. The logo contains the amount of calories per pack or per piece.

It may be applied by all suppliers (manufacturers, supermarkets, catering etc.) and on all food products (oranges, tomato soup, wholemeal bread, cream cake, low fat yoghurt, butter etc), on condition that the products comply with the concerned regulation of the FNLI.

There are 3 different types of the logos:

1. A logo for the energy value per pack.
2. A logo for the energy value per piece.
3. A general logo for the communication campaign.

For the time being the energy logo is only used for “portion pack products” : packagings with 1 or more clear distinguishable portions or pieces. (a can of soft drink, a packet of biscuits, a single serve pack of crisps etc.)

Later the energy logo can also be used for packaging which contain more than one serving: a packet of lozenges, a family size bag of crisps, a 11/2 litre bottle of soft drink.

The FNLI is refining the rules and conditions for those products and hopes to finish this soon”, said Kreuger.

If a packaging only contains 1 portion (a can of soft drink, or a pack with one biscuit or sausage) it is clear that the “ per pack logo” will be used.

If the package contains more than one separate portion (f.i. a pack with 4 biscuits, or with 2 pieces of chocolate or with 4 slices cheese) than it is also possible to use the “per piece logo”. With piece is referred to the smallest unit in the package.

In principle the denominations “per pack” and “per piece” are compulsory. But in case that it is clearer to the consumer to use different indications, it is possible to ask the FNLI for permission. “Per can” or “per biscuit “ are possible examples.

The logo may be applied on packs and or sales locations. On a packaging it must be accompanied by nutrition information according the legal requirements. It is recommended to mention on the pack the average daily energy need of 2500 kcal for man and 2000 kcal for woman.

It is also suggested to state that the consumer can find more information on www.energielogo.nl It is allowed to accompany this message by the general logo and the slogan “Set your calories in motion”

The energy logo is for the sole purpose of objective consumer information on the energy content of food. It is not intended as marketing tool or as masked nutrition claim. Therefore some specific rules are connected with the use of the energy logo on light products.

It is only allowed the use the logo on light products if it is also used on the regular products. Furthermore, it is forbidden to picture the logo on the front of the light product and on another place on the regular product. Also the size must be equivalent

NORWAY

Gilde asks standards company to review production chain

Norway’s Gilde, reeling from an E-Coli food scare that has hit meat sales, said it has asked an international standards company to carry out a wide-ranging audit of its meat production and storage procedures to try to regain consumer confidence.

Gilde managers were called in to the company’s Oslo headquarters on Wednesday (May 3) to face demands by an angry company chairman Axel Krogvig that they sort out the problem.

The company has not revealed detailed figures but its meat sales are believed to have been hit hard by revelations that the dangerous E-Coli bacteria had found its way into packaged sausage and salami and had been responsible for about a dozen Norwegian children being seriously ill. One child died in hospital of food poisoning earlier this year.

It was thought for several weeks that Gilde's minced meat was responsible for the illnesses, but the bacteria was eventually discovered in various sausages, most of which are popular with children.

The company's first victim was claimed this week when John Selliseth, production manager at the company's Terina subsidiary in Sogndal, western Norway, resigned. The local newspaper Sogn Avis said Selliseth had resigned because hygiene standards at the Sogndal plant, where the E.Coli bacteria was found, had been criticized by Mattilsynet, the food safety authority.

Gilde said the audit it has asked for would be published and made available to authorities investigating the E.Coli outbreak, the worst in Norway in recent years.

"The recent breaches in our quality routines are unacceptable. So I have called in our managers for a meeting where I will make it very clear that we need to sharpen up. The audit will uncover what has gone wrong and what we need to do," said Krogvig.

Some 47 employees at Gilde's Tynset production plant have been laid off because of the safety scare. Tynset, with annual production of 1,500 tonnes of processed meat, will remain closed until all problems are solved. Thirty-five workers at the Sogndal plant have already been laid off.

POLAND

Poland gets tough on GM seeds

Poland's upper house of Parliament has passed a bill banning the trade and planting of genetically modified (GM) seeds in the country.

The bill was supported by the combined forces of the minority-ruling conservatives and their fringe allies who favour a GM-free Poland.

The legislation now awaits approval from the Sejm (the lower house of Parliament) and then signature by the President Aleksander Kwasniewski.

The proposal would increase the risk of a conflict with the European Commission and EU agriculture officials, who said on April 12 that they would prohibit national trade and production bans on GM seeds and crops by member states unless the bans were scientifically-based and crop-specific. No GM seeds have ever been planted in Poland.

SPAIN

Nine arrested in olive oil fraud scandal

Nine people have been arrested in Catalonia, Spain, for selling fraudulent olive oil which was, in reality, sunflower oil with additives and colorants. Some 76,800 litres have been recalled, and the figure is expected to rise considerably.

Just in Catalonia, where the plot was unveiled, some 30,000 litres were recalled and four people arrested, one of whom has been jailed.

Catalan authorities have assured consumers that the fraudulent oil is not toxic.

The oil was produced, packaged and labelled in southern Spain by two companies in Jaen and Córdoba. It was then sold under fourteen different brands to several distributors in Catalonia. The majority of the oil was sold in carafes to tourist operators which gave it as a present in one-day bus trips, but it was also sold to small outlets and even on the Internet.

The brands under which the oil was sold are: "La Tinaja", "Tartessus", "La Prensa Aceitunera", "Pagos de Olivos", "La Campiña", "Los Olivares", "La Bodega", "La Colmena", "La Cantarilla", "Conde de Vila", "Aceite del Serra", "Magina" and "La Despensa".

The police operation, called "Oleic" followed reports from olive oil producers in Catalonia and is still open. The fraudulent oil has also been found in other provinces such as Badajoz and Alicante.

The nine people arrested face charges of fraud and crimes against public health.

The police suspect that the network has been distributing some 40,000 liters of fraudulent oil every month since June 2005.

UNITED KINGDOM

Proposals to ban junk food in Scottish schools

Ministers are planning to ban Scottish schools from serving junk food and drinks at any time of the year. Education Minister Peter Peacock said the proposal would make nutritional standards statutory.

The Scottish Executive is inviting comments on the proposals, under which councils would have to encourage more pupils to eat school meals.

Councils may also be given new powers to provide free snacks and drinks.

At present about half of school children eat a school meals and councils will be encouraged to try to increase this.

One obvious problem is that even if school lunches are improved, there are no controls over the contents of sandwich boxes.

Avian flu

A worker at the poultry farm hit by the low pathogenic form of avian flu has contracted conjunctivitis and is under medical supervision.

Anthrax resurfaces in South Wales

The highly contagious livestock disease anthrax has surfaced in Britain after a four-year absence. The Welsh Assembly government confirmed that two cows had died from the disease on a beef farm in South Wales.

Chief Veterinary Officer for Wales Dr Christianne Glossop said laboratory tests showed four other cows on the farm did not die of the disease.

"We know that the spores can live in the ground for long periods of time so it is possible that it is linked to the seven cattle that died on the same farm 35 years ago, but that in itself shows you that the spores can lie dormant and not cause problems for long periods of time," she said. "If it is the same source of anthrax, something has disturbed it in recent weeks or months."

Restrictions would remain in place until authorities were satisfied that the disease had been completely contained and no other animals could be infected, Glossop said.

Sampling of soil and water from the farm is being carried out. Further information about the source of the disease will be given when the test results are known.

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