

The safety of agricultural food

The EU has hundreds of rules on the Veterinary and Phytosanitary aspects of agriculture. These complex rules effectively boil down to the need to ensure high standards of hygiene and safety in the production of food.

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The European Union has built up a significant body of laws on food safety, animal health, animal welfare and plant health. These laws apply to all food at all stages - "from farm to fork" - and are binding in all countries of the Union. To a large extent, they also apply to non-EU countries that export animals, animal products, plants and plant products to the EU. This is because the EU only accepts products to be sold in its market if they comply with its standards.

While the responsibility to apply these laws lies with each EU country, the European Commission shares responsibility by ensuring that these EU laws are properly applied. The EU also has its own Food and Veterinary Office (FVO) which is responsible for monitoring compliance by member states and by non-EU countries with EU veterinary, phytosanitary and food hygiene standards. In this way the FVO helps to maintain consumer confidence in the safety of food products that are on sale in the EU. The FVO performs audits, controls and inspections on site to check whether the safety and food hygiene rules are being followed along the entire production chain, either in member states themselves or in countries which export to the EU. It passes on its findings and recommendations to the national and EU authorities and to the general public.

FVO inspections and audits apply to:

- **Foodstuffs of animal origin**, for which it examines monitoring systems in the member states, the use of chemicals (veterinary medicinal products, growth stimulants, pesticides) and imported products;
- **Foodstuffs of vegetable origin**, in particular pesticide residues on fruit and vegetables and organic fruit and vegetables, including imported products;
- **Animal health**, notably epidemics (for example swine fever);
- **Animal welfare** and zootechnics (in transport and slaughtering);
- **Plant health** (monitoring of organisms harmful to plants, genetically modified organisms, pesticides, organic agriculture).

ANIMALS AND ANIMAL FOOD (VETERINARY)

Importation of live animals

In Malta, there are three border inspection posts for the importation of live animals: at Luqa airport, Marsaxlokk freeport and Valletta Grand Harbour. These will operate according to EU standards before membership. Each border post handles an average of less than 500 consignments every year.

Upon membership, Malta must have aligned its system of controlling the entry of animals into Maltese territory with EU rules. Malta agreed to phase out the import licence system for animals coming from EU countries. Import licences for animals coming from non-EU member states will still be in place but they will apply along EU rules. The reason is that once an import licence is issued in Malta for a particular animal, that animal can be taken anywhere in the EU, and not just Malta. This is the free movement of goods which is a fundamental principle of EU law.

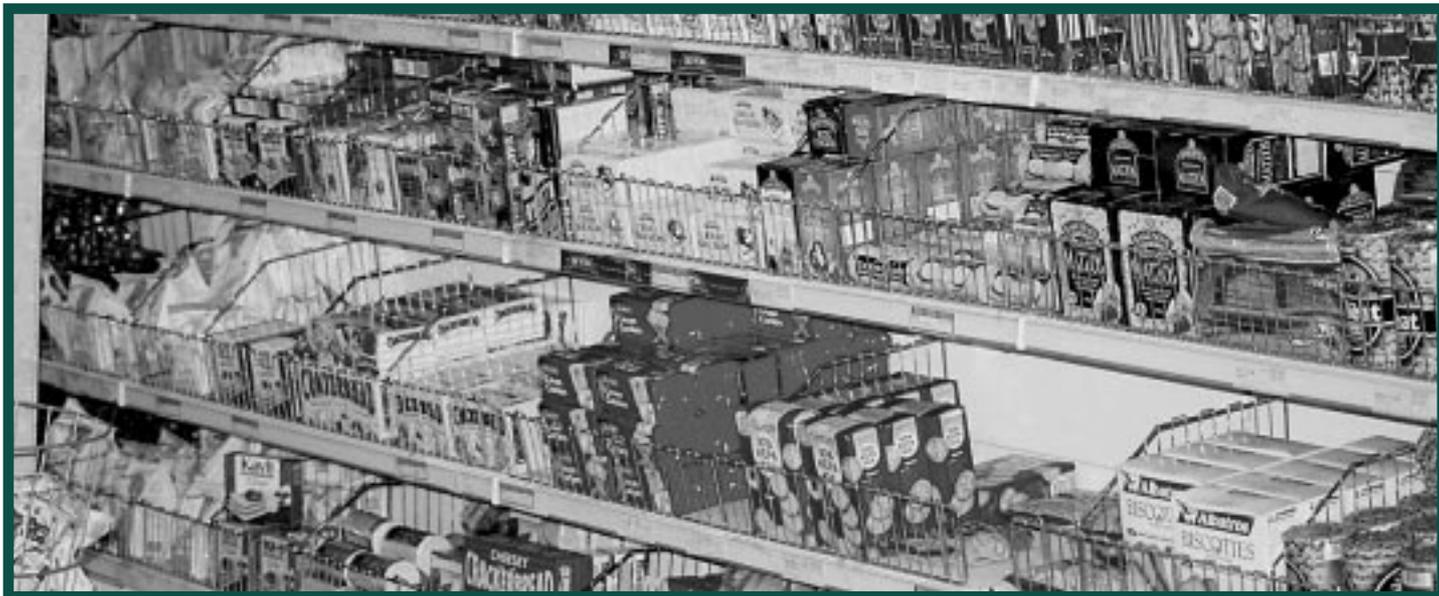
However, during negotiations, Malta requested to maintain certain control measures on the importation of certain animals. Malta requested to keep cows and pigs in a holding centre for up to three weeks after arrival in Malta while other animals should be kept for one week.

Malta argued that this was necessary to protect local herds from diseases. On its part, the EU argued that EU law already provides for guarantees in the form of quarantine and therefore there was no need for Malta to impose additional quarantine measures. Following these assurances, Malta withdrew its request but still kept the right to keep animals at the staging points for animal welfare reasons.

Malta already has a system whereby all animals are registered and identified, in line with EU law.

Malta also requested that the provisions in the United Kingdom and Ireland for placing dogs and cats on the market should also apply to Malta upon membership. The EU accepted this request. This means that for cats and dogs to be placed in the local market they must first have an individual vaccination record, among other things.

EU law puts a lot of emphasis on dairy farms and milk processing establishments. These establishments must be in line with EU standards in order to guarantee food safety for consumers and to ensure the proper functioning of the EU internal market. However, Malta requested a transitional period of six years to allow the upgrading and restructuring of cattle farms and for the control of mastitis in the herds to meet the EU requirements for hygiene and quality. Malta also requested another six-year transitional period to allow the milk processing establishments to be refurbished to EU standards. Following negotiations, the EU agreed to a six year transition period until the end of 2009 to allow the upgrading and restructuring of farms and to allow for the control of mastitis in the herds in order to meet the EU hygiene and quality requirements. The EU emphasised, however, the crucial



Animal disease control

Malta joined the Animal Disease Notification System. Upon membership Malta will have contingency plans in place relating to foot and mouth disease, classical swine fever and Newcastle disease, among others.

Health standards in establishments of animal products

The EU gives great importance to food safety, in particular to public health conditions in establishments for animal products. Originally, Malta had requested a transitional period of six years to allow sufficient time for local establishments that specialise in fresh meat, meat products, minced meat and meat preparations, namely slaughterhouses and factories, to adapt to EU standards. Malta also requested a three-year transitional period so that poultry meat, rabbit meat and farmed game meat establishments adapt to EU standards. In Malta, there are eleven approved slaughterhouses for poultry meat production while a further three are for rabbit production.

However, on its part, the EU insisted that consumers need to be protected and it cannot agree to a situation where Maltese consumers are exposed to lack of standards for a period of six years. Malta eventually withdrew its request. Instead, Malta confirmed that all standards will be applied by membership. Consequently, any establishments, (slaughterhouses or factories) specialising in meat products which fail to comply with EU requirements regarding public health conditions by membership will not be allowed to sell their products.

Health standards in cow farms

Local milk production provides 39% of Malta's milk equivalent requirements. Cow milk production in Malta amounts to 35% while the remaining 4% is milk from sheep and goats. Malta Dairy Products Ltd is the only milk processor and it is owned by the Milk Producers' Co-operative Society Ltd (70%) and the Malta Development Corporation (30%).

importance for dairy farms and milk processing establishments (as against farms) to comply with EU standards on food safety. Malta therefore withdrew its second request for a six-year transition period to allow milk processing establishments to reach EU standards. It was, however, agreed that during the six years until Maltese cattle farms become EU compliant, any heat-treated milk and milk-based products coming from such farms will only be sold in Malta irrespective of the date of marketing; will be clearly identified with a special health mark; will be used for further processing only if the necessary guarantees for the marketing of the final product have been provided; and will not be marketed fraudulently. Malta also agreed to establish a list of farms producing raw milk destined for further treatment for which a transitional period was requested under the control of the Food and Veterinary Regulation Division.

Protection of traditional Maltese *gbejna* and *irkotta*

EU rules allow member states to manufacture milk-based products with traditional characteristics. The EU accepted Malta's request to protect the traditional Maltese *gbejna* and *irkotta*. In Malta, all sheep milk and most goat milk is used for farmhouse cheeselet production.

Animal welfare of hens

The EU also gives great importance to animal welfare. Not just to protect the animals themselves – which is important in itself - but also to safeguard public confidence in food production. Here, Malta requested a three-year transitional period for the implementation of EU standards on the protection of laying hens that are kept in battery cages. This request involves some 290,000 hens in 30 establishments. The transitional period was requested so that poultry farms in Malta can have enough time to restructure and control the stock density of hens.

The EU accepted Malta's request and agreed to a transitional period until the end of 2006 for minor construction elements (height and floor slope only), covering only those existing cages in 12 of the listed establishments which have a minimum height of 36cm over 65% of the cage area and elsewhere at least 33cm and floor slope not greater than 16 per cent. The EU added that all other EU requirements must be complied with by membership. Other farms that are not yet fully in line with EU animal welfare rules for laying hens cages should be fully compliant with EU standards by accession.

Sampling of eggs and milk

EU law specifies that regular sampling of eggs and milk are tested in laboratories to ensure that consumers get safe food. Malta had requested an exemption from the number of sampling required by EU law because of costs involved and scientific experience required to carry out such tests on the Maltese islands. Besides Malta also requested to use accredited laboratories in other countries for such tests. Later, Malta withdrew its request on the number of samples required. However, the EU accepted Malta's request to use laboratories in other countries for tests on these samples.

Protection of pigs

The EU has a specific law on the welfare standards for pigs tested for farming purposes. On this law, Malta had originally requested a two-year transitional period, starting January 2003, to allow pig farms to restructure according to EU standards for the control of stock density. However, following negotiations, Malta withdrew its request. As a result, pig farms must comply with EU pig welfare standards by membership.

Animal waste

EU law also allows the use of direct incineration of high and low risk materials, including animal waste. During negotiations, Malta requested a derogation from EU law for the use of incineration and controlled dumping of high and low risk animal waste. The EU replied that since EU law allows incineration, there was no need for a derogation as requested by Malta. However, the EU emphasized that no high or low risk animal waste should be disposed by controlled dumping without prior incineration. Malta accepted this reply and informed the EU that it is in the process of setting up a national incineration plant for the disposal of all types of animal waste material.



PLANT HEALTH (Phytosanitary)

Plant health or phytosanitary is another aspect of importance for the EU. The levels of pesticide and other toxic elements that enter the food chain is strictly monitored. As a member state of the EU, Malta would have to adhere to the strict limits on this aspect. The Plant Health Department within the Ministry for Agriculture and Fisheries is responsible for the national regulatory system for phytosanitary or plant health matters. The Department must ensure that the importation of plants is as disease free as technically possible. It must also manage and control any possible spread of plant pests or disease.

New standards

In Malta the new Pesticides Control Act which entered into force in August 2001, provides for the control of plant protection products as well as biocides. This law specifies the maximum amount of residues of pesticide that can be present in the fruit and vegetables that we eat. Other phytosanitary rules have been adopted and Malta will be completely in line with EU standards by membership.

New facilities

Currently Malta does not have the facilities, equipment and other resources required to carry out the evaluation trials and tests necessary for the placing on the market of plant protection products. The facilities for pesticides' residue analysis will be in place by membership at the national laboratory. However, Malta negotiated so that the results of pesticides' brands evaluation tests carried out in other member states be recognised.

Monitoring of pesticide residues

To ensure the proper monitoring and control of the maximum residue levels (MRLs) in plants for human consumption, Malta intends to adopt the MRLs of those member states that have a diet that is similar to the Maltese national diet. The Maltese diet is a combination of the Northern European diet and the Southern European (Mediterranean) diet. The MRLs will be adjusted following the establishment of the national diet, which is currently being drawn up. Malta will align itself with the MRLs of pesticides in line with EU rules by membership. The Malta Standardisation Authority is responsible to establish the maximum residue levels (MRLs) of all crops. Malta had originally requested to maintain a prohibition to the placing on the market of certain pesticides and plant protection products which contain certain ingredients. This request was withdrawn because most of these products have now been banned under new EU rules which, instead, allow for alternative measures to be taken so that these products are not used. A derogation was also requested by Malta with respect to the evaluation of active substances contained in plant protection products and biocides. During the course of negotiations the Department of Plant Health reviewed this request because Malta could, in fact, be in a position to carry out these tests. It is also envisaged that the results of pesticides' brands evaluation tests carried out in other member states would be recognised. For these reasons, Malta withdrew its request.

Spread of harmful diseases

Malta enforces strict rules to control the importation and spread of organisms that may be harmful to plants and plant products. There are no known harmful organisms existing in Malta that do not already exist in other European countries. Approximately 95% of imports of plants and plant products come from EU countries. And because of its island status, Malta enjoys obvious advantages in controlling the migration of harmful organisms. Recent surveys confirmed that the *Plum Pox* virus and the *Citrus Tristeza* virus do not exist in Malta. The agricultural infrastructure in Malta, whereby holdings are divided into very small parcels of land with little or no boundaries between fertile land and built-up areas, makes the need for a policy of strict control on the importation and use of pesticides all the more necessary. It is an established practice to request additional declarations on the phytosanitary certificates to prevent the introduction of quarantine organisms such as Wart Disease, San Jose Scale and Fireblight.

Regular surveys on the plant health status of the Maltese islands will continue to be carried out whilst advisory services are provided to growers on disease prevention, integrated pest management, application of plant protection products as well as on fertiliser application and irrigation techniques. With the increase of human resources in the phytosanitary sector, the number of surveys for pests and diseases will also increase.

Plant quarantine

In Malta, the Plant Quarantine Act states that any quarantine organism identified by third parties must be notified to the plant health authorities. This law also empowers plant quarantine inspectors to search premises on suspicion of the presence of harmful organisms. It also empowers inspectors to seize and destroy any crop that is considered to be of risk to the spread of harmful organisms.

Currently, interceptions of quarantine organisms and disease outbreaks are being reported to the plant health authorities of the exporting country and to the European Plant Protection Organisation, of which Malta is a member. This will continue to be the case after membership.

New laboratories

A new diagnostic laboratory at the Plant Biotechnology Centre was also completed during 2000. The aim of this laboratory is to specialise in the diagnosis of bacteria, viruses and virus-like organisms, viroids and phytoplasma using serological and molecular biology techniques. A study was also conducted to assess the physical resources required to upgrade two other existing laboratories to meet the requirements for the identification and diagnosis of other harmful organisms required for compliance with EU rules. The seed-testing laboratory in line with the specifications of the International Seed Testing Association is currently being set up. The plans for the building of the laboratory have been drawn up and the issuing of a tender for its construction approved. The laboratory will have all the equipment required to carry out all tests on seeds.

Inspection of plant products at the border

With respect to Border Inspection Posts, an exercise is being carried out to categorise the various plants and plant products that are imported and to register the point of entry in Malta so that the facilities at the Border Inspection Posts will be established to cater for these needs. Measures are also being taken to ensure the prevention of the introduction into and spread of harmful organisms in Malta and within the EU upon membership.

Feedmills

Malta originally requested a transitional period of five years for the implementation of EU rules on approving and registering establishments operating in the business of animal feed. This time was envisaged to allow the restructuring of feed mill establishments. However, further studies showed that the restructuring process could be completed much sooner, within fifteen months, and therefore the original request was withdrawn.

Small producers

Small producers will be examined at random, except in cases when there is cause for concern. Small producers are part-time producers whose main income or primary occupation does not come from the production of plants or plant material. They usually sell their produce locally, in village feasts, local societies or clubs as well as charitable organisations. Small producers would not be able to trade their produce in other member states, unless they are officially registered to do so.



Plant health (harmful organisms)

With regards to plant health, Malta requested to be granted a protected zone status with respect to various harmful organisms, namely Citrus Tristeza Virus, Plum Pox Virus and Colorado Beetle. This was agreed to with the EU with the exception of the Plum Pox virus. The EU explained that the information produced by Malta as regards fruit of host plants of Plum Pox virus was not sufficiently substantiated to justify the specific measures as requested by Malta. On its part, Malta revised its request for a Protected Zone Status regarding Plum Pox virus and instead a decision will be taken by mid 2003 when Malta will submit a complete Pest Risk Analysis Dossier.

Quality of seeds and plants

The EU gives great importance to the quality of seeds and propagating material and these must be fully compliant with EU standards. During negotiations, Malta had requested a transitional period of five years for locally-available varieties of seeds and plant propagating material to comply with EU requirements so that they would be included in the EU Common Catalogue. The EU accepted this request and a transitional period of five years was agreed during which Malta would postpone the application of EU rules on the marketing of seeds of those varieties listed in its official catalogues of agricultural plant species and vegetable plant species which have not as yet been accepted according to EU law. During the transitional period seeds of such varieties will not be allowed to be marketed in the territory of other EU countries.



**Malta's official negotiating position paper on this area
is also available from MIC or from:
www.mic.org.mt**

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