

To: Directors of Public Protection

10 January 2008

Reference: ENF/W/08/001

Dear Director

GRANT TO SUPPORT ADDITIONAL SAMPLING AND SURVEILLANCE OF IMPORTED FOOD/FEED IN 2008/09

The Food Standards Agency has been working with UK local authorities to improve the controls over imported foods entering the country. For the last 5 years, as part of this programme of work, the Agency has made available approximately £4.5million to local authorities in order to take imported food samples in addition to those taken by enforcement officers as part of their routine work.

Following feedback from a number of local authorities, we are proposing to change the timescales of this programme to coincide better with the planning of your own work priorities. We are proposing that the 2008/09 programme will start at the beginning of April and finishing on 31st October 2008.

Changing the timescales in this way means that you will receive notification if your bid has been successful before we have received our allocated budgets for the year. **Although there allocated sufficient funding for this programme, any notification of a successful bid and the exact amount funding that has been awarded will be subject to confirmation early in the new financial year.**

There is no minimum to the level of grant that you can submit, but by way of a guide, we would anticipate that the grant awarded to individual local authorities will not exceed £10,000. This ceiling could be increased for bids received from large port health authorities and Food Liaison Groups or **is no reason to think that we will not be** Regional Groups that co-ordinate a programme across several local authorities.

This year we expect to make available additional monies to fund the sampling of animal feed materials. Whilst we believe this will be of particular interest to those authorities which have responsibility for controls at ports of entry we would not rule out bids by those authorities that want to sample feed materials originating from third



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countries at importers or manufacturers based in their area. We do not require bids relating to the sampling of compound feeds.

Attached to this letter are documents that set out in more detail the kind of information the Agency requires to assess your bid for funding as well as information on the administration arrangements applicable to this grant. If there is anything that is unclear or that you would like to discuss, please do not hesitate to contact Colin Houston on 0207 276 8440.

The attached information includes the following:

- Annex A: Application for funding
- Annex B: A financial summary of how you plan to use the grant
- Annex C: The Agreement, which you will need to sign to show that you have accepted the terms of the grant
- Annex D: A page for day to day contact details
- Annex E: A copy of the standard conditions that apply

The Sampling Co-ordination Working Group has reviewed the broad outcomes from the 2006/07 project and suggested priorities for the 2008/09 project. 12 priorities have been agreed this year and these are set out in the attached "Project Requirements" and you are invited to consider these suggestions as part of your bid for funding. Additional information on the rationale for the FSA asking you to sample these foods can also be found at the back of the priorities, together with relevant contact details.

We are not looking for a detailed submission and have provided an application form at Annex A to help you. The information in the "Project Requirement", summarising the key criteria for this work, should both help focus your application and the assessment process. I should remind you that the emphasis of this work is on imported foods and so foods from third (non-EU) countries should form the basis of your bid. Proposals which meet the terms and conditions for the grant will be considered by an Assessment Panel against the criteria for the project and the available budget for this work. All applicants will be notified of the outcome of their application by the end of July and if your request for funding is limited in any way or declined for any reason, this will be explained to you.

Proposals must be received by the closing date of **18th February 2008** and should be sent, preferably by email to:

Standards.support@foodstandards.gsi.gov.uk

Or in hard copy, marked for the attention of:

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If you have any queries, please contact Colin Houston on 0207 276 8440. I very much hope that your authority will submit a proposal and that these funds will help to provide a basis for targeted food surveillance for the future.

This letter has been sent out in electronic format only and, to promote sustainability, I would encourage you to submit your bid via email. If you require hard copies of these documents, please contact me.

Yours sincerely

A handwritten signature in black ink that reads "M. D. Bassett". The signature is written in a cursive style with a large, prominent 'M' and 'B'.

Mike Bassett
Head of Imported Food Branch

PROJECT REQUIREMENTS

1. The Food Standards Agency (FSA) has set aside funds to support port health authorities and inland local authorities in their sampling and surveillance of imported food. Approximately £900k is available during 2008/09 to local authorities for this initiative. Wherever local authorities (or LAs) are mentioned in these project requirements, port health authorities, food liaison groups and regional groups are considered equally.
2. Whilst it is not intended to be overly prescriptive about the samples and surveillance that each LA proposes to undertake, the priorities listed below, considered by the LACORS/Agency-led Sampling Co-ordination Working Group, should be used as a basis for any bid. I have included greater detail this year on why we have included certain priorities. This will help officers focus their bids in line with the FSA's requirements.
3. LAs may also submit bids that reflect local risks generally and in terms of products and quantities of imported food available in their region.
4. These priorities, all equally important are:

1) Mycotoxins

- Pumpkin and melon seeds, and products therein (e.g. egusi flour) for aflatoxin
- spices - aflatoxins and ochratoxin A
- instant coffee - ochratoxin A
- imported milk products - aflatoxin M1
- bran products - deoxynivalenol
- maize products - fumonisins
- cloudy apple juice - patulin

2) Extraneous water

- In chicken
- meat and meat products

3) Labelling and Claims

Fish species and country of origin labelling
Basmati rice authenticity

4) Irradiated products

Herbs,
Spices
Chinese meals
Food supplements

5) Inorganic contaminants – food contact materials

Primary Aromatic amines in cooking utensils from China.

Azodicarbonamide from the gaskets of jar lids containing food with a high fat content such as baby food and sauces, mayonnaise.

6) Microbiological examination

Fresh herbs with a focus on salmonella

Baby foods & assessment of microbiological safety

Seeds & nuts, again with a focus on salmonella

7) Arsenic in various food samples

Rice:

Beverages: in fruit juices, ready to drink alcoholic and non-alcoholic beverages and soft drinks that are intended for consumption after dilution. Hot beverages like tea and coffee (dried).

Herbs and spices. Samples of dried herbs, spices and herbal products including garlic, chicory, mustard and dehydrated onions.

Yeast : including yeast products like baker's yeast, dry yeast etc

Ice-cream, including frozen confections and similar commodity.

Gelatine and pectin.

8) Lead and Cadmium

Food supplements

Herbal products

9) Salt levels in imported food

Preliminary results from the 2007/08 UK industry to reduce levels of salt, it would be appropriate that we look at the levels in foods imported from third countries. This would be a surveillance exercise and as such we would anticipate informal samples be taken.

10) Animal Feeds

a) Mycotoxins, including fumonisins toxins

Cereal products intended feed

Feed materials Ground nuts for wild bird feed (aflatoxin B1 only)

b) Dioxins and dioxin like PCBs

Processed feed materials

Marine sourced feed materials including fish meal

c) Heavy metals e.g. arsenic, cadmium and lead

Trace elements e.g. zinc sulphate (particularly those originating from China).

Feed materials

d) Unauthorised genetically modified (GM) organisms and GM free claims

Cereal products intended feed
Other feed materials e.g. soya

11) Using local knowledge and expertise

Based on a local assessment of risk taking into account issues such as the type and number of importers in your area. Supporting information should be supplied to justify the bid and set in the context of local priorities.

LAs are invited to submit a brief project outline highlighting the additional funding being sought and what will be delivered if funding is awarded. Proposals received by the closing date of **Monday 18th February 2008** will be considered against the following criteria:

- Overall objective
 - Added value
 - Scope
 - Laboratory liaison
 - Evaluation and follow-up
5. The Agency will consider applications for funding against the key criteria set out below before any funding is released and LAs should ensure that the criteria are addressed in applications. These factors may be used to limit or decline funding to individual LAs should the overall level of interest exceed the funding available.
6. Criteria for this proposal are:

Overall Objective

- The objective for this initiative is to improve overall food sampling and surveillance for imported food generally. The work aims to provide better information to assist in future sampling programmes as well as utilising local knowledge about imported food priorities along with the priorities considered by the Sampling Co-ordination Working Group.

Added Value

The initiative should add value to the programmes that LAs already have in place for 2008/09. Funding will be available for reasonable costs incurred during the collection and analyses of the samples. The FSA should be assured in any bid that:

- The bid represents additional work over and above the Local Authority's current work programme for 2008/09.

- Any part of the bid that relates to microbiological analyses should only reflect analyses costs over and above the HPA allocation for the Local Authority for 2008/09.
- Funds for collection and analysis should be identified separately as part of the bid.
- Any bid for resources to assist in the collection of samples is over and above resources currently available to the LA.

Scope

- A detailed breakdown of the programme associated with this bid for additional funding is not required. A general view of what priorities will be addressed through the proposed work will be sufficient.
- A broad idea of the numbers of samples anticipated and the types of premises that will be focussed on should form part of the bid.
- LAs should consider both sampling and greater general surveillance - i.e. visual food examination/checking on site - at the time of sampling as part of their bid.
- The LA should indicate that it will take appropriate follow-up action on any adverse results.

Laboratory liaison

- The Local Authority should liaise with their PA/HPA laboratory as appropriate before submitting a bid and confirm that capacity exists to deal with the proposed additional samples and that analyses can be carried out with accredited procedures.
- The LA should also confirm that analyses will be carried out within timescales which will allow the LA to report back to the FSA no later than **31st October 2008**.

Evaluation and reporting

- Results arising from the additional sampling anticipated through this programme should be sent to the FSA by 31st October 2008.
- Statistical information on samples taken as part of this project should be submitted in the format provided by the FSA on a bespoke spreadsheet that will be sent to all successful applicants. Or officers may choose to submit results through the UK Food Surveillance System.

Rationale for Priorities

Mycotoxins

- **Seeds eg pumpkin and melon and their products (egusi flour etc) - aflatoxins**
Seeds have recently been highlighted in a number of RASFFs for high levels of aflatoxins. We have very little data on aflatoxins in these foods and therefore would like to assess how widespread the problem is.
- **Spices - aflatoxins and ochratoxin A**
mycotoxins in spices are an on-going problem.
- **Instant coffee - ochratoxin A**
Of the types of coffee covered by regulatory limits for ochratoxin A, instant coffee is most likely to contain the higher levels.
- **Imported milk products - aflatoxin M1**
While mycotoxins in milk in the UK tends not to be an issue, we would like to gather data on other sources of milk.
- **Bran products - deoxynivalenol**
Of the cereal products covered by regulatory limits for DON, bran is the most likely to contain higher levels.
- **Maize products - fumonisins**
Limits for fumonisins in maize and maize products came into force in 2007. Data collection will provide an insight into the current effectiveness of the legislation in controlling levels.
- **Cloudy apple juice - patulin**
Patulin is predominantly found in apple juice and exceedances of the regulatory limit are most commonly found in cloudy apple juice.

Contact for enquiries

Wendy Matthews

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Water in Chicken

To check labelling declarations in terms of meat content, added water and hydrolysed proteins in chicken products (e.g. chicken breast fillets) supplied to both the catering trade usually collected from wholesalers. This issue has formed part of the import programme since 2003/04.

More recently during 2007, routine sampling has found continuing problems of mislabelling on frozen chicken breasts imported from the Netherlands, namely in

respect of: incorrect name of food (e.g. using descriptions reserved for poultry parts under Poultry/meat Marketing Regulations and not for chicken products); over-declaration of meat content; inaccurate added water declarations.

Previous FSA authenticity surveys on this issue can be found at the following links:

<http://www.food.gov.uk/science/surveillance/fsis2000/8chick>

<http://www.food.gov.uk/science/surveillance/fsis2001/20chick>

<http://www.food.gov.uk/science/news/newsarchive/2003/mar/waterchicken0303>

There is a further issue that manufacturers may be falsifying the amount of added water by using added proteins or ingredients other than hydrolysed collagen proteins to increase the nitrogen content. Some investigation is taking place under the authenticity programme to discover what ingredients are being used. Hopefully, some further methodology will be available to help PAs in this investigation.

New Zealand Lamb

To check imported New Zealand minced lamb or lamb and mutton skirts to make such mince for undeclared, excess water. It would be useful to sample some non-New Zealand minced lamb for comparison.

This issue has been previously raised with the New Zealand Food Safety Authority (NZFSA) and it subsequently issued advice to relevant suppliers and trade associations in New Zealand explaining the UK position that any added water above a 5% allowance should be declared in the list of ingredients.

Recent sampling and surveillance, as part of the import programme, has found that some New Zealand minced lamb samples contained extraneous water ranging between 11-21%. We have written again to the NZFSA asking them to re-issue advice to their industry about providing appropriate information in product supplied to UK companies.

Fish Labelling – Added Water in Fish and Crustaceans

There is some evidence and concern in the trade that because of higher fish prices, water and possibly sodium polyphosphates are being added to shrimps and prawns, Pangasius (Panga(s) or Basa) fillets farmed in Vietnam. Most of these products enter the UK frozen and glazed, but have been soaked/injected before freezing. The investigation into these could be targeted and restricted to certain LAs or PHAs where these products are coming into the UK.

For priorities 2, 3 and 4, please contact

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Kitchen utensils from China

The Plastic Materials and Articles in Contact with Food (Wales) Regulations (with parallel regulations adopted by the other UK administrations) control the migration of harmful primary aromatic amines from such materials and articles - including kitchen utensils. Many importers and retailers in the EU who import directly, source these utensils from China, have found considerable variance in the quality of the goods being brought in. Many of these utensils do not meet the regulatory requirements for chemical migration from these plastic articles that are intended for use with food. The legislation prescribes the limits for migration, as well as the manner of the tests that should be carried out. Additionally, there have been numerous RASFFs reporting the migration of primary aromatic amines (PAAs) from cooking utensils from China.

There is no specific sampling guidance for food contact materials and articles. For plastics, Directives 82/711/EEC, 85/572/EEC, 93/8/EEC and 97/48/EC lay down the rules for testing migration from plastic food contact materials to check compliance with the requirements of the legislation, Directive 2002/72/EC as amended. Migration tests are made using 'stimulants' which represent the various food types, and times and temperatures which match those foreseeable in use. Details of the stimulants and basic test conditions are given in Directive 82/711/EEC and its second amendment, Directive 97/48/EC. The selection of stimulant for various categories of food is laid down in Directive 85/572/EEC.

In Agency funded surveys, the usual practice is that packaged food samples are obtained in triplicate. Each triplicate sample set is assigned a unique sample code. Two of the triplicate samples are over wrapped in aluminium foil and placed immediately in a freezer. The other triplicate sample is prepared for analysis. Any foodstuffs intended to be cooked in the packaging are prepared according to the cooking instructions given on the packs. Then the foodstuff is removed from the packaging, over wrapped in aluminium foil and stored in a freezer (less than -20°C). The packaging material is similarly over wrapped in aluminium foil and also stored in a freezer. Foodstuffs not intended to be cooked in the packaging are removed from the packaging on receipt at the laboratory and both the food and the packaging are over wrapped in aluminium foil and stored in a freezer.

For repeat use materials or articles not in contact with food, nine examples of each sample are obtained to allow for possible further analysis, after initial testing. Each sample set is assigned a unique sample code. Three of the articles are labelled A, B and C and are used for the migration experiments. The remaining six articles are over wrapped in aluminium foil and stored at room temperature.

Contact for enquiries:

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Arsenic in various food samples

Arsenic levels in foods are regulated by the UK Arsenic in Food Regulations 1959. There are a number of foodstuffs in the regulations that have various maximum permitted levels - for instance beverages, yeast and herbs. The regulations are very old and need to be revised in order to ensure the safety of consumers. Although there are currently no EC limits, it is likely that negotiations will start soon. Therefore, sampling on foodstuffs for arsenic is necessary.

Arsenic is known to be a toxic element and inorganic arsenic is a genotoxic carcinogen. The Committee on Toxicity (COT) concluded that there are no relevant tolerable intakes or reference doses by which to assess safety of either inorganic or organic arsenic in the diet. Therefore exposure to inorganic arsenic should be as low as reasonably practicable (ALARP).

Currently there are no EC limits for arsenic in foodstuff but they may be set very soon. Data that we have on arsenic in a variety foodstuff will be very useful in negotiating levels.

Earlier work done in our branch has shown that rice tends to accumulate arsenic and the percentage of inorganic arsenic can be quite high. The consumption of rice is increasing with more people with dietary intolerances opting to eat rice instead of wheat. It is important that we gather more data on arsenic levels in rice.

Research has shown that arsenic levels (inorganic) are high in spices as well. Data on this will be very useful in advising consumers.

Sampling is required in the following groups of food in order of priority. Only **informal** samples would be required.

Rice: elevated arsenic levels have been found in some types of rice. Several varieties of rice (like basmati, long grain, brown, easy-cook and parboiled) are available at the retail level. Sampling of various types of rice including cooked and ready to eat varieties would be required. Inorganic arsenic levels should also be measured if analytical capabilities of laboratories permit.

Beverages: fruit juices, ready to drink alcoholic and non-alcoholic beverages and soft drinks that are intended for consumption after dilution would need to be sampled. Hot beverages like tea and coffee (dried) are also to be included.

Herbs and spices: Samples of dried herbs, spices and herbal products including garlic, chicory, mustard and dehydrated onions.

Yeast: including yeast products like baker's yeast, dry yeast etc.

Ice-cream: including frozen confections and similar commodity.

Gelatine and pectin.

Lead and Cadmium in food supplements and herbal products

There has been a consensus at the EU level that maximum limits are needed for lead and cadmium in food supplements. Maximum levels for lead and cadmium are expected to be set soon. Discussions are on-going about limits for algal products,

herbal products and herbal infusions used as food supplements. Data on the levels of lead and cadmium in food supplements (vitamins and minerals), algal products (kelp, chlorella products), herbal products (garlic, ginseng, Echinacea etc including herbal teas and herbal infusions) and ayurvedic food supplements is necessary. Only informal samples would be required.

Discussions are on going at the EU working group on setting maximum levels for lead and cadmium in food supplements.

There have been several RASFFs in the past with very high levels of lead and cadmium in imported food supplements and data on levels found will be very useful.

Research has shown that certain herbal supplements are known to have higher levels of heavy metals and examples are known where consumption of these supplements would have been injurious to health. Therefore information on metal levels in food supplements will be useful in advising consumers.

Commission Regulation (EC) No. 1881/2006 sets maximum levels for certain contaminants including mercury, lead, cadmium and tin in foodstuffs. http://eurlex.europa.eu/LexUriServ/site/en/oj/2006/l_364/l_36420061220en00050024.pdf

The UK arsenic in Food Regulations 1959 (as amended) set maximum levels for total arsenic in foods. A copy is available from the stationary's office website. <http://www.opsi.gov.uk/stat.htm>

Contact for enquiries

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Animal Feeds

Mycotoxins, including fumonisins

Commission Recommendation 2006/576/EC on the presence of deoxynivalenol, zearalenone, ochratoxin A, T-2 and HT-2 and fumonisins in cereal products intended for animal feed, which was prepared to set guideline values on the above contaminants, was published in the Official Journal of the European Union on 23 August 2006 (OJ No. L 229/7, 23.8.2006) and is available at:

<http://eur-lex.europa.eu/JOH`tml.do?uri=OJ:L:2006:229:SOM:EN:HTML>.

Dioxins and dioxin like PCBs

Feed authorities will wish to note that Commission Directive 2006/13/EC published on 3 February 2006 setting limits and action levels for dioxins and PCBs.

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_032/l_03220060204en00440053.pdf

Heavy metals e.g. arsenic, cadmium and lead

Excessive levels of heavy metals in feed materials have been the subject of a number of RASSF notifications during 2007.

Contact for enquiries

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Irradiated foods

Contact for enquiries

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Salt levels in Imported Foods

Since the FSA is working closely with UK industry to reduce levels of salt, it would be appropriate that we look at the levels in foods imported from third countries. This would be a surveillance exercise and as such we would anticipate informal samples be taken.

Preliminary results from the 2006–07 programme indicate that this may be an issue, so we would like officers to take additional informal samples this year.

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