

Federal Ministry of Food and Agriculture

#### 4th Shenzen Food Safety Forum 2019 The Public Food Safety System in Germany -Integrated Part of the European and International Systems

**Niklas Schulze Icking** Deputy Head of Division International Food Safety Policy German Codex Contact Point Federal Ministry of Food and Agriculture

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## Content

- 1. Institutional and Legal Bases of Food Safety Nat'l/ International
- 2. EU and German Food Legislation
- 3. EU and German Food Inspection System
- 4. EU Food Safety Principles
- 5. International Cooperation

#### Institutional Basis of worldwide Food Safety





#### Legal bases of Food Safety



#### **European Union:**

1.2.2002 EN Official Journal of the European Communities L 31/1 I (Acts whose publication is obligatory)  $\longleftrightarrow$ REGULATION (EC) No 178/2002 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE the Member States. When Member States adopt meas EUROPEAN UNION, ures governing food, these differences may impede the free movement of food, create unequal conditions of competition, and may thereby directly affect the func-Having regard to the Treaty establishing the European Community, and in particular Articles 37, 95, 133 and Article tioning of the internal market. 297 mm

#### Germany:

Lebensmittel-, Bedarfsgegenstände- und Futtermittelgesetzbuch (Lebensmittel- und Futtermittelgesetzbuch - LFGB)

#### LFGB

Ausfertigungsdatum: 01.09.2005

Vollzitat:

"Lebensmittel- und Futtermittelgesetzbuch in der Fassung der Bekanntmachung vom 3. Juni 2013 (BGBI. I S. 1426), das zuletzt durch Artikel 1 der Verordnung vom 26. Januar 2016 (BGBI. I S. 108) geändert worden ist"

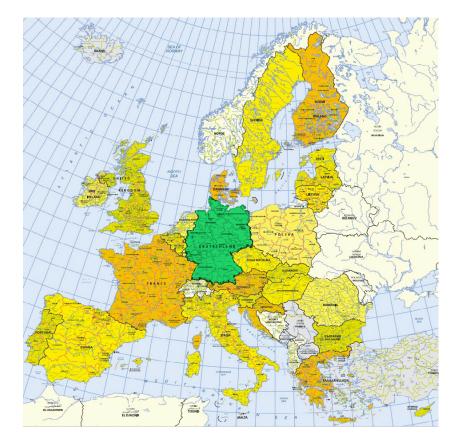
# WORLD TRADE SPS-Agreement and International Standards

- → Produce non-compliant with international standards sufficient for justifying barriers to trade
- →Codex Alimentarius, OIE, IPPC acknowledged standard setting organs
- $\rightarrow$  Codex-standards relevant for WTO dispute settlement
- → strict requirements according to science-based risk assessment

**OIE** = Office International des Épizooties = World Orgainsation for Animal Health, established in 1924 **IPPC** = International Plant Protection Convention, established in 1952

### Population

 $\rightarrow$  EU: 500 Mio. inhabitants

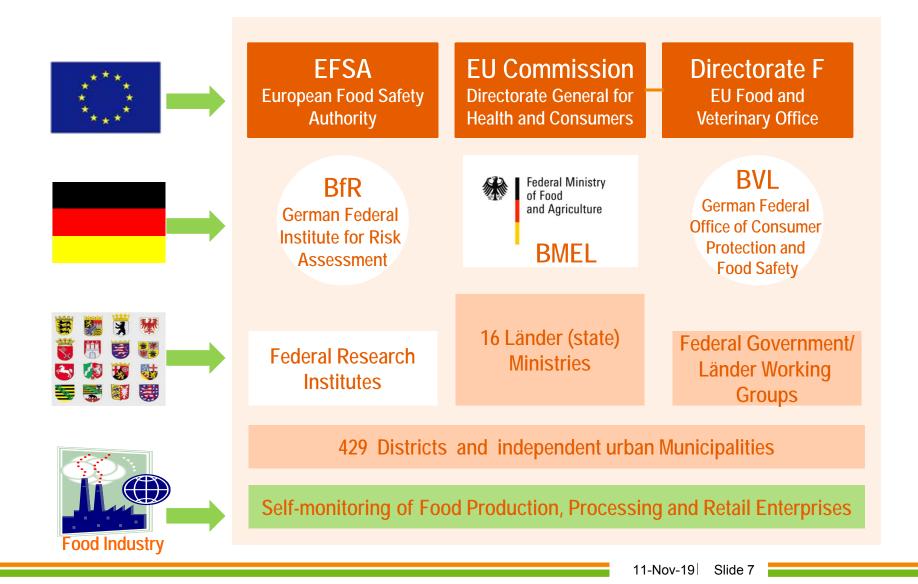


#### $\rightarrow$ Germany: 82 Mio. inhabitants



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#### German / EU Food Safety System at a glance



### Responsibilities of the BMEL in the area of Food Safety

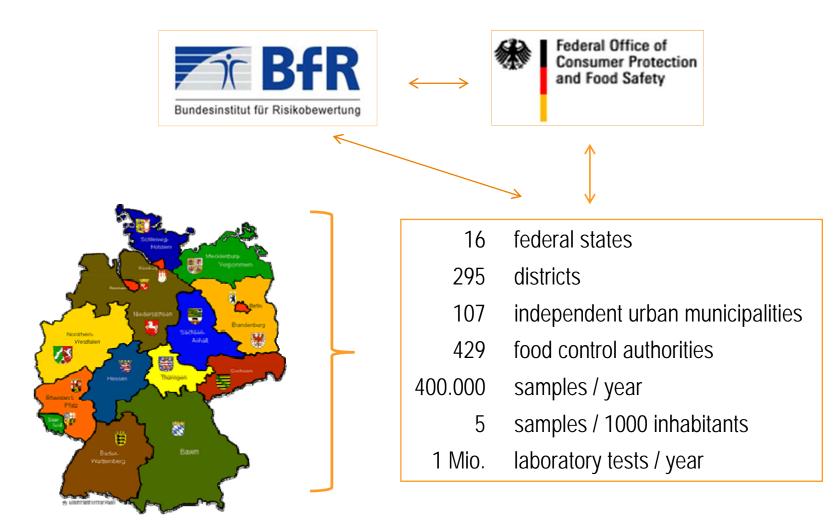
- Participation in <u>European legislation</u>
- National <u>legislation</u>
- Representing <u>Germany in international organisations</u>, e.g. FAO, OIE, Codex Alimentarius
- <u>Negotiating</u> bilateral agreements, e.g. veterinary certificates (Health certificates for Export)
- **<u>Advising</u>** Länder authorities on food safety issues

#### The responsibilities of the 16 *Länder*

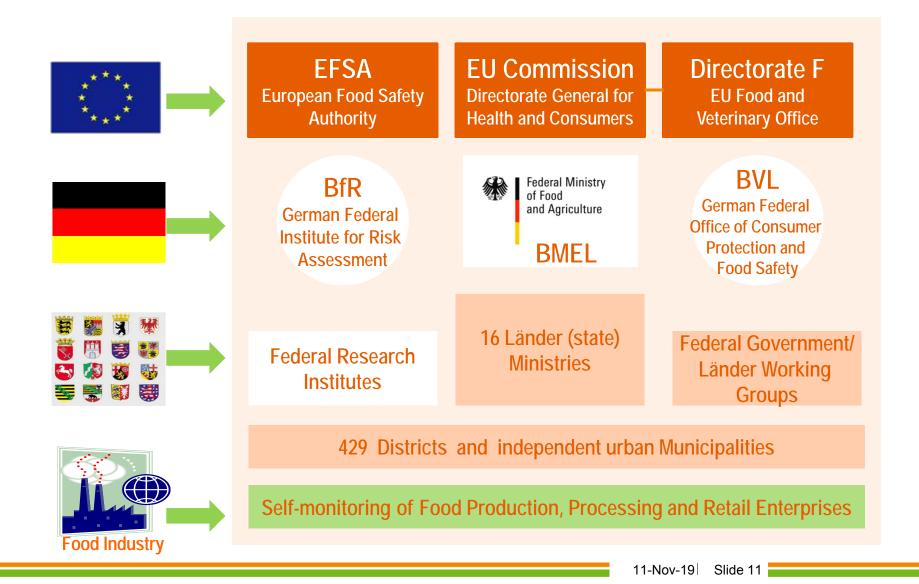


- → The Länder play an active role in the law-making process at federal and EU level via their participation in the Bundesrat , the federative constitutional organ
- → The Länder are in charge of implementing and enforcing food safety law
- → The Länder are responsible for control and monitoring activities

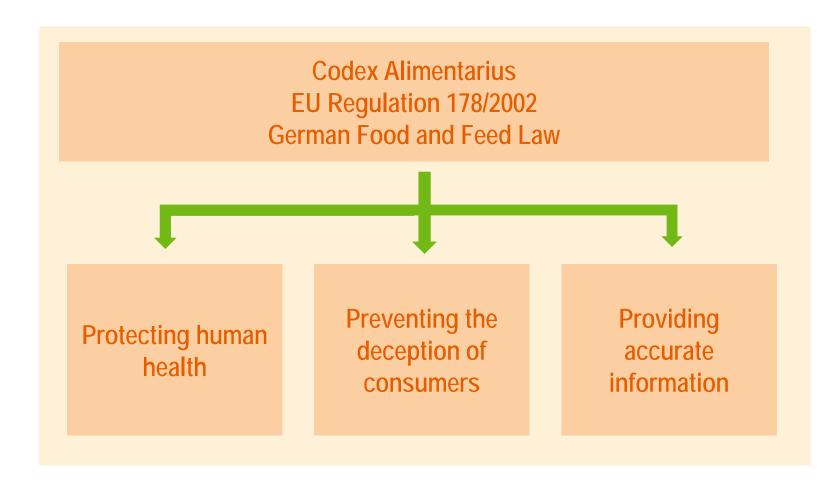
#### Institutional basis of Food Safety in Germany



#### German / EU Food Safety system at a glance



#### **Objectives of Food Safety Legislation**



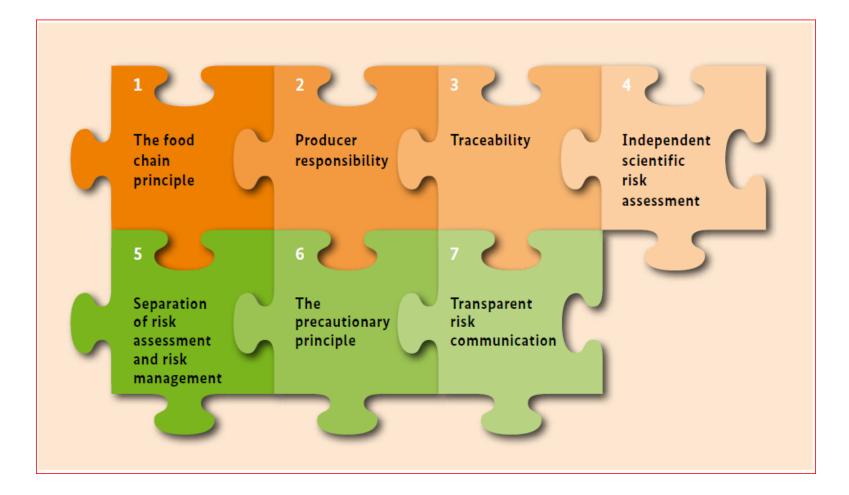
#### The 7 Basic Principles of Food Safety

- 1. The basic principle of food safety "from farm to fork"
- 2. The basic principle of producer responsibility
- 3. The principle of traceability
- 4. Independent scientific risk assessment
- 5. Separating risk assessment from risk management
- 6. The precautionary principle
- 7. Transparent risk communication

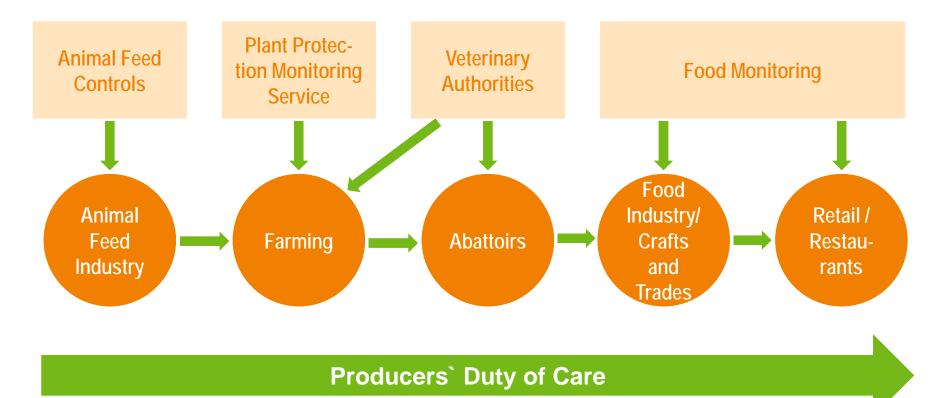
#### 7 Basic Principles of Food Safety at a glance



#### 7 Basic Principles of Food Safety at a glance



# Responsibility of the Länder: Monitoring along the food chain



Authorities` Traceability

1 Principle: Food Safety "From farm to Fork"

> Safeguarding Food Safety along the entire food chain

EU General Food Regulation No 178/2002

### 2 Principle of Producer Responsibility:

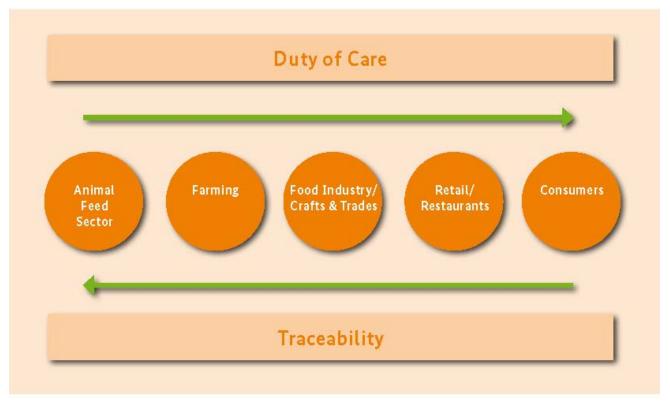
- Food and Feed business operators are responsible for the safety of their product
- $\rightarrow$  Quality assurance systems
- $\rightarrow$  Self-monitoring

 $\rightarrow$  Risk oriented controls by authorities

### 3 Principle of Traceability:

#### $\rightarrow$ Thorough documentation of the production chain

 $\rightarrow$  Rapid identification of the source of problems and flows of goods



4 + 5 Separation of Risk Assessment and Risk Management:

 $\rightarrow$  Risk assessment:

Science-based and independent (EU: EFSA; Germany: BfR)

\$\$ separated from

 $\rightarrow$  Risk management:

Government and competent authorities (EU: COM and FVO;

Germany (federal level): BMEL and BVL)

6 The Precautionary Principle:

→ Precautionary yet appropriate measures for minimizing risks in cases of scientific uncertainty

 $\rightarrow$  Re-assessment with new scientific findings

7 Principle of Transparent Risk Communication:

 $\rightarrow$  Viable networking of involved authorities

→ European Rapid Alert System for Food and Feed (RASFF)

 $\rightarrow$  Information of the public via media

#### Risk management – Administrative and Public Communication

Longean Commission Consumers Portal   Longean Commission RASFF Consumers Portal   Austria Belgium Bulgaria Croatia Cyprus Czech Republic Commission   Addminingunication Denmark Estonia Finland France Germany Greece Greece Greece Greece Greece Germany Greece Greece Greece Germany Germany Greece Germany
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#### Germany and China Bilateral cooperation in Food Safety

#### Joint Declaration of Intent with China Food and Drug Administration (CFDA)

#### 德意志联邦共和国食品和农业部 与中华人民共和国国家食品药品监督管理总局 食品安全领域合作意向联合声明

德意志联邦共和国食品和农业部和中华人民共和国国 家食品药品监督管理总局(以下单独称"一方",合称"双 方")考虑到德中两国长期以来的友好合作关系,为进一步 加强在食品安全领域的合作,将:

一、分享食品安全法律法规和政策方面的信息; 二、分享食品可追溯性、风险分析、早期预警、生产者 责任、保健食品(食品补充剂)、食品添加剂和未加工的农 产品监管经验;

三、加强合规和稽查方面分享信息和协作,提高危机管 理体系的相互了解;

四、开展检测实验室方面的技术交流和能力建设合作; 五、双方同意的其他活动。

双方有意进一步继续讨论签署一份详细的"联合声明", 加强双边合作。

本联合声明于二〇一五年三月二十四日在北京签署,共 二份,每份均以中文、德文和英文写成,三种文本同等作准。

德意志联邦共和国食品和农业部 中华人民共和国国家食品药品 代表 监督管理总局代表

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zwischen Deutschland und China und wünschen eine Stärkung der Zusammenarbeit im Bereich der Lebensmittelsicherheit durch: Austausch von Informationen über die jeweiligen Gesetze, Vorschriften und politischen Konzepte im Bereich der Lebensmittelsicherheit; - Austausch von Erfahrungen in den Bereichen Überwachung von Rückverfolgbarkeit von Lebensmitteln, Risikoanalysen, Frühwarnung, Herstellerverantwortung, Healthfood (Nahrungsergänzungsmittel), Lebensmittelzusatzstoffe und unverarbeitete landwirtschaftliche Erzeugnisse: - Ausbau des Informationsaustauschs und Zusammenarbeit im Bereich Einhaltung und Durchsetzung sowie Förderung der gegenseitigen Kenntnis der Krisenmanagementsysteme; - Zusammenarbeit beim fachlichen Austausch und Kapazitätsaufbau im Bereich von Testlabors: und sonstige von beiden Seiten gemeinsam festgelegte Aktivitäten. Zur Stärkung der bilateralen Zusammenarbeit beabsichtigen die Seiten darüber hinaus die Fortsetzung ihrer Gespräche über eine detailliertere 'Gemeinsame Absichtserklärung über die Zusammenarbeit'. Unterzeichnet in Peking am 24. März 2015 in zwei Exemplaren in den Sprachen Chinesisch, Deutsch und Englisch, wobei jeder Wortlaut gleichwertig ist. Ei)r Bundesministerium für Ernährungund Landwirtschaft China Food and Drug Administration der Volksrepublik China ter Bundesrepublik Deutschland

Gemeinsame Absichtserklärung zur Zusammenarbeit

im Bereich der Lebensmittelsicherheit

zwischen ndesministerium für Ernährung und Landwirtschaft der Bundesrepublik

Deutschland und der China Food and Drug Administration der Volksrepublik China

Das Bundesministerium für Ernährung und Landwirtschaft der Bundesrepublik Deutschland und die China Food and Drug Administration (chinesische Behörde für Lebensmittel und

Arzneimittel) der Volksrepublik China (CFDA), nachfolgend einzeln als eine "Seite" oder zusammen als die "Seiten" bezeichnet, würdigen das seit langem bestehende Verhältnis

### Continuously improving Food Safety:



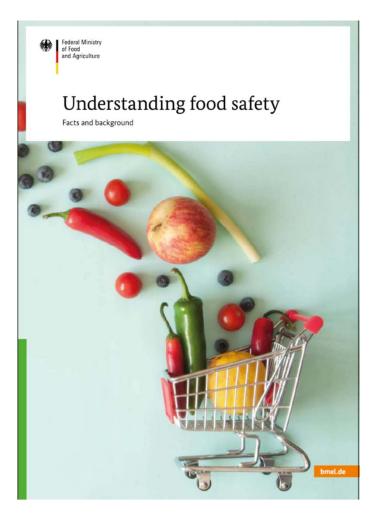
43rd Session 6 – 11 July 2020 Rome, Italy

11-Nov-19 Slide 25

Thank you for your attention! For more Information

Brochure

Understanding Food Safety



https://www.bmel.de/EN/Services/Publications/PublicationsFood/publicationsFood\_node.html