



FRANCE

The French organization for animal health and food safety

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FOREWORD

It is the responsibility of food safety authorities to respond to consumers' needs and guarantee the protection of their health by undertaking the necessary appropriate measures.

It seems of utmost importance to exchange experience regarding food safety so that each country would be able to obtain the information on mechanisms and means to grasp the product safety issue.

This is indeed the aim of this information guide that we have tried our best to produce as accurately and comprehensively as possible.

Food safety issues have been largely affected by socio-economic changes during the last forty years, such as:

- Changes in modes of production, processing, sale and consumption of agricultural products,
- Intensification and industrialisation of breeding, cultivating and manufacturing of animal feed,
- Emergence of new diseases, such as the BSE, and the discovery of food-borne diseases,
- Keeping consumers fully informed, consumers' new demands and changes in their modes of life,
- Increase in the exchange of foodstuffs, which makes the product tracking very complicated.

There are indeed many factors that necessitate an integral approach to food security issues.

In France, the part of public authorities mainly consists in defining rules intended to ensure consumers' safety, and of course, the faithfulness of commercial and industrial practices and that of market regulation mechanisms to the aim of ensuring stability. Three ministers in France are jointly assigned to follow these issues: Minister of Agriculture, Minister of Health, and Minister of Consumption.

This Guide highlights the overall French system whose aim is to guarantee food safety, by presenting the different competent organs involved. It also illustrates how French public authorities, economic sectors, producers, and industrial enterprises are all mobilised, with due consideration to a real territorial networking coverage and a genuine universal approach, to provide quality products that are safe and tasty.



Sophie Villers
General Director for food

INTRODUCTION

Overview of food sector

France, an agricultural country with strong food processing traditions

Agriculture covers 33 million hectares of the land in France, i.e. it counts for 59% of French territories, and thus it has a preponderant position in the country's economy. The estimated value of agricultural production in France in 2003 amounted to 62 billion Euros, what places France among the European agricultural "Superpowers". In the year 2003, France's contribution to European production amounted to 22% ahead of Italy and Germany. French farmers are the top producers of cereals, oleaginous products, beets, sugar-producing crops, grape, meat, poultry, and eggs. It comes the first on the list of the European Union exporters, with 22% of its exported products destined to other than the EU countries.

Today, some 930 000 persons still work on farms in France:

- 44% of farms are devoted to breeding.
- 22% are devoted to large cultivations
- 14% are devoted to viticulture

The food-processing sector constitutes 4.5% of the French economy. Agriculture and agricultural & food-processing industries almost equally share this figure.

France is mainly known and recognised for its strong gastronomic traditions, the bounties of its land and the numerous so-called «live» products, i.e. products that contain micro-organisms, such as yoghurt, cheese, fresh "foie gras" ... they are all products whose specifications fulfil important sanitary criteria. France is also known for its strong food-processing traditions: **80% of our foodstuffs actually come from food-processing plants.**

The commercial surplus of food processing amounts to 8.5 billion Euros, and thus this becomes the industrial sector No. 1 in France, with:

- 3210 entreprises
- 392000 persons
- Turnover of 124 billion Euros



Foodstuff becoming increasingly sophisticated and safer

The evolution of foodstuff markets is closely linked to that of the society. Developments like urbanisation, the involvement of women in professional careers and the modification of certain behaviours, have all led to new consumption behaviour, and consequently to a much more disparate diet.

French people tend to buy less fresh food than processed food, ready-to-eat meals. Foodstuffs are subjected to numerous processing operations before they are brought to the market. These products that are frequently processed in large amounts, are usually subjected to new technological constraints.



However, although foodstuffs are increasingly sophisticated, they are becoming increasingly safer as well. For the past century now, the quality of foodstuff has been improving, statistically risks are becoming less frequent, and cases of food poisoning have become very rare in France. For example, cases of listeriosis fell by three folds between 1987 and 2001.

New modes of conservation for new modes of consumption

Modes of product conservation and consumption have also changed considerably. The industrial techniques of conservation are numerous. Refrigeration, freezing, pasteurisation, sterilisation, vacuum packing and ionisation are all technical procedures that reflect scientific progress and the development of food processing industry, and they all require certain safety conditions. Consumption modes, on the other hand, have become extremely diverse, with a strong development of institutional «catering».

Food security, a permanent concern

Historically Involved Public Authorities

It is not new for the French public authorities to be involved in the food safety process. Together with industrialists, they have been defining, throughout the past decades, plans of action based on the emerging food sector. For although the media have only recently highlighted their role in managing the Bovine Spongiform Encephalopathy (BSE) and dioxins, the French public authorities have always made the efforts to maintain food safety.

It is worth mentioning that the Law of August 1st 1905 was the first French law on public health and food to establish the Fraud Squad and to launch the modern structure for the State's action to maintain food safety. This law had laid the foundations for the current Consumption Law that partially governs food safety and security.

During the past century, the French food-related policy evolved continuously with a special emphasis on safety aspects. As it happened in the majority of concerned countries, the main stages of this policy were linked to scientific progress and the evolution of production techniques, the expertise of professionals and the decisions made within the framework of the policy of the Common Market. The establishment of the

Common European Market in 1993 was indeed a significant step.

The last decade of the Twentieth Century and the crises of those years have accelerated the State structured actions in terms of food safety. The July 1st 1998 Law as well, has reinforced the food safety supervision and control of the safety of products destined for human consumption.

A joint responsibility versus an essential role to be played by the State ?

Today, it is clearer than ever that responsibility for food safety is a joint responsibility of various actors. Each actor in the food chain, from the producer of primary materials to the consumer –the last link of the chain- has an essential role to play in conserving foodstuffs. Each has to ensure the best conditions for food safety.

Producers, food processing operators and distributors became responsible for the safety of the foodstuffs that they produce ever since France has adopted the European Directives of 1990 that imposed on them the obligations not only to provide means but also results in terms of safety.

As for the State, it is responsible for the provision of a higher level of consumer protection. This is why in addition to its regulatory function, the State has an important task of controlling food safety through the different services of its three ministers in charge for agriculture, health and consumption.



Food safety has five main pillars that directly involve public authorities:

- Primary responsibility of operators (producers, food processing establishments and distributors)
- Safety regulations continuously adapted to scientific and technical progress
- Enterprise Approval and Control System, a set of sanctions managed by the public authorities
- Ability to carry out the safety watch
- Capability to manage risk, in particular, in cases of emergency

Enterprises in charge

Manufacturing and commercialisation of foodstuffs in France are subject to the principle of safety priority (Consumption Law) that is based on the necessity to analyse risks and bear the responsibility for any defective nature in a given product (Law of May 1998).

In order to ensure the safety of their products, the professionals are assigned to identify critical points of their respective activities.

The Committee on Food Hygiene of the Codex Alimentarius has developed a method of analysis known by its acronym HACCP (Hazard, Analysis Critical Control Point).

Information, an essential step

Information is part and parcel of the whole safety process introduced by the public authorities, as the latter raise the awareness of the public by diffusing certain pedagogical messages. In the case of alarm, the media play a significant role in conveying the message. The food processing companies have also recognized their important task, therefore they involve themselves in significantly important awareness campaigns with the aim of informing the consumers.

The media plays a vital role in:

- Educating consumers regarding the consumption of increasingly sophisticated products,
- Preventing possible risks caused by improper handling of products, particularly with respect to the cold chain, and the launching of awareness campaigns,
- Warning consumers in the case of any evidence of potential or recognised risk.



LEGAL CONTEXT

In Europe and in the World

Each government has the responsibility to guarantee the safety of food to be consumed by the given country's population. National regulations are, nevertheless, set forth within a larger context, i.e. that of multinational unions or international.



The WTO Sanitary and Phytosanitary (SPS) Agreement of April 1994 identifies the international bodies in charge of developing norms, directives and recommendations on sanitary and phytosanitary measures that can be applicable internationally.

The bodies referred to here-above are: Codex Alimentarius for the consumers' public health, International Plant Protection Convention (IPPC) for the protection of plants and the International Office for Animal Diseases (OIE) for animal health and diseases.

With respect to consumer protection and market commercialisation, Europe has developed a set of norms applicable to foodstuffs in the EU member states.

The European legislation has the objective of harmonizing national measures and providing foundations for interior markets, as well as adopting measures that go in line with the Common Agricultural Policy (CAP).

Codex Alimentarius

Historical background It is a Programme established by the FAO (Food and Agriculture Organisation of the United Nations Organisation) and the WHO (World Health Organisation) in 1962 with the purpose of setting forth international standards serving to guide the world food processing industry in full expansion at the time, to ensure the conformity of transactions with safety prerequisites, and to protect consumers' health.

Structure

The Codex Alimentarius Commission has 165 member countries and around 1999 NGOs, as well as a similar number of observers. It meets every two years, and it is currently discussed if it should be meeting once a year to adopt the texts that have been discussed so far.

French food law

Constantly evolving regulations

While the first law on food safety was promulgated back in 1905, several regulations were then passed to improve the legislative framework in order to cope with the emerging needs entailed by the evolution witnessed by food sector.



Today the French enforced regulations are based on:

- EU legislative texts: as a member State, France implements the food safety regulations defined by the Common Market.
- Consumption Law: promulgated in 1993, this law regroups provisions from the 1905 Law and the Law of 21/July/1983 on consumers safety, as well as a various provisions taken from different regulations. It was amended several times, the latest of which was in 1998. The Consumption Law is significant for various professionals working in food sector as it regulates all aspects of the life of a given product, including its conformity with regulations governing the product's safety, composition, labelling ... and throughout its distribution cycle.
- The Rural Law: It creates the regulatory environment for production enterprises and determines the terms of control and quality of foodstuffs. In July 1999, the Agricultural Orientation Law has formally introduced a latent safety notion that "food safety starts at the farm or at the breeding stage, it builds up step by step all along various stages of food processing, until food is presented in the consumer's plate." Hence, traceability becomes a major notion.
- The Law passed on July 1st 1998: It has reinforced the safety watch and the safety control on foodstuffs destined for human consumption. It has also created an independent structure French Agency for Food Safety (known by the French acronym AFSSA) in charge for the assessment of food safety and nutrition risks. The safety watch system established by virtue of the same law consists of: the Safety Watch Institute (known by the French acronym InVS), the French Agency for the Safety of Health Products (known by the French acronym AFSSAPS) (blood, medicine, ...). Coordination between the above institutions is the responsibility of the National Committee for Safety presided over by the Minister of Health. The Committee consists of the Ministry of Agriculture, Food, Fisheries and Rural Affairs; the Ministry of Economy, Finance and Industry; and the Ministry of Social Affairs, Labour and Solidarity.

THE FOOD SAFETY SYSTEM

The French food safety system may be characterised by three notions:

- Political Choice: dissociate risk assessment from risk management
- Two action principles to manage risks: prevention and precaution
- Commitment towards the public: transparency.



A system based on synergy between the State and the civil society players and the food chain

The food safety system is based on risk assessment and management. Nevertheless, public authorities accomplish their mission by relying on the overall input of all players involved in food safety issues. Ministers consult the concerned professionals and representatives of civil society (consumer and environmental associations) while drafting or adopting the legislation. This is how public authorities gather competent scientific and technical experts, and inject their expertise into the activities of consultative bodies.

In order to make sure that consumers' safety is protected and the majority of risks are identified and kept within the category of potential risks, the State has cooperated with professional organisations and industrial circles to develop a specific system, of which the core elements are: risk watch, evaluation, and expertise, as well as information.

A system that differentiates between risk assessment and risk management

The July 1998 Law has redefined the food safety system. This system is henceforth based on the very important action of safety watch and the dissociation of risk assessment from risk management.

The National Council for Food

Definition

The National Council for Food is an independent consultative body. Ministers in charge for issues related to agriculture, food and health seek the guidance of this council while setting forth the French "food policy", and in particular on the adaptation of consumption to nutritional needs, consumers' food safety and the quality of foodstuffs. The NCF can then take up the issue.

Structure

The NCF is composed of 47 members, who represent the overall food chain and the civil society: consumers' and users' organisations (9 members), agricultural producers (9), food processing and crafts (9), distributors (3), catering (6 trade unions of agriculture employees, food processing and distribution enterprises (5), qualified scientists (6), representatives of competent technical ministries and the AFSSA that participates in debates with a consultative status.

Risk assessment and safety watch

Principle

Risk assessment is a scientific process based on:

- Risk identification
- Risk characterisation
- Evaluation of exposure.

The assessment of nutritional and safety risks covers the overall process of the production of foodstuffs: components, techniques, manufacturing.

Safety watch is a process that was reinforced in 1998. It is an in-dissociable phase of risk assessment that detects any kind of public health hazard.

Organisation

AFSSA – The French Agency for Food Safety

AFSSA was established in April 1999 with the aim of reinforcing food safety watch. It is a public entity affiliated to the Ministries responsible for health, agriculture and consumption.

The Agency assesses nutritional and hygiene risks on foodstuffs destined for human consumption as well as animal feed. Its role may be summarised in watch and alarm as well as the provision of information and promotion of transparency. With 13 laboratories, AFSSA carries out research and provides the public authorities with scientific and technical support.



In order to accomplish its mission, the AFSSA acts through ten expert committees that have their own laboratories. AFSSA puts forward its opinion and recommendations. Its consultative opinion is then conveyed to the government that makes the reports available for the public access.

880 persons work for AFSSA of whom 650 work at the 13 study research laboratories affiliated to AFSSA

InVS – Safety Watch National Institute

InVS is a public State establishment. It is affiliated to the Ministry in charge of health. It was established in March 1999 with the aim of reinforcing food safety.

The institute devotes its activity to the safety watch and the observation of public health and its evolution. InVS employs 155 persons who rely on a public infrastructure network distributed over the country's territory (9 inter-regional epidemiological cells, known as CIRE). InVS alerts the public authorities and presents its recommendations in the case of any public health hazard.

More than 8000 persons responsible for Safety Watch

Safety Watch is the joint responsibility of: AFSSA - French Agency for Food Safety InVS - Safety Watch National Institute and AFSSPS - French Agency for the safety of Health Products.

It is coordinated by the Safety National Committee presided over by the Secretary of State for Health.

Other bodies participate in health and environment risk assessment:

- The Commission responsible for studies on the toxicity of anti-parasite products used in agriculture and assimilated products, particularly pesticides.
- The Commission responsible for GMO biomolecular engineering.

Risk management

Principle

Risk analysis is based on three pillars:

- Assessment
- Management
- Communication



According to the Codex Alimentarius definition, risk management is a process that strikes a balance between different policies to be possibly adopted, taking into consideration the assessment of the risk and other factors that may affect consumers' health protection and the promotion of fair commercial practices. Then decisions are made i.e. the appropriate prevention and control measures are undertaken.

Food risk management, then, constitutes a political prerogative that entails the implementation of recommendations presented by the experts in charge of scientific assessment of risks, and the use of all means whatever their nature may be, that the community and enterprises can utilise to combat such risks.

Managing a risk means to identify, select and implement a number of measures that lead to risk mitigation. The follow-up and control of the effectiveness of undertaken measures constitute an integral part of risk management that is based on a fundamental notion and the characterisation of the risk: recognised versus potential risk.

Managing a recognised, i.e. known risk raises the level of prevention. For surveillance plans that follow-up a foodstuff/contaminant provide a multitude of informations that may help select the appropriate means to prevent the risk.

On the other hand, managing a potential risk is, in fact, managing uncertainty. In order to be well prepared to face such uncertainties, the French public authorities are very keen about implementing the principle of precaution.

The organisation DGAL, DGCCRF, DGS

Three ministers are involved in the organisation of this process:

- The Minister of Agriculture and Food through the Food General Administration (DGAL).
- The Minister of Commerce and Consumption through the General Administration for Consumption, Competition and Fraud Elimination (DGCCRF).
- The Minister of Health through the Health General Administration (DGS).



These three ministers have a double competence:

- “Political” through a central administration that ensures a French representation in international and EU bodies as well as the elaboration of regulations on the national level.
- “Operational” by controlling the implementation of health and food regulations, and carrying out investigations.

The Minister of Agriculture and Food The Food General Administration (DGAL).

The Food General Administration (DGAL) ensures food safety in agriculture and food sector. Through the services of its departments, the Administration exercises the competencies of its minister concerning the protection of plants and animal health, hygiene, as well as the organisation of foodstuffs quality systems at various stages of their processing, transportation and commercialisation. It is responsible for the promotion of French food, sanitary and phytosanitary models. It participates in the activities of international bodies and it represents France at the European Union's Food Chain and Animal Health Permanent Committee, the OIE (World Animal Health Organisation), the International Plant Protection Convention (IPPC) and the Codex Alimentarius.

DGAL in figures

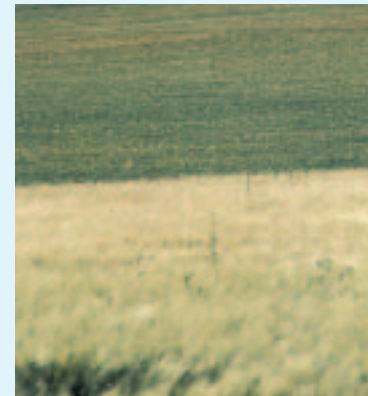
200 persons at the central administration:

- 22 regional departments for plant protection (SPRV), regional administrations for agriculture and forestry (DRAF), 4 departments for plant protection (SPV), agriculture and forestry administrations (DAF) in Overseas Provinces
- A total of 425 full time employees.

100 local administrations of veterinary departments (DDSV):

- 3374 agents working in technical units,
- 668 agents in administrative units,
- 33 veterinary board inspection posts in France,
- 69 phytosanitary border inspection posts.

A real territory coverage network



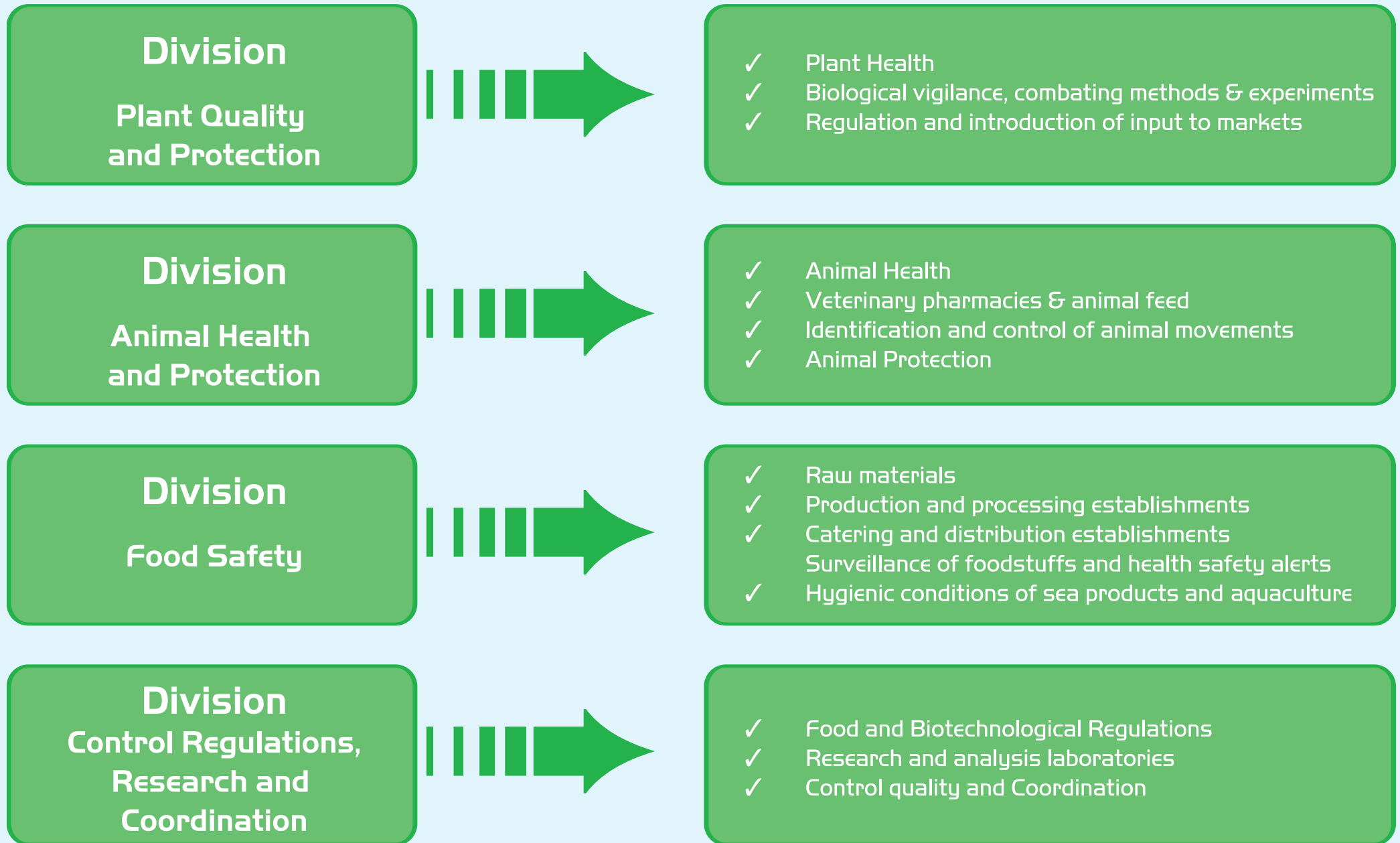
The Minister of Commerce and Consumption The General Administration for Consumption, Competition and Fraud Elimination (DGCCRF)

The DGCCRF contributes to the market by ensuring an overt competition that is faithful to the objective of protecting consumers in their everyday life. Its scope of activity covers safety, faithfulness to safety objective and quality of consumption goods (their composition, substances, additives, processing, authorisations, labelling, and commercial practices...) and services. Food represents just a part of its activities.

DGCCRF in figures

- 400 persons in the central administration, among them around 20 focus on food safety.
- 101 provincial administrations, 1 national administration for competition investigation and fraud elimination, 8 interregional brigades, 8 laboratories

Food General Administration: Department's Organization



The Minister of Health The Health General Administration (DGS)

The DGS is involved in all domains related to public health and safety that may be connected to food and particularly water destined for human consumption. It carries out potable water control and investigations in cases of human food poisoning.



DGS in figures

- Around ten persons in the central administration are specialised in food safety,
- 102 provincial administrations for health and social affairs (DDASS),
- 22 regional administrations for health and social affairs (DRASS).

SUMMARY

The above-mentioned administrations execute the risk management and control process in its integrity.

- The Ministry of Agriculture and Food ensures the control of sanitary quality of the whole food chain: products of animal origin and the first steps of the processing of plant origin products, “from farm to table”.
- The Ministry of Commerce and Consumption follows the food chain of plant origin products (excluding those subjected to primary processing) and supervises places of distribution and consumption. The Ministry focuses, in particular, on aspects related to the conformity of transactions and the consumer protection.
- The Ministry of Health deals with problems related to water quality.

The three ministries are represented at the levels of the geographical region and administrative province with the aim of on the ground control and implementation of selected measures.

Information on foodstuff and risk reporting

Principle

Public authorities have the duty to provide the consumers with information and transparency. We should dissociate reporting/communication in cases of crisis or alarm from information on foodstuffs safety and possible risks.



In order for consumers to have confidence, it is essential for them to receive information about what they consume, and also about the recognized and the potential risks involved.

Organisation

Public authorities have laid down a number of obligations to be fulfilled by professionals, such as the description of processed foodstuffs or the labelling of foodstuffs sold in a “wrapped” form.

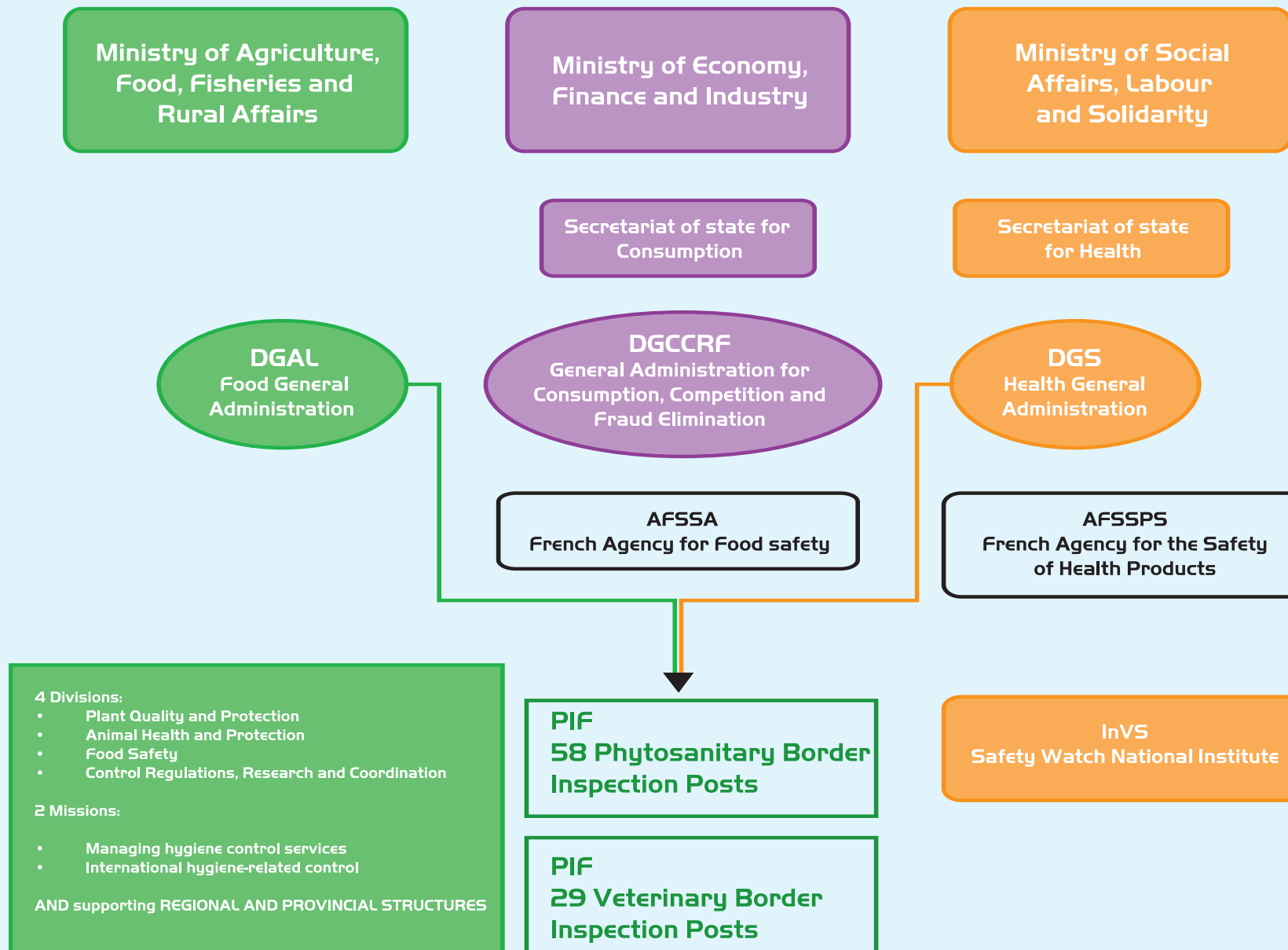
Labelling- support information

Labelling, a source of information usually underestimated by consumers, is nevertheless the veritable identity card of a given product. It is rich in details and sanitary advice.

A label carries four information criteria:

- **Descriptive criteria:** The product's sale designation, batch number, product composition, net quantity, and instructions for use.
- **Sanitary criteria:** Data related to the product's freshness – utilization or consumption expiry date – risk due to the presence of a component – conservation temperature – safety instructions.
- **Obligatory differentiation criteria:** Details of consumption service, if any, or of the producer, or the batch number. An animal origin product carries a veterinary stamp identifying the party having done the last processing of the product. Such a stamp also serves as a veterinary approval. Beef meat must carry the following information: national origin of the animal, category of the animal (beef, cow's liver, cow ...) as well as the racial type of the animal (for milk or for meat).
- **Explicit criteria:** Illustrations – certified/uncertified voluntary comments (like label) that enhance the value of the product or just add information to the statutory information.

Chart of the different food safety system's entities



Traceability: A tool to manage food safety

Traceability is an important guarantee of transparency. Here follows the definition made by the ISO Standard 8402: “ability to trace the history, application or location of an entity by means of recorded identifications”. Traceability constitutes an integral part of the quality assurance system. It allows a manufacturer to supply primary materials to each batch of products having specific characteristics.

Generally speaking, traceability permits to track the path of a product and its components starting at the point of sale until production sites.

RISK MANAGEMENT

An efficient control system

The overall legal and regulatory measures determined both at the local community level and the state level (establishment and production hygiene...) constitute the first bastion for the protection against risks.

Surveillance and Multiple Decisive Control Means

Control means may be classified into three large categories: production establishment control, product control, and investigations of food-related incidents. Industrial enterprises provide self-control means as well.

Production establishment control

The DGAL control department agents supervise the sanitary quality of foodstuffs from farm to table. Farm cattle are also subjected to inspections; veterinary inspectors control all approved slaughterhouses. The majority of industrial or craftsmanship enterprises producing foodstuffs from animal origins must be approved by the DGAL veterinary services provincial administrations.

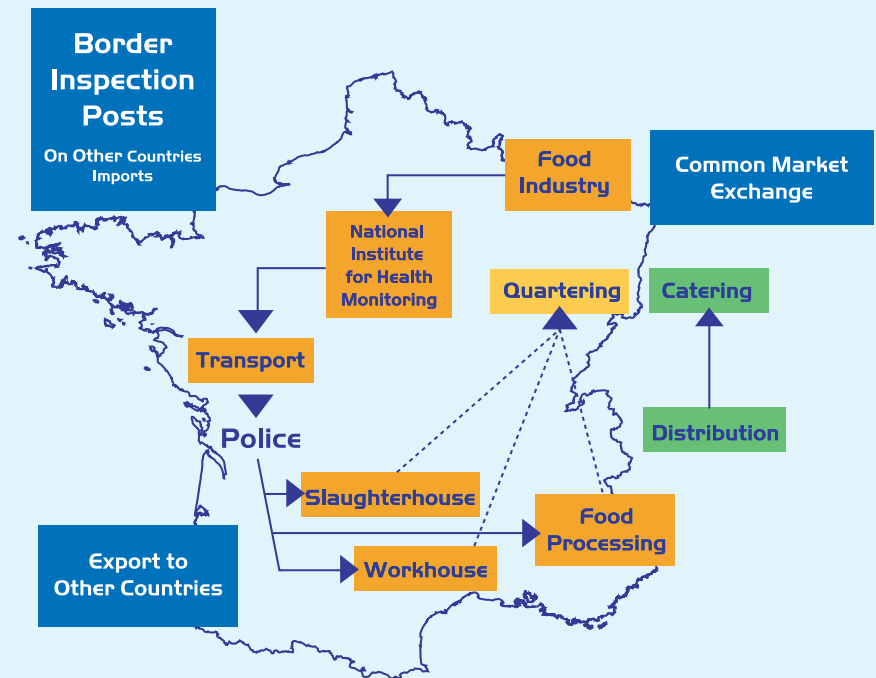


Hence, the concerned establishments are subjected to control before and after their inauguration, then to regular inspections on products and processes accompanied by documentation studies. The frequency of such inspections will depend upon the comprehensive level of hygiene in a given enterprise and the risks related to the nature of its activities.

Product Control

A product is controlled throughout various stages of its life: manufacturing, transportation, storing and distribution. This covers the composition of the product as well as its microbiological characteristics and conservation conditions (especially temperature). Animal or animal/plant originated foodstuffs imported from other countries are controlled by Border Inspection Posts affiliated to the DGAL. Random inspections of cold rooms, distribution platforms and agricultural food product enterprises complete the whole set of control measures.

FROM FARM TO FORK CONTROL



Investigations following a collective food toxic infection

Pre-set procedures are the best way to intervene in a rational manner when necessary and to collect information within a minimum time span, thus preventing further expansion of the infection and making it possible to treat the infected persons.

Precaution principle: a risk management tool

The French law passed on February 2nd 1995 integrates the precaution principle in its provisions stipulating that: “In the absence of formal scientific evidence, but in the presence of a body of presumptions, a political authority shall and must regulate the utilisation and trading in products that may constitute a risk, a sanitary health, of course, but also a social, economic or cultural risk”.



This principle allows the public authorities to adopt certain sanitary and phytosanitary measures even if the risk assessment is not completely achieved, and to have recourse to precautionary measures in order to protect citizens/consumers. As a matter of fact, in a situation where there may be a potential irreversible danger and incomplete scientific data, politicians may well undertake precautionary measures not having to wait for a scientific confirmation.

Precaution is considered to be a provisional situation. Based on newly disclosed scientific data, there may be a re-assessment of the measures needed for consumer protection.



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ET DE LA RURALITÉ

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