EU FOODSTUFFS AND HYGIENE – EU EXIT REGULATIONS

Thank you for your letter of 25th October regarding the proposed approach to fixing EU food safety and hygiene regulations. You asked specifically for further clarification in relation to any possible implications arising from the recent BSE case in Aberdeenshire in relation to the safety and transferability of food stuffs and whether there is any impact on these proposed regulations.

I am advised by Food Standards Scotland that there is no impact, both in terms of general food safety, or related to the specific instruments currently before the Committee. These instruments lay down requirements for the safe and hygienic production of food; with more detailed obligations set down in relation to establishments producing products of animal origin.

Those additional requirements concern specific hygiene practices and traceability requirements, and the commensurate official controls that must be applied in approved establishments to those products and practices. In relation to cattle, these controls apply irrespective of the BSE status of the country. For example, Regulation (EC) 854/2004 laying down the specific rules for the organisation of official controls on products of animal origin intended for human consumption, specifies that Official Vets of the Competent Authority must declare meat unfit for human consumption if it contains specified risk material (SRM).

However the Committee may wish to be aware that specific rules concerning SRM and BSE more generally, are set down in Regulation (EC) 999/2001 laying down
rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. Whilst the list of SRM to be removed at abattoir changed as a result of the recent BSE case, the process of SRM removal continues to be overseen by FSS.

The Committee may wish to note that the proposed EU fixes for BSE legislation will be covered by the The TSE and Animal By-Product (Amendment etc.) (EU Exit) Regulations (AH09-EU TSE and ABP), these Regulations will be being placed before the Scottish parliament Rural Economy and Connectivity Committee for scrutiny and consent.

Yours sincerely,

Joe Fitzpatrick