

PREM 19/2677

Food Safety

Food

Part 1:  
January 1989

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<del>1-2-89</del>							
<del>2-2-89</del>							
<del>6/2/89</del>							
<del>14-2-89</del>							
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<del>17/3/89</del>							
<del>20-3-89</del>							
<del>21-3-89</del>							
30.3.89							

PREM 19/2677

PART

1.

ends:-

AT to G. Harvey 30.3.89.

PART

2.

begins:-

CST to SS/MAFF 3.4.89



CF?



File

10 DOWNING STREET  
LONDON SW1A 2AA

*From the Principal Private Secretary*

30 March, 1989.

Thank you for sending me a copy of your letter to Sir Donald Acheson about the proposed amendments to the Food Hygiene Regulations (1970). I have noted the points you have made with interest.

Andrew Turnbull

G.E.G. Harvey, Esq.

to



Telegrams: *Harvey* London  
Telex No: 267741  
Telephone: 01-935 4622

*Michael House,  
Baker Street,  
London, W1A 1DN.*

*from Mr. G. E. G. Harvey*

23rd March 1989

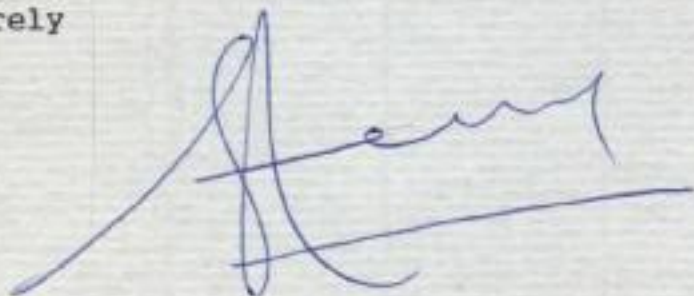
**PRIVATE AND CONFIDENTIAL**

Mr A Turnbull  
Principal Private Secretary  
to the Prime Minister  
10 Downing Street  
LONDON SW1A 2AA

Dear Mr Turnbull

I understand that David Norgrove has discussed with you our view on possible amendments to the Food Hygiene Regulations. He suggested that I should send you a copy of the attached letter which I have today written to Sir Donald Acheson.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'G. E. G. Harvey', written over a horizontal line.



# Marks and Spencer p.l.c.

REGISTERED NO. 214436  
(ENGLAND AND WALES)

Registered Office: MICHAEL HOUSE · BAKER STREET · LONDON W1A 1DN 01-935 4422

Cables: MARSPENZA LONDON · Telex Number 267141 · Fax(GROUPS II/III)01-4872679

Sir Donald Acheson  
Department of Health and Social Security  
Alexander Fleming House  
Elephant and Castle  
LONDON SE1 6BY

23rd March 1989

Dear Sir Donald

Our Technologists have in the past few weeks been discussing with your officials and others the proposed consultative paper on food hygiene which we understand is to be issued shortly as an Amendment to the Food Hygiene Regulations (1970).

The latest development in the discussion is the proposal on retail temperature requirements issued by your department on 21st March. This statement recognises the effect of the defrost cycle in retail temperature display units and now offers an achievable though tight target for food temperature control. I would like to record our appreciation of the helpful attitude taken by your officials on this important point.

If adopted as the new standard, this modified temperature proposal will still require us as a business to replace some 20% of our chilled cabinet capacity at a cost of approximately £15 million. We estimate the cost to the retail industry as a whole could be in excess of £300 million.

Clearly cost cannot be put before public health and we for our part will not argue with the need to further tighten product temperature controls. The large amount of equipment that will have to be replaced throughout the retail industry will however place considerable strain on the equipment manufacturers. We estimate they have an aggregate manufacturing capacity of less than £100 million value per year of chilled retail cabinets. We would ask that in bringing forward the Amendment to the Food Hygiene Regulations that there should be some clear time allowance in which the equipment replacement programme can be carried out.

On the subject of enforcement, we note that your department intend to call further meetings to ensure an initial consistency in approach. We believe this will be most essential as the methods and timings on taking product temperatures in a store environment require considerable investigation. We will be pleased to take an active part in this debate.

*StMichael*



As well as giving full support to improvement within the retail industry, we are placing considerable importance on our on-going discussions with our food suppliers, many of whom are among the leading food manufacturers in the UK. Our approach has always been that food safety and food hygiene are most readily controlled in the manufacturing cycle. This is even more important in the control of listeria.

All our products are made to a carefully agreed specification which incorporates manufacturing controls through a HACCP document. We lay down strict microbiological standards and have recently broadened these to include microbiological standards for the working environment in which the products are handled and packaged after processing. It is this last stage of the operation that we believe most important to prevent the incidence of listeria in finished product.

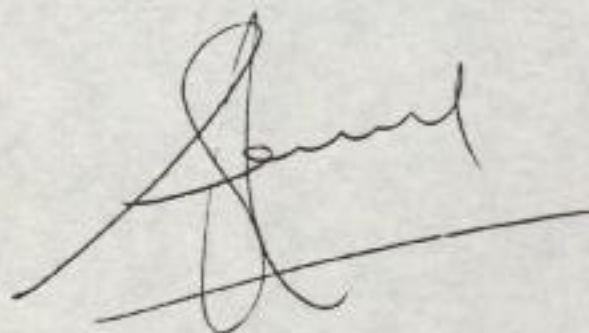
Recent developments in microbiological testing suggest that systems such as the Elisa Enzyme Linked Assay system offer the opportunity of screening packing departments in food factories for the absence of listeria with a test time of approximately 48 hours. We believe that an expansion of this type of technique should enable us to exercise tighter control against listeria through the manufacturing cycle and will give us the opportunity of re-calling faulty product from the distribution chain before it is sold to the consumer.

Our major suppliers are working with us in the investigation and development of these rapid test methods which we all see as being the most effective method of reducing the risk to the consumer from listeria. We would welcome the opportunity of discussing with you whether this aspect of food hygiene control could form part of your Department's new initiative on food safety. We believe that positive improvements to food safety could be achieved by this route more rapidly than will be available through a display equipment replacement programme alone.

Perhaps you would be kind enough to consider our offer of a discussion on this point. For our part, we would be prepared to come to your Department or would be most happy to welcome you here at Baker Street where we could arrange, if you would wish, for one or two of our major suppliers also to be present.

Yours sincerely

G. E. G. HARVEY  
DIVISIONAL DIRECTOR  
FOOD TECHNOLOGY

A handwritten signature in black ink, appearing to be 'G. E. G. Harvey', written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.



MR TURNBULL

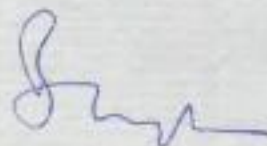
MISC 138 (89) (10) ON PUBLICITY ON FOOD HYGIENE

I am rather concerned that we are being asked to commit ourselves to a major domestic food hygiene campaign before we have seen the basic product - the leaflet.

Consequently, we shall need to consider the extent to which we promote such a leaflet, given that the last thing we wish to do is to renew public concern about food quality.

At this stage I think we should concentrate upon producing a good quality, informative leaflet and finding a more economical way of promoting it than is envisaged here. Wide circulation can be achieved relatively cheaply provided we get the right mix of promotion.

It is crucial that we do not commit ourselves in advance to any particular weight of campaign bearing in mind the on/off history of this project.



**BERNARD INGHAM**  
March 21, 1989

THE LEGAL SECRETARIAT TO THE LAW OFFICERS  
ATTORNEY GENERAL'S CHAMBERS,  
ROYAL COURTS OF JUSTICE,  
LONDON, W.C.2

B.J. Atwood Esq  
Solicitor's Office  
Ministry of Agriculture, Fisheries and Food  
55 Whitehall  
LONDON SW1A 2EY

cc Mr. ~~Tyburn~~bull  
Mr. Wilson  
Mr. Langdon  
Ms. Sinclair

21 March 1989

See X on page 2,  
in particular

Dear Barry

IRRADIATION OF FOOD

Will request if possible

You wrote to me on ~~17~~ March seeking the urgent advice of the Law Officers in connection with a proposal to make provision by statutory instrument under the Food Act 1984 to allow, with a view to eliminating salmonella organisms, the irradiation of certain foods up to a level of dosage specified in relation to each, and to make related provision for hygienic practices, staff competence, business monitoring and the registration of premises with local authorities. You came here with Bob McKinley yesterday afternoon and explained the proposals to the Solicitor General in greater detail. This is by way of confirmation of the advice he gave in conference yesterday.

The Solicitor General first considered the interaction between sections 4 and 13 of the Food Act 1984, only the latter of which effectively attracts the registration provisions in sections 16-19. He noted in particular that the objectives for which regulations might be made under section 4 are wider than those which apply in the case of section 13. However, he was of the view that provision made in regulations under section 13 (in order to attract the registration arrangements) would not be held to ultra vires by reason only of the fact that the same provision might be made under section 4. It would nevertheless be preferable to retain in regulations made under section 4 the general prohibition of irradiation of food and make it subject to the provision for limited irradiation now to be made in section 13.





X

The present position is that, by virtue of the regulations (S.I. 1967/385) under section 4, the irradiation of food is prohibited save to the limited extent allowed under the proviso to regulation 4. Your proposal is to remove the prohibition in relation to certain foods only, but to restrict, in regulations under section 13, the particular dosages to which each of those foods might be subjected. The Solicitor General advised that the general objective of regulations made under section 13 must be the "protection of the public health" in connection with any of the matters referred to in paragraphs (a) and (b) of subsection (1). However, although your Ministry's scientific advice is to the effect that any food may be irradiated up to a particular dosage level without risk to public health, it is your intention to restrict all of the maximum permitted dosages to levels below that 'safe' level and, in the case of some foods, to levels well below it. In those circumstances, the Solicitor General considered that it might be difficult to demonstrate that such restrictions below what is recognised to be the 'safe' level are either necessary or expedient for the protection of the public health, and that such provision in the regulations might be successfully challenged on that ground by a food manufacturer. The setting of a single level of maximum dosage for all the foods specified in regulations under section 13 which corresponded with the known 'safe' level of irradiation would of course be intra vires, albeit not particularly attractive to you in presentational terms.

As regards the question of the registration of premises, the Solicitor General considered that it would be quite feasible to extend the provisions of section 16 to premises in which irradiation (permitted pursuant to section 13) of food takes place, by means of an order under section 17. However care would need to be taken in formulating the description of the "business of a class specified in the order". A reference to the "business of food irradiation" was unlikely to be sufficient, but a description along the lines of "the preparation or manufacture of those foods in relation to which irradiation is permitted by regulations under section 13" would probably be adequate.





As you recognised in your letter, the question of whether the Joint Committee might regard what you propose as an unusual or unexpected use of powers is not one on which we can usefully advise, but it might be a wise precaution to discuss the matter with Speaker's Counsel or Counsel to the Chairman of Committees, as appropriate.

A copy of this letter goes to Edwin Moutrie at the Department of Health and to Shaun Mundy at the Cabinet Office.

*Yours sincerely*

*Peter Milledge*

PETER MILLEDGE.

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P 03398

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

While there will always be the possibility of sudden scare stories about food safety, the signs are that the hysteria of recent months may now be dying down. For example, the Guardian's attempt to make a story out of the recent MAFF report on pesticide residues seems to have had relatively little impact.

2. The present meeting does not call for any major decisions. It is, rather, an opportunity for you to bring yourself up to date and to ensure that food safety issues are running on the right lines. The meeting should be able to take a clear decision on the sale of dirty eggs, which was not resolved at the last meeting. On irradiation the issues relate to public acceptability and the adequacy of the enforcement machinery. And the item on the food hygiene leaflet is simply a progress report to enable you to check that this is taking shape as you wished. Separate briefs on these items are attached.

3. Up to this point you have had to use MISC 138 to deal with points that demanded urgent attention. On the assumption that there will be a somewhat calmer period ahead, you may wish to stand back from the detail and steer the Group towards the important policy issues underlying food safety.

4. In particular, the Government's major initiative in this field during the present Parliament will be the Food Bill to be introduced at the beginning of next session. You may now wish the Group to begin to focus both on the contents of this Bill and on the way in which its presentation should be prepared (eg by a White Paper). You may wish to invite the Minister of Agriculture to put in a paper on the main policy proposals in the Bill for

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discussion, say, towards the end of next month. The Group will also need to consider the Government's reply to the Agriculture Committee's report on salmonella in eggs around that time.

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5. The other main theme which has begun to emerge in MISC 138 discussion has been the European dimension, and in particular the extent of cross-frontier control that is allowable under the Single European Act. This is clearly a subject that goes wider than food safety issues, and MISC 138 will need to be augmented by the Foreign Secretary and the Home Secretary when it considers the paper that the Minister of Agriculture is preparing on the subject, as you asked at the last meeting. You may wish to confirm that this will be the other main business of the Committee after the Easter break.

RTJ

R T J WILSON  
Cabinet Office  
20 March 1989

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PRIME MINISTER

20 March 1989

MISC 138 - FOOD SAFETY

The three items on the agenda are:

- i. cracked and dirty eggs/surveillance of imported eggs - MISC 138(89)9;
- ii. food irradiation - MISC 138(89)7;
- iii. food hygiene campaign - MISC 138(89)10.

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This will be the first time that food irradiation has been discussed in MISC 138. John MacGregor's paper does not provide an adequate basis for taking decisions. You will want to seek further information before deciding whether food irradiation should be allowed in the UK.

Items (i) and items (iii) follow on from discussion at the last meeting.

Cracked and Dirty Eggs - MISC 138(89)9

John MacGregor wants to consult on banning direct sales to the public of cracked, dirty or washed eggs. Since the last MISC 138 meeting, the Select Committee on Agriculture has recommended such a ban in their recent report on Salmonella in Eggs.

There is no doubt that cracked, dirty or washed eggs carry a higher risk of infection than clean ones. But at the last meeting the feeling was that the best way of tackling this problem was by educating the consumer. The practical difficulties of trying to enforce a ban on all direct egg sales are overwhelming.



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John MacGregor's latest paper contains a new point. It seems that it is by no means unusual for large commercial egg producers to sell cracked and dirty eggs 'at the farm gate'. Such eggs would be rejected by the packers. Producers get a better price for whole eggs sold direct to the public than they would if they sent them for pasteurisation.

This fact does make it easier for the Government to act against "farm gate" sales without appearing to be gunning for the small egg producer. But there are two points where John MacGregor's proposals still bear unduly harshly on really small producers, and look unworkable:

- i. The consultation document does not envisage extending the 4% tolerance limit for cracks in eggs which applies to large batches of graded eggs under EC rules. In other words, the régime proposed for direct egg sales would be tougher than for eggs sent to packing stations.
- ii. There is no de minimis limit. Under the proposals, local authority Environmental Health Officers would have to rush around checking sales by Mrs A from her dozen hens in the garden. It is not clear that we have enough Environmental Health Officers to carry out existing tasks. It would simply not be feasible for them to try and enforce a ban on sales of cracked, washed and dirty eggs at the cottage level. This will be all the more true if they are involved in controls on irradiated food (see below). At the smallest level of egg production we must rely on clear advice to consumers about the risks involved in dirty and cracked eggs.

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### Egg Labelling

John MacGregor also proposes that eggs sold "at the farm gate" should have a label stating the producers' name and address. The Select Committee on Agriculture has made a similar recommendation. The aim is to make it easier to trace cases of food poisoning back to source.

The proposal is sensible, but again needs a de minimis limit. It will not be enforceable at the level of flocks of a dozen hens.

### Recommendation

- agree that we should go ahead with consultations on the lines John MacGregor proposes; *but with presumption of action ~ will that be left open? AT*
- but the consultation document should make it clear that the 4% tolerance limit for cracked eggs applied under BC rules should also apply in the case of direct egg sales; and
- it should be made clear that there will be a de minimis exemption for the very smallest egg producers who can hardly be said to be running a commercial operation.

### Surveillance of Imports - MISC 138(89)9

It was agreed at the last MISC 138 meeting that MAFF should survey imported eggs for incidence of salmonella. But you thought that until we have a clearer idea of what we could do in cases where salmonella was found, no announcement about this surveillance should be made.

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Since then, the Select Committee on Agriculture has recommended that MAFF should study how far imported eggs are contributing to the salmonella problem. This, coupled with pressure from domestic producers, leads John MacGregor to argue that he must disclose the fact that his department is going to monitor imports of eggs.

The point will have to be covered in the Government's response to the Select Committee Report on Agriculture towards the end of April. John MacGregor is right in saying that it would not be feasible for him to conceal from the Committee the fact that the Government was monitoring the imports of eggs. The exact wording will need to be considered in the context of the Government's response to the Select Committee Report. This will be considered by MISC 138 at its next meeting in mid-April.

Recommendation

- agree that we will need to make it clear in the Government's response to the Agriculture Select Committee Report that imports of egg are being checked for salmonella.

Food irradiation - MISC 138(89)7

Irradiated food cannot at present be sold in shops in the UK.

The Advisory Committee on Irradiated and Novel Foods reported in 1986 that food irradiation, correctly applied, would preserve food

- without leading to a significant change in the natural radioactivity of foods;
- without prejudicing safety and wholesomeness.

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The report generated a good deal of public concern about the possibility of getting cancer from irradiated food.

Early in 1988 Health and Agriculture ministers said that they accepted the Committee's recommendations. But since controls were clearly necessary to prevent high doses of irradiation, the Government wanted to think further about the control framework before allowing irradiated food products to be put on general sale in the UK.

#### Practice abroad

John MacGregor's paper says that irradiated food is allowed to be sold in 20 countries. These include the USA, France, Belgium and the Netherlands.

But the paper does not say whether such sales are important proportionately. Nothing is said about consumer reaction to its introduction. There is anecdotal evidence that irradiated food has not really caught on in the USA.

#### Consumer reaction

Irradiation is likely to provoke the same kind of debate as fluoride in water supplies. But the supposed link in people's mind with cancer - however misguided - may make it even more emotional.

The parallel is not exact. People cannot readily avoid fluoride if it is in their water supply. Irradiated food would be clearly labelled, so that consumers could avoid it if they wanted to. On the other hand, they would need to trust the labels. There is no way of detecting whether food has been irradiated. The system of control will need to command public confidence.

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The benefits of fluoride for teeth are well documented. The benefits of food irradiation are not clearly spelt out in John MacGregor's paper. The Chief Medical Officer believes that irradiation could substantially reduce the risk of food poisoning (which is still increasing). But given public reaction in 1986, he does not think this is something we should rush in to.

Tesco are said to be very cautious about stocking irradiated food, because of consumer reaction. It is the suppliers who are keen to be allowed to irradiate. They should not be allowed to use the process to extend shelf life artificially. We need to know more about the attitudes of the other big retailers.

#### Legal Aspects

The paper puts forward two options:

- a system of central control, which would require primary legislation in next Session's Food Bill;
- a system of local control carried out by Environmental Health Officers-probably, subject to the Law Officers, on the basis of existing powers.

There are strong arguments for allowing proper Parliamentary debate of such an emotive subject as the sale of irradiated food. Moreover, a system of central control would be in line with practice abroad. Department of Health believe it would command more public confidence than following our traditional practice of leaving food safety matters to local authorities. They are probably right. Our traditional practices in the food safety area are not looking too good at the moment.

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Recommendation

Food irradiation should not be rushed through on a wave of panic about food poisoning. You cannot sensibly make a decision on whether or not to allow irradiation without:

- More information about sales of irradiated food elsewhere, particularly in the USA. What proportion of total food sales is irradiated? Is it going up or down? What has consumer reaction been?
- More information about the views of the major retailers, as opposed to the food processors who supply them.
- *Clarification of legal powers*

Publicity on Food Hygiene - MISC 138 (89)10

A leaflet is now being prepared by the designers who produced the excellent booklets on 'Environment in trust'. It will follow an outline proposed by Bernard Ingham, and will warn consumers about cracked, dirty and washed eggs.

The joint paper by John MacGregor and Kenneth Clarke outlines other possible elements in a food hygiene campaign. These include

- radio commercials
- freephone
- material for schools (over and above the leaflet)
- a 60 second TV slot.

There are also proposals to involve food retailers and fridge manufacturers in a campaign which they would help to finance. eg. by providing free fridge thermometers.



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The Select Committee on Agriculture described as derisory the £50,000 which MAFF told them they had earmarked for publicity about food. It is right that the Government should spend more than this on informing people about food safety. The leaflet alone will cost approximately £750,000.

But a very expensive campaign could look like buck-passing (ie. food poisoning can be solved if we are all more hygienic at home); or a desperate attempt to improve the Government's image in this area. Advice to the public needs to go hand in hand with Government action to improve matters elsewhere in the food chain.

Recommendation

- final decisions on the shape of a general publicity campaign should only be taken when we have a clearer idea, in mid-April, of the Government's response to the Select Committee Report on Salmonella in Eggs;
- meanwhile Health and Agriculture Ministers should find out how much retailers and manufacturers would be prepared to do in support of a campaign.



CAROLYN SINCLAIR

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P 03397

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY

2. FOOD IRRADIATION: MISC 138(89)7

DECISIONS

1. The Minister of Agriculture and the Health Secretary are seeking a decision in principle that the Government should authorise the irradiation of food. They are also seeking a steer on whether this should be authorised under existing legislation with the necessary controls being enforced by environmental health officers or whether authorisation should await the possible introduction in next Session's Food Bill of powers to establish a national agency to enforce those controls.

2. You may wish to discuss:

i. extent of legal powers. We understand that the Law Officers' advice, given since the paper was circulated, throws doubt on whether the Departments can do what they want to do. You may wish to ask about this and, if so, what the implications are.

ii. public reaction. More generally, there is the question whether the public health benefits are sufficient to outweigh the possible adverse public reaction against the technique. You may want to ask how serious this is likely to be.

iii. enforcement. Here again the burden of enforcement would be thrown on the environmental health officers, if existing powers are used. You may wish to check that they will be able

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to take it on. You might wish to consider asking the Minister of Agriculture for a paper on enforcement machinery, as part of the lead-in to discussions on the Food Bill.

#### BACKGROUND

3. Food irradiation means the treatment of food with ionising radiation (gamma rays or electron beams) with the aim of reducing or eliminating bacteria and other organisms (eg salmonella, campylobacter and listeria) or of delaying the ripening or sprouting of fruit and vegetables. Irradiation does not, however, get rid of toxins which may be present or prevent food spoilage.

4. The Advisory Committee on Irradiated and Novel Foods reported in 1986 that food irradiation up to a dose of 10 kilogray was an efficacious treatment which would not lead to a significant change in the natural radioactivity of the food and would not prejudice its safety and wholesomeness. Health and Agriculture Ministers announced in early 1988 that the Government accepted the Committee's assessment and that advice was being sought on the appropriate control framework.

5. We understand that the Advisory Committee suggested that a detection test for irradiated foods would be a useful complement to other controls. However, there is apparently no immediate prospect of such a test being developed which means that there is no certain way of establishing whether a product has been irradiated. It also means that it will not necessarily be possible to establish whether a product has been given a higher than recommended dosage or has been irradiated on more than one occasion, although MAFF officials tell us that, if a product were to be seriously over-irradiated, there might well be changes in its colour or its odour which would render it unacceptable, although not injurious, to the public.

6. Food irradiation is currently practised in around 20 countries, including the United States and 4 EC Member States. We understand that food irradiation has not caught on to any significant extent in any of those countries, mainly because of fears of consumer

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resistance. In the United Kingdom, while some producers, who are concerned about the risks of falling behind their overseas competitors, have been pressing the Government to authorise irradiation, retailers have been rather more cautious, with Tesco, for example, having gone on record as being hesistant about the stocking of irradiated products.

#### MAIN ISSUES

7. The main elements of the system of control which the Memorandum recommends are as follows:

- i. all food to be irradiated should be of a sound micro-biological quality;
- ii. there should be a system of registration and inspection of premises on which radiation is authorised to be undertaken;
- iii. all irradiated food should be labelled accordingly; and
- iv. imports should be dealt with through the mutual recognition of national control mechanisms.

#### Extent of Legal Powers

8. The Law Officers are currently being asked to confirm that regulations could be made under the Food Act 1984 to achieve the above objectives (though it is already clear that regulations under that Act could not deal with irradiation for the purposes of delaying the ripening of fruit or inhibiting the sprouting of potatoes). We understand that the Law Officers' advice, received since the paper was circulated, may make it difficult for MAPP to use their existing powers in the manner which they propose. You will wish to ask the Minister of Agriculture about this.

#### Enforcement

9. Regulations made under the existing law would need to make environmental health officers responsible for inspecting premises in which irradiation was authorised. The Memorandum suggests that the

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public might have greater confidence in a system administered by a central agency, but explains that such an agency could not be established until powers proposed for next session's Food Bill had come into effect. You may wish to ask Mr MacGregor about the competence of the environmental health officers and their ability to take on this new responsibility. One possibility would be to invite him to put in a paper on enforcement machinery, in preparation for discussions on the Food Bill.

#### Public reaction

10. One important issue is the likely public reaction to any proposals to authorise irradiation. While irradiation can clearly bring about public health benefits, many members of the public seem likely to be wary of anything which smacks, however misguidedly, of contamination by radioactivity. You may wish to invite colleagues' views on this. If there is any risk of an adverse reaction, it will be important to prepare the ground well.

#### HANDLING

11. You will wish to invite the Minister of Agriculture to introduce the Memorandum and, in particular, to convey the Law Officers' advice about whether regulations on irradiated food could be made under the existing law. You may then wish to ask the Health Secretary whether he has any comments to add. Other members of the Group may wish to comment on the likely public reaction to any measures to authorise food irradiation.

R.T.W.

R T J WILSON  
Cabinet Office  
20 March 1989

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P 03396

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY

PUBLICITY ON FOOD HYGIENE (COMMONSENSE IN THE KITCHEN):  
MISC 138(89)10

OBJECTIVES AND DECISIONS

1. This is a progress report by the Minister of Agriculture and the Secretary of State for Health. No firm decisions are required. The main issue is how far the proposed leaflet should be backed up by a range of supporting activities of the sort indicated in the paper. You may wish to check that the Treasury are content. Looking ahead, you might also want to ask the Minister of Agriculture whether he is considering issuing a White Paper before the Summer Recess, setting out the Government's policy on food safety and preparing the way for the major Bill next Session.

BACKGROUND

2. In response to a question from the Leader of the Opposition on 9 February you said

"We shall shortly be issuing a leaflet based on the best advice that we can gather about food hygiene from professional advisers. We shall make it available to housewives, schools and shops and offices generally."

3. At the Group's last meeting (MISC 138(89) 2nd Meeting) the Agriculture Minister brought forward a mock-up of a food hygiene leaflet that had been in preparation for some time, together with illustrative material on various possibilities for further kinds

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of food safety publications. In the event, the meeting concentrated on the immediate question of the leaflet, which was somewhat amateurish. You invited the Agriculture Minister to work up better proposals as a matter of urgency, using the recent DOE leaflets on "Environment in Trust" as a model.

4. The present paper does not say much about the proposed contents of the leaflet, except that it will offer "wide-ranging advice from the shop to the table". The paper does, however, bring out that the Ministry of Agriculture and Department of Health are contemplating some fairly substantial supporting activities to draw attention to the leaflet.

#### MAIN ISSUES

##### Contents of leaflet

5. In the absence of any detailed indication of the contents and appearance of the leaflet, it is not very easy to take these matters much further. You may wish, however, to ask the Minister of Agriculture what progress has been made.

##### Cost of this publicity exercise

6. The paper canvasses a wide range of possibilities for launching the leaflet and drawing the attention of the public to its appearance. If all these measures were adopted, the total spend would be about £2.75 million, but the paper expresses the hope that this could be scaled down to about £1 million. Even within this reduced figure, however, the Agriculture Minister and Health Secretary are proposing to spend rather more on supporting activities than on the leaflet itself. Any hint of lavishness at a time when direct Government funding of agricultural research is under restraint might perhaps stir up criticism. You will wish to check that the proposals are reasonable and that the Treasury have no comments.

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Presentation of the Government's overall strategy

7. Advice to the consumer is only one part of food safety policy. There might be criticism if the Government appeared to be putting all the responsibility for food safety on the housewife. You may therefore wish to consider whether the proposed leaflet to consumers ought to be part of a broader presentation of Government policy, so that it could be seen in its proper context. One way in which the threads might be pulled together, and the ground prepared for the Food Bill in the Autumn, might be for a White Paper to be published before the Summer Recess. You may wish to ask the Minister of Agriculture whether he is considering this.

HANDLING

8. You may wish to invite the Minister of Agriculture and the Health Secretary to introduce the paper. The Chief Secretary may wish to comment both on the proposed expenditure and on the type of presentation that would be proper for an initiative of this kind. Other members of the Group will have general political comments.

R.T.W.

R T J WILSON  
Cabinet Office  
20 March 1989

CONFIDENTIAL





Ministry of Agriculture, Fisheries and Food  
Whitehall Place, London SW1A 2HH

*Call*  
Prime Minister  
Not on agenda To not  
only and await CST's response.  
BT 21/7

From the Minister

PRIME MINISTER

#### REVIEW OF ANIMAL HEALTH LEGISLATION

*Minutes attached*  
Following our discussion in MISC 138 on 1 March, I have put in hand the work on this review. It might be helpful, however, if I explain how I propose that the review should be carried out.

I intend to circulate a paper on the financing of compensation for compulsory slaughter, agreed with the Treasury, to MISC 138 by July. I propose also to deal with the outstanding remit from the last PES round by circulating a paper on charging for brucellosis and tuberculosis testing in parallel with this. As we agreed, the review will be internal to the Departments concerned and outside interests will not be consulted.

Now that we have agreed not to undertake primary legislation in the near future (without which it seems impossible to envisage ways of shifting financial responsibility for compensation to the industry), the review will need to be focused mainly on the approach to be followed in the negotiations connected with the establishment of the Single European Market. Moreover funding will be an issue in these negotiations, not least in the context of the competitive position of our industry vis-a-vis what the Community countries will be arguing for and/or will be preparing to do.



It will be necessary to analyse the various types of disease risk that we shall face after 1992 and to propose an approach to them which strikes a balance between the need to protect the UK's public and animal health status, and the need to avoid being committed to public spending in areas where the industry can be expected to make a contribution. The Commission has suggested a three-tier classification of diseases on which we might be able to build.

It would be unrealistic to envisage removing compensation for compulsory slaughter without an alternative funding mechanism; to do so would be contrary to basic legal principles (expressed, for example, in the European Convention on Human Rights which limits the freedom of Governments to confiscate goods without compensation) and would weaken the effectiveness of our control mechanism (because it would provide a disincentive to farmers to notify their suspicion of the presence of disease in their animals). It will therefore be reasonable for the review to consider alternative funding mechanisms, which would require primary legislation. This would however need to be on the basis that any decisions ultimately taken on industry funding would have to take account of the effect that it would have on the competitive position of UK industries, particularly in the context of the Single European Market.

I am sending copies of this minute to the other members of MISC 138 and to Sir Robin Butler.

*S. J. Lambert.*

Ministry of Agriculture,  
Fisheries and Food

// JOHN MacGREGOR  
(Approved by the Minister  
and signed in his absence)

20 March 1989





*ASU*

Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon John MacGregor OBE MP  
Minister of Agriculture, Fisheries and Food  
Whitehall Place  
London  
SW1A 2HH

17 March 1989

*Dear Minister,*

**IMPLEMENTATION OF PES 1988: RESEARCH AND DEVELOPMENT**

Thank you for sending me a copy of your minute of 10 March to the Prime Minister. I have also seen her response in Andrew Turnbull's letter of 12 March to your Private Secretary. *flap*

I am content with the general thrust of the statement you propose on the understanding that the decisions you intend to announce will be sufficient to achieve the savings we have already agreed for 1990-91. I very much welcome the determination shown in your minute to stand by the 1988 decisions and to defend them. It will be equally important to avoid giving any impression that this announcement represents our final word on the subject, as we have agreed that definitive decisions on future Government expenditure on agricultural and food R & D can only be taken in this year's PES round in the light of your forthcoming report to E(ST) on the scope for increased industry funding.

Turning to the text of your Parliamentary question and answer, apart from highlighting the Government's intention to continue to undertake public good research I suggest that you continue to underline the fact that the money withdrawn from funding near-market research is being used to help to provide increased support for the science base generally which will benefit from an increase of well over £100 million in 1989-90. We agreed in E(ST) last year that our decisions on near market research should be presented in this context and, as you know, Jean Trumpington wrote to Lord Carter to make this point following the debate in the House of Lords on 10 November.

FOTD: Food safety Jan 89

I confirm that I have no objections to your announcing your intention to spend a further £1 million on research into the contamination of eggs with salmonella. I note that you feel you could have some problems in absorbing this cost in 1989-90 without additional funds but I remain convinced that any public good research which you wish to commission is capable of being accommodated within the MAFF R & D provision of some £110 million by reordering priorities.

I am copying this letter to the Prime Minister and to members of MISC 138 and to Sir Robin Butler.

Yours sincerely,

P. Wailes

PP JOHN MAJOR

[Approved by the Chief Secretary and signed in his absence.]







Ministry of Agriculture, Fisheries and Food

Whitehall Place, London SW1A 2HH

Tel: 01-270-8119

C. W. Capstick (CMG)  
Deputy Secretary  
(Fisheries and Food)

Miss Caroline Sinclair  
Policy Unit  
10 Downing Street  
LONDON SW1

14 March 1989

*Dear Caroline,*

NEW FOOD BILL

At Richard Wilson's meeting on Friday I said that I would send you some papers on the review of the Food Act that would give a reasonable idea of the legislative changes envisaged. Please do not regard them as in any way definitive: thinking here is still developing on the details both from a policy and a legal point of view and other Departments - notably the Department of Health - obviously have an interest in many of the points.

Please let me know if I can be of any further help. I should mention that the Grade 5 now heading the team set up to deal with the Bill is Lucy Neville-Rolfe (238 6447) and she also will be glad to assist.

I am copying this letter and the papers to George Monger (Cabinet Office).

*Yours*  
*Charles Capstick*

C W CAPSTICK



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REVIEW OF THE FOOD ACT

PURPOSE

1. This note sets out current MAFF thinking on the changes that are needed to primary food legislation.

BACKGROUND

2. There are presently 3 principal Acts concerned with food legislation in the United Kingdom. These are:-

- (i) The Food Act 1984 covering England and Wales. This is a consolidation (without amendment) of the Food and Drugs Act 1955 and related legislation.
- (ii) The Food and Drugs (Scotland) Act 1956, and
- (iii) The Food and Drugs Act (Northern Ireland) 1958.

These Acts lay down fundamental provisions on injurious and unfit food, food quality and labelling and provide powers to make regulations on hygiene matters, food composition and labelling. The 1984 Act also includes separate provisions on milk and dairies, markets, hawkers and sugar. Responsibility for the 1984 Act is shared with the Secretaries of State for Health and for Wales. MAFF Ministers take the lead in most aspects but hygiene (other than in respect of meat and milk) is primarily the responsibility of DoH. The Secretary of State for Scotland and the Department of Health and Social Services for Northern Ireland are respectively responsible for the 1956 and 1958 Acts.

3. In 1983 Ministers authorised a review of primary food legislation by officials of the relevant Government Departments. No commitment was given to new legislation other than a general reiteration of the Government's intention to strengthen the controls over the sale of unfit food when a suitable opportunity arose. This matter is a shared responsibility between Health and Food Ministers.



4. In 1984, Ministers agreed to the publication of a Consultative Document and undertook to consider, in the light of responses, whether any changes in the law would be desirable. Comments were received from over 200 organisations and individuals representing manufacturing, importing, retailing, catering, health, consumer and enforcement interests. Whilst many organisations acknowledged that they had managed to work more or less satisfactorily with the basic provisions in the three Acts over the years, the fact that there had been little change in primary food legislation in the previous 50 years meant that certain Sections were clearly out of date and unsuitable for dealing with modern food technology. In addition, various controls were in need of clarification or tightening up. There was thus widespread support for a thorough review of the existing legislation.

5. In October 1987 the Parliamentary Secretary (Commons), Mr Thompson, announced Ministers' conclusions that it was clear some modernisation of the legislation was required. Officials were asked to have further consultations with interested organisations to consider the detail of the necessary revisions and to report back (see Annex A). This announcement was taken by interested parties as signifying Ministerial agreement in principle to new legislation. Since then Ministers have agreed to a new Bill, designed to replace the Food Act 1984 and parallel Scottish legislation, in the 1989/90 Parliamentary session. New legislation would be enacted for Northern Ireland by means of an Order in Council under the NI Act 1974.



6. The present Acts contain important provisions for protecting the consumer against injurious or unfit food, food that is not of the nature, substance or quality of what he demands, false or misleading labelling and the addition of any substances which are prohibited by Regulations. These would be re-enacted in any new legislation. However, the Acts need substantial revision to cater properly for the modern food industry and distribution system. A summary of proposed changes is attached at Annex B. Some of the more significant changes are described below.

#### THE MOST IMPORTANT CHANGES PROPOSED

##### A. Food Safety

7. The powers in the Acts have been shown in recent years to be inadequate in several respects for the purpose of controlling food safety and hygiene. There have been difficulties in the enforcement of current provisions where batches of food are involved, the contamination of food (other than by deliberate addition) is an increasing problem, outbreaks of food poisoning have become more common and advances in food technology call for modernisation of Ministers' powers. The new Bill would seek to rectify these inadequacies.

#### Amendments on which MAFF takes the policy lead

##### Contaminated food

8. There are many forms of contamination. Some are caused wilfully and others adventitiously; some are localised while others are on a national scale. Two new provisions are sought. The first would give Ministers the power to make emergency prohibition orders to control the import, possession, distribution, supply or sale of specified food or food from a specified area. The provision would be used for abnormal cases of serious danger to health like that of salmonella in Farley's baby food, as well as less immediately serious ones such as diethylene glycol in Austrian wine where the health risk was a long-term one. Hitherto, when such incidents have occurred, the



cooperation of the trade has been forthcoming. Nevertheless, this cooperation cannot be taken for granted since the possibility must exist that the public interest and trade interest do not go in the same direction. The provision is particularly needed to authorise the prohibition of food from specified countries as was shown in the immediate aftermath of the Chernobyl incident. It would be separate from the powers provided in Part I of the Food and Environment Protection Act 1985 which are linked to designation of a particular area of the UK in a contamination incident but both sets of powers would be complementary.

9. The second provision that is sought would supplement existing controls on unwholesome or unsound food by making it an offence to possess for sale food which would be prejudicial to a purchaser if sold.

Amendments on which the Department of Health take the policy lead  
Batches of suspect food

10. Food found to be unfit for human consumption can be seized so long as its unfitness is demonstrated successfully before a magistrate. Only the actual item considered unfit can be seized and other items in the same batch of production must go through the same procedure before they can be taken off the market. Delays could lead to significant public health risks and the process for seizure is uneconomical of time and resources. Powers would therefore be taken to deal with batches rather than individual items.

## Training of Food Handlers

11. Another important food safety issue is that at present there is no legal requirement that those operating food businesses have appropriate training in the hygienic handling of food. This is believed to be a contributory factor in the incidence of food poisoning cases. The Bill would therefore provide regulation-making powers for Ministers to set down any appropriate requirements for the qualification or training of those involved in handling food, both employers and employees.

## Registration of food premises

12. The Bill would also introduce a general requirement, in place of the selective requirements at present in the Act, that persons operating food premises should register beforehand with their local authority. This would enable local enforcement authorities to be aware of where they may need to direct their attention and resources in order to ensure compliance with food hygiene legislation.

## B. NEW FOOD TECHNOLOGY

### Prior approval of novel foods and processes

13. Currently the Food Acts place on manufacturers and traders a duty to ensure that the foodstuffs that they produce and sell are not injurious to health and are of the nature, substance and quality demanded by the purchaser and comply with any relevant regulations. Beyond that, they are free to market whatever foodstuffs they choose. Most requirements in and under the Act are imposed at the point of sale and contraventions are enforced by prosecutions. While this has proved adequate in the past, advances in food technology and more sophisticated processing methods now call for more sophisticated controls involving prior assessment. Examples of cases of this kind are the use of novel treatments or processes both for the manufacture and where



genetic manipulation occurs. The Bill would therefore provide enabling powers for Ministers to make regulations requiring specific classes of foodstuffs or processes (to be named in the appropriate regulations) to have prior assessment and approval before the products in question are placed on the market.

#### Materials and articles in contact with food

14. Developments with food packaging materials are showing potential food hazards by virtue of the fact that some constituents have a propensity to migrate from the packaging material into the food around which the material is wrapped. Any Bill could enable Ministers (whether or not in response to Community obligations) to make regulations for the protection of public health controlling the composition of materials and articles in contact with food.

15. In particular Ministers need to establish a national authorisation scheme for food contact plastics, by means of which new UK products can graduate to the permitted Community list. Without such an authorisation scheme, our industry (which is the Community's principal producer) could be seriously disadvantaged. The powers currently available under the European Communities Act 1972 for this purpose are limited to the making of provisions related to the obligation to implement the Community list.

#### C. MILK

##### Milk from animals other than cows

16. Milk from animals other than cows is currently only subject to the general provisions of the Food Act; it is not possible to make specific hygiene regulations comparable to those for cows' milk. There is increasing consumption of these milks and

consequent need for consumer protection. It is therefore proposed to extend the definition of milk so that ewes' milk and goats' milk could be made subject to regulations. Objections are unlikely as there is already pressure for the existing non-statutory Code of Practice on goats milk to be replaced by regulations.

#### **Milk and Dairies Scrutiny**

17. In addition, new enabling powers are required to implement certain changes recommended by the milk and dairies scrutiny, although consultations are continuing on the recommendations. While most of the scrutiny savings can be achieved without them, they would allow action to be taken against producers of milk with high bacterial counts, permit the transfer of responsibility for the enforcement of controls on the sale of untreated milk to local authorities, and would allow a scale of charges for milk and dairies work under which large herds would pay more in order that small herds can be charged less.

#### **Streamlining of milk provisions**

18. Although separate provisions will continue to be needed in order to prescribe milk production conditions on farms, there is considerable scope for subsuming the milk provisions in Part II into corresponding provisions on composition, labelling and hygiene currently in Part I, and for dropping certain provisions no longer relevant. These changes which are basically presentational ones, will allow secondary legislation on milk to be progressively aligned with that on other foodstuffs. Provided



that it also remains possible to make separate regulations on milk where appropriate, the changes are not likely to be opposed especially as the powers to deal with imported milk in The Importation of Milk Act 1983 will not be affected. It is also proposed to transfer certain detailed provisions and schedules to regulations which would of course be subject to the usual consultation procedures.

#### **D. European Community Obligations**

19. The European Communities Act 1972 already provides a route whereby Ministers can implement into UK law legislation coming from the European Community when specific power to do so does not exist in the Food Act. Since it is generally preferable to use the UK powers where available, the opportunity would be taken in any Bill to extend the Food Act to cover instances where the European Communities Act has been used or where it might have to be used in the light of known developments in Brussels. In one such case, Article 11 of the draft food inspection directive (now close to adoption) envisages the making to the Commission of statistical returns on food inspections carried out by enforcement authorities and the preparation of forward sampling plans by those authorities. Provision to require this of local authorities does not exist in the present Act (a provision for statistical returns was revoked some years ago); thus the Bill will have to make any necessary provision to ensure enforcement authorities can be required to do this.

#### **E. Streamlining**

20. The Food Bill would replace existing legislation and it would be streamlined. Redundant sections of the Food Act would be omitted and general enabling powers would replace detailed requirements. These would be included in regulations. While the general policy of deregulation is well recognised a balance has to be struck between this and the needs of consumer protection.



21. The Bill would replace two fully fledged Acts - the Food Act 1984 and the Food and Drugs (Scotland) Act 1956 together with other shorter Scottish enactments relating principally to milk. The two Acts are parallel in much of their provisions and can fairly readily be put together. This would be popular with the food industry who in one or two instances have found the differences between English and Scottish legislation disruptive to business. It would also mean that when Community obligations or other requirements have to be put into regulations, only one set would need to be made instead of the present two. The Bill would reserve the right of Ministers on each side of the Border to act independently if the need arose, but such occasions are likely to be very few, if any. The constitutional position of Northern Ireland means that food legislation there will have to remain separate.

22. Other examples of streamlining would involve the removal to regulations of all the detailed provisions on sampling and analysis, the incorporation into the general provisions of those currently in existence on the sale of horseflesh and the introduction of a single due diligence defence wherever possible to replace the various defences that exist throughout the Acts.

#### F. Defences

23. The offences in the Food Act are absolute offences in the main and it is proposed that they should remain so. The main defence in the current act (Section 100) is more onerous for defendants than equivalent provisions in other consumer protection legislation and it is proposed to replace this, and many of the other defences, with a due diligence defence and by-pass provision akin to those in the Weights and Measures Act 1985. Since such a change will make it easier for a defendant to establish a defence it has also been proposed that the warranty defence should not be re-enacted, although it could still be used as part of a due diligence defence. Enforcement authorities have welcomed this since they have expressed concern about the mis-use



of the warranty provisions of the Act. Warranties may perhaps in the past have been somewhat casually given especially by the overseas suppliers: whereas the UK manufacturer has been liable to prosecution, the overseas supplier is beyond the jurisdiction of British law, and the importer may shelter behind the warranty. A gap in effective consumer protection has thus occurred. On the other hand, UK multiple retailers use the warranty to protect themselves against defects in pre-packaged and other foodstuffs which they simply buy and sell and they have pressed for the warranty to be retained. They argue that the requirement to prove due diligence places an undue burden on them for matters for which they have no real responsibility. An attempt is being made in drafting the Bill to meet this point without jeopardising the proposed improvements in consumer protection.

#### OTHER ISSUES WHERE NO CHANGE IS PROPOSED

##### Prosecutions

24. In England and Wales, offences under food legislation are investigated and prosecuted in the courts by the appropriate enforcement authority. In Scotland, investigation is done by the enforcement authority but prosecution is handled by the procurator fiscal. The bringing together of the two sets of legislation will highlight this difference. Suggestions have been made by trade representatives that the situation in England and Wales should be brought into parallel, perhaps by use of the Crown Prosecution Service. When the CPS was set up it was not envisaged that it would take food law cases; it was simply to take over police prosecutions. Under present circumstances, there is no possibility of the CPS being able to take over responsibility for food law prosecutions (or for prosecutions in other areas where central or local government are the prosecuting authority). In Scotland, the Crown Office and individual Procurators Fiscal have responsibility for all prosecutions. The Bill would thus make no provision for change either in Scotland or in England and Wales.



## Crown Immunity

25. Crown premises are exempt from the provisions of food legislation, except for National Health Service premises which have been covered in separate legislation. Existing enabling provisions for removal of the exemption through an Order-in-Council procedure have been shown to be inadequate for dealing with individual specified circumstances and they need to be amended. The whole issue of Crown Immunity is a sensitive one, especially on the food hygiene front, since cases of food poisoning have occurred on Crown premises. Environmental Health Officers have made no secret of the bad conditions they have encountered in prison kitchens where they are powerless to prosecute. Political pressure can thus be expected for actual removal of the exemption from some if not all Crown premises. Operational responsibility rests with various departments, notably Home Office (prisons), Ministry of Defence (service establishments), Treasury (civil service establishments), and Parliament itself (Palace of Westminster). The Department of Health, who take the lead on hygiene issues, are planning to write to relevant departments on this issue shortly.

## Implications for Local Government

26. Enforcement interests have welcomed the proposal to clarify and extend their powers but those working predominantly at County Council level have nevertheless highlighted their continuing need for greater resources to implement the Food Act and any new provisions "adequately". Those at District Council level are more confident of accommodating any changes within existing budgets. Further discussion with local authorities will be needed shortly with a view to identifying the resource implications of the Bill (much of which is of course enabling in nature).



## CONCLUSION

27. The essential aim of the changes proposed is to provide primary legislation that enables Ministers to react suitably to all food issues that can be anticipated to arise over the next 20 years. It will be a framework for regulations which can be adjusted to meet developing needs to protect consumers as food technology progresses or as EC requirements change. Moreover the Bill presents an opportunity to close those gaps that exist in the legislation which are presenting problems in achieving the correct level of consumer protection. The new Act would be the prime tool for ensuring that the public has access to a safe, wholesome and uncontaminated food supply and as such would need to provide that a flexible response can be made to changing circumstances.

MINISTRY OF AGRICULTURE, FISHERIES & FOOD  
MARCH 1989

**MAFF**

**PRESS RELEASE**

328/87

30 October 1987

Joint Announcement by the Agriculture Departments in Great Britain, the Department of Health and Social Security, and the Department of Health and Social Services, Northern Ireland.

REVIEW OF FOOD LEGISLATION

Ministers have completed their examination of responses from interested organisations on the consultation document on food legislation which was issued in December 1984 and have agreed to detailed consideration of the main issues raised in it.

Announcing their conclusions, Mr Donald Thompson MP, Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food said:

"My colleagues and I have carefully examined the responses to our proposals for revising the Food Acts. It is clear that some modernisation of the legislation is required. We have therefore asked officials to have further consultations with interested organisations to consider the detail of the necessary revisions. I have asked them to report back as soon as possible".

**NOTES FOR EDITORS**

1. The Food Act 1984 is a consolidation of the Food and Drugs Act 1955 and the numerous amendments made to it.
2. The Food Act 1984 covers only England and Wales. Parallel legislation in Scotland and Northern Ireland is the Food and Drugs (Scotland) Act 1956 and the Food and Drugs (Northern Ireland) Act 1958. Scotland and Northern Ireland interests will be represented in the consultations on the new provisions. Subsequently, decisions will be taken on any necessary revisions to those two Acts.
3. The consultation document on which public comments were invited, and which has formed the basis for Ministers' current decisions, was issued on 18 December 1984.



The major topics on which detailed consultation will take place will include:-

The extension of enforcement from retail level into the production stage;

the introduction of a defence (based on due diligence) for those accused of offences under food legislation;

the tightening of controls over contaminated or unfit foods (including imports) and over the opening of new food businesses;

the revision of the conditions in which an importer can plead a warranty that defects in any food that he presents for sale took place before import and were beyond his control;

the need for controls on the development of novel foods and other technological changes;

the extension of the powers to make Regulations on the production of milk to that coming from animals other than cows.

SUMMARY OF MAIN PROPOSALS

1. Food Safety

- new powers for Ministers to make emergency prohibition orders.
  
- new controls over possession for sale of food prejudicial to purchaser if sold.
  
- widening of existing powers to serve detention notices on infected or contaminated food which might cause illness whilst defects are checked out.
  
- powers introduced to seize unfit batches rather than individual items of food.
  
- enabling powers for Ministers to set qualifications or training standards for food handlers.
  
- general registration requirement for all operating food premises.
  
- prior approval system introduced for novel foods and certain food processes (eg food irradiation).
  
- enabling powers to control food packaging materials.



- clarification of regulations to set limits for contaminants in food: in particular the need to implement Community residue legislation at retail level.

## 2. Milk

- enabling powers provided to make milk from animals other than cows subject to regulations.

- enabling powers provided to implement changes recommended by milk and dairies scrutiny.

- incorporation of milk composition, labelling and hygiene rules into general food provisions.

## 3. EC Obligations

- powers to be provided in Food Act (as opposed to European Communities Act) to implement European Directives (eg on intra-Community trade in fresh meat, and labelling).

## 4. Streamlining

- one Bill to replace two major Acts.

- detailed provisions (eg on sampling and analysis) moved to regulations.

## 5. Enforcement

- single due diligence defence introduced to replace many other defences.

- rationalisation of penalties generally, taking account of assimilation of Scottish aspects.

- longer time limit given for prosecutions (in line with Trade Descriptions Act)

- enforcement officers to compile formal report on factory inspections for use both by factory staff and enforcement officers.

6. Food hygiene

- notice for making an emergency order to prohibit operation of food business reduced from three days to 24 hours.

- local authority officers to be able to act outside their own area when following up a specific offence.

- changes to enabling powers controlling hygiene conditions where poultry and animals are sold prior to immediate slaughter on food premises.

- powers introduced requiring registration of processors of unfit meat.



7. Food surveillance

- Ministers to have powers to obtain information through sampling etc for food surveillance programme.

8. Exports

- powers to be introduced for regulations in respect of food intended for export in anticipation of EC Directive on this.

9. Sugar

- powers to be introduced for Ministers to collect information from sugar beet processors when determining sugar beet prices or for EC purposes.

10. Government Chemist

- possibility for alternatives to Government Chemist's Laboratory to be used in certain circumstances.

11. Markets

- scope of byelaws for general control of markets to be extended.



FILE

MM  
CC/31

10 DOWNING STREET

LONDON SW1A 2AA

12 March 1989

*From the Principal Private Secretary*

*Dear Shirley,*

IMPLEMENTATION OF PES 1988:  
RESEARCH AND DEVELOPMENT

The Prime Minister has seen your Secretary of State's minute of 10 March. She accepts that the implications of the PES agreement need to be announced very soon but she wishes great care to be taken in presenting this in order to get across the fact that essential research into food safety is being protected. The current draft of the Parliamentary Answer refers to the closure of particular establishments but does not cover the issue of food safety. The Prime Minister has also noted that, subject to agreement with the Treasury on funding, it is proposed to announce an additional £1 million of research into the contamination of eggs with salmonella.

Please could you advise on when your Minister proposes to make this announcement.

I am copying this letter to the Private Secretaries to members of MISC 138 and to Trevor Woolley (Cabinet Office).

*Yours sincerely*  
*Andrew Turnbull*

ANDREW TURNBULL

Mrs. Shirley Stagg,  
Ministry of Agriculture, Fisheries and Food

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CEB

PRIME MINISTER

10 March 1989

mt

IMPLEMENTATION OF PES 1988: RESEARCH AND DEVELOPMENT

Peto with AT

John MacGregor has written to you about the statement he proposes to make shortly on various R&D cuts in this financial year. These are needed to achieve the £30 million reduction in 'near market' agricultural R&D which he has agreed to deliver by 1991/92.

He points out that the announcement is bound to be criticised by some as cutting back research which is for the public good. This could be politically embarrassing given the widespread concern about food and safety. But he says he is confident that he can defend the proposed cuts as having little to do with the public good.

He also proposes to announce that new research costing £1 million per annum will be commissioned on salmonella in eggs and poultry. The funding of this has not yet been sorted out with the Treasury.

Comment

There is no reason to object to John MacGregor's announcement. It is good that he is prepared to defend it robustly against research interests and others who will attempt to exploit the present concerns about food safety.

But there is one point worth flagging up. John MacGregor has been asked to look for further savings on near market R&D, over and above the £30 million by 1991/92. He is due to report back to E(ST) in the summer. This should not be lost sight of.

The Treasury is likely to press for the £1 million per annum for salmonella research to be found from within the overall budget of over £100 million per annum for agricultural research. You need not intervene. The research will go ahead.

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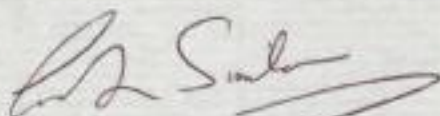


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and subject to taking  
care with presentation

Recommendation

- Subject to John Major's comments on the funding of the £1 million per annum research on salmonella, agree that John MacGregor can make his announcements in the terms proposed;
- Note that you look forward to hearing in due course what further savings he proposes to make on near market R&D, over and above the £30 million by 1991/92 which has already been agreed.



CAROLYN SINCLAIR

Prime Minister

The timing of this announcement has yet to be settled. It cannot be long delayed as redundancies have to be set in train. It would be nice to lose this on Budget Day, but I think Mr MacGregor will not be ready. He may go for Monday week

BT

10/3

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~~ccf~~  
+ cc BT

Ministry of Agriculture, Fisheries and Food  
Whitehall Place, London SW1A 2HH

From the Minister

CONFIDENTIAL

Prime Minister

**IMPLEMENTATION OF PES 1988: RESEARCH AND DEVELOPMENT**

1. I think that you should be aware of an announcement which I am due to make shortly about the closure of a number of Ministry research facilities and other economies. This is part of the action necessary to implement the outcome of the 1988 PES which resulted in a reduction in the Agricultural Departments' expenditure on R & D of £24 million (£30 million at full economic cost) by 1991/92. The timing of this announcement is dictated by the need to make economies in the latter part of the coming financial year (and so to issue redundancy notices early in the year). It will precede a further round of consultations with industry organisations about the future funding of near market research.

2. I am attaching a copy of the proposed announcement which will be made as a PQ. This will announce the proposed closure of five out of nineteen experimental centres (four horticultural establishments - one of which has been announced already - and an experimental farm) in 1989/90. I am also proposing, following discussion with the Secretary of State for Wales, to announce at the same time the closure of a number of ADAS laboratories in the provinces and in Wales. Jean Trumpington will also be sending a letter at the same time to all interested industry organisations prior to the next stage in the process of consultation about industry funding of near market research. This will make it clear that further closures will be necessary in 1990 unless significant additional industry funding for near market work is



forthcoming. At present, there is no clear prospect that there will be significant new funding from industry within the timescale needed.

3. Against the background of recent events, we must expect a strong reaction to this announcement in two directions; first, probing of our commitment to continue Government funding of research on public good issues; and second, the effect on statutory responsibilities. I have said on a number of occasions that these are areas of research which Government will continue to fund. But recent events on salmonella and BSE have drawn increased attention to this issue, and as the continued publicity about the Bristol research which we have ended - a classic example of near market research - shows, there will be attempts to highlight other projects which may have even a remote 'public safety' element.

#### PUBLIC GOOD RESEARCH

4. In selecting the establishments for closure, I have followed the results of last year's review which identified the near market work that is funded by Agriculture Departments. Already there has inevitably been criticism over whether some of the programmes and projects identified include an element of public good work. There always will be room for dispute as to on which side of the boundary some parts of research lie. It is difficult to deny that there is a linkage in some areas between public good and near market work. For example, there is much public concern about leaching of chemicals such as nitrates, herbicides and pesticides into the environment. We shall be maintaining a significant publicly-funded programme because of the public health risks involved; but we shall also be seeking industry funding for work primarily aimed at lowering inputs of chemicals.

5. The research interests will no doubt attempt to exploit public concern about safety and welfare. To the extent that industry does not replace Government funding, those who want to criticise will be able to pick on areas where we are reducing



staff and facilities, as evidence of some impact on public good work, again because of the distinctions at the borderline. But I have been through all the near-market projects for which we are seeking industry funding, and there are comparatively few for which a case can be made on public good grounds (though many will try) and we will put the contrary arguments. Where there is public good work associated with near market, we shall also restructure our research programmes to make sure that such necessary public good work is continued. Above all, I shall answer such criticisms by emphasising our continuing commitment to necessary public good work.

6. In order to demonstrate our commitment to maintain necessary public good programmes - and to undertake new research when required - I am proposing to make an announcement at the same time commissioning new research amounting to £1 million annually on salmonella in eggs and poultry. I would need to respond quickly on the funding of further work on BSE when we have the advice of the Tyrrell Committee which has been set up to advise on this.

7. I am currently in discussion with the Treasury about how we handle the funding of the new work; and am, of course, looking for ways of re-allocating resources within existing provision. But we could have problems in 1989/90 without some additional funds for the new areas of public good research which we must put in hand quickly.

8. In the detailed notice which we shall have to circulate to staff it will be necessary to spell out the posts to be lost. This will show the impact on other areas of my Departments work. In particular, there will be an effect at the Central Veterinary Laboratory which may attract special attention in the present climate. I have directed that resources there should be transferred so that vital work on salmonella, BSE and the like will continue. The reduction in Government funding of near market R and D by 1991/92 will affect work equivalent to 81

posts, but eventual post losses are expected to be significantly less than this as a result of increased contract R and D and of new measures on salmonella and BSE which will lead to additional manpower at CVL.

9. I am copying this minute to the members of MISC 138 and to Sir Robin Butler.

*S. J. Lambert*

**JOHN MACGREGOR**

(Approved by the Minister  
and signed in his absence)

10 March 1989

Ministry of Agriculture,  
Fisheries and Food



DRAFT COMMONS PQ ON R & D

Draft Question

To ask the Minister of Agriculture, Fisheries and Food, when he expects to hold further discussions with the industry on the funding of near market agricultural and food R & D and if he will make a statement.

Draft Answer

My noble friend the Baroness Trumpington is writing today to the agricultural and food industry, consumer organisations and other interested bodies about the next stage of the consultations on the transfer to the industry of funding for near market research. I have deposited a copy of that letter and its annexes in the Library of the House. The annexes to the letter give details of the agriculture, horticulture and food research which is being supported by the Agriculture Departments in Great Britain, together with an indication of the likely content of future public good programmes. The letter refers to a proposal to close in 1989/90 Experimental Horticulture Stations at Brogdale, Luddington and Rosewarne and the Experimental Husbandry Farm at Liscombe.

My Department's regional laboratories will also be rationalised in order further to improve cost-effectiveness. This will involve closing during the 1989/90 financial year the subordinate laboratories at Newcastle, Evesham and Accrington as well as some very small laboratories in Wales. In 1990/91 the laboratories at Bristol and Wye will be closed and the laboratories at Leeds and Trawsgoed reduced in size. The Welsh Office are seeking alternative uses for the present Trawsgoed analytical chemistry laboratory. We will be making new investment in storage, transport, analytical and information processing facilities so that the remaining laboratories can continue to meet needs across the whole of England and Wales.



CONFIDENTIAL

## DRAFT COMMONS PQ ON SALMONELLA RESEARCH

Draft Question

To ask the Minister of Agriculture, Fisheries and Food whether he accepts the recommendations for additional research on salmonella in his Department's joint Report with the Department of Health and the British Egg Information Council and, if so, when they will be implemented.

Draft Answer

The Government devotes substantial resources to research on food safety. We have now re-examined carefully the coverage of the existing programmes and the research needs newly identified in the Joint Report.

Accordingly new research amounting to £1m annually is being commissioned to cover the recommendations in the report relating to the possible contamination of eggs and the pathogenicity of the salmonella organism as well as the growth and survival of the pathogen in processed eggs and egg products.

The programmes will draw on the expertise available at my Department's Central Veterinary Laboratory, at the Institute of Animal Health of the Agriculture and Food Research Council and at the Food Research Associations.





CABINET OFFICE

70 Whitehall London SW1A 2AS Telephone 01-270

CONFIDENTIAL AND PERSONAL

Prime Minister  
To note  
AF 10/13  
CEB 1  
ms

P 03390

MR TURNBULL

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

1. I held another informal meeting this morning with senior officials from the Treasury, the Department of Health (DOH) and the Ministry of Agriculture, Fisheries and Food (MAFF) to review current issues on food safety.

Next Meeting of MISC 138

2. As noted in my minute of 3 March, Departments expect the following papers to be circulated by next Friday, 17 March, for discussion at the next meeting of MISC 138 on Wednesday 22 March.

- i. Proposals for the handling of negotiations on food safety and animal and plant disease aspects of the single European market: a memorandum by the Minister of Agriculture. (I understand that this will include European aspects of hygiene in abattoirs, on which there has been media comment this week.)
- ii. A progress report on the preparation of a revised leaflet on kitchen hygiene: a note by the Minister of Agriculture in consultation with the Secretary of State for Health.
- iii. Irradiation: a note by the Minister of Agriculture in consultation with the Secretary of State for Health.

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iv. The Minister of Agriculture may also circulate a draft of the consultation document that would be required for any new regulations on the sale of cracked, dirty or washed eggs.

In addition, a background note is in preparation on the arrangements for enforcing food safety standards and on how departmental responsibilities in this field are organised.

### Current Developments

3. Current developments include the following.

v. MAFF has issued today for consultation under the Food Act draft regulations to provide for phasing out the use of mineral hydrocarbons in food and the production of food.

vi. The Minister of Agriculture has minuted the Prime Minister and other members of MISC 138 today about an announcement which he is due to make shortly on the closure of a number of MAFF research facilities and other economies.

vii. As agreed by the Prime Minister and other members of MISC 138, the Third Report of the Working Party on Pesticide Residues is to be published on Monday 13 March. This brings out that, for the most part, residue levels give no cause for concern.

viii. Sir John Badenoch's group of experts on cryptosporidia will hold its first meeting in the next week or so.

The medical officer at RAF Uxbridge has now advised the young, elderly or infirm among families of RAF personnel on this station to boil their drinking water. The Anglian Water Authority is likely to announce shortly that it has found cryptosporidia in water from the Bedford treatment works.

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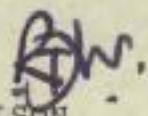
ix. I understand that the Secretary of State for Health will shortly be circulating proposals on the membership of Sir Mark Richmond's Committee on Microbiological Food Safety.

x. Discussions continue with major retailers about the proposed regulations to prescribe a maximum temperature for the storage of pre-cooked chilled foods. I understand that the retailers consider that, unless the transitional arrangements are fairly generous, they will need to undertake substantial investment in new refrigeration equipment, most of which would need to be imported. The Food and Drink Federation intend to issue guidance which may suggest a slightly higher maximum temperature than that which the Government has been putting forward for the storage of pre-cooked chilled food in retail outlets.

xi. Preliminary results of new research on listeria suggest that the bacteria is killed at temperatures of around 70°C and above. However, a study of microwave ovens is likely to indicate that they sometimes fail to cook food to sufficiently high temperatures. MAFF are considering the timing and form of an announcement of the final results of these studies.

xii. There has been a good deal of public concern in the United States recently about the presence of aflatoxins in United States maize. The United Kingdom imports very little United States maize. Maize imports are nonetheless being monitored at the ports.

4. I am copying this minute to the Private Secretaries to members of MISC 138 and the Lord Privy Seal, to the Chief Medical Officer and the Chief Veterinary Officer, to Miss Sinclair (No 10 Policy Unit) and Mr Woolley (Cabinet Office), and to Mr Monck (Treasury), Mr Heppell (DOH) and Mr Capstick (MAFF).

  
R T J WILSON  
10 March 1989

CONFIDENTIAL

PERSONAL



*me pm*

10 DOWNING STREET

LONDON SW1A 2AA

*From the Principal Private Secretary*

9 March 1989

*Dear Shirley,*

WORKING PARTY ON PESTICIDE RESIDUES -  
THIRD REPORT

The Prime Minister has seen your Minister's minute of 8 March. She has noted the draft Press Release and is content for it to be published on Monday 13 March.

I am copying this letter to the Private Secretaries to members of MISC 138, Michael Saunders (Law Officers' Department) and Richard Wilson (Cabinet Office).

*Yours sincerely*  
*Andrew Turnbull*

Andrew Turnbull

*pm*  
Mrs. Shirley Stagg,  
Ministry of Agriculture, Fisheries and Food.





Ministry of Agriculture, Fisheries and Food  
Whitehall Place, London SW1A 2HH

*Prime Minister*  
*To note. It is whether this*  
*arous interest will be a*  
*test of whether food*  
*is fading in political appeal*

*AT*  
*8/12*

From the Minister

PRIME MINISTER

*mt*

WORKING PARTY ON PESTICIDE RESIDUES - 3RD REPORT

You and other MISC 138 colleagues, to whom I am copying this note, should be aware of a report on pesticide residues which we are due to publish on Monday, 13 March in the "Food Surveillance Paper" series. These papers are issued at intervals on a range of food topics, and are normally fairly low-key events. As an indication of this the previous paper, Food Surveillance 1985 to 1988, was launched at a lunch I attended with the Guild of Food Writers in November last year, yet at that time received very little national publicity. In the current climate however, you may wish to be aware of this report in advance.

The Working Party on Pesticide Residues (WPPR) was set up in 1977 and this is its Third Report - previous reports were published in 1982 and 1986 - and covers Government monitoring work from mid-1985 to spring 1988. The Working Party consists mainly of Government scientists and reports to its two parent bodies, the Steering Group on Food Surveillance and the Advisory Committee on Pesticides. Its terms of reference are, broadly, to propose and oversee studies of pesticide residues and the monitoring of residue levels in food, human tissues, wildlife and the environment; and to report the results. The Department of Health are represented on the Working Party and are fully associated both with its report and the view we take of it. The Working Party's monitoring programme involves some 2-3,000 samples of food each year, which are analysed for a wide range of pesticide residues. This is one of the largest of our food surveillance programmes and at any one time 60 to



100 analysts are engaged on the work. It is unique in Europe in presenting the results with a comprehensive analysis and assessment.

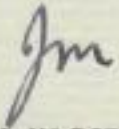
The report concludes that the results of monitoring are generally reassuring. Average daily intakes of pesticide residues estimated from the total diet study were low, and Maximum Residue Levels in individual foodstuffs were only rarely exceeded. There is no overall risk to health from the residues found, although there is, of course, no room for complacency and monitoring will continue. We are discussing with the manufacturers of baby food, for example, whether the already low levels found in some baby foods can be reduced further as suggested by the Committee on Toxicity even though they are unlikely to pose any hazard to health. However, there are some areas of concern, which are highlighted in the comments of the Food Advisory Committee (FAC) and the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) in Appendices I and II to the report. The more significant areas for concern and the action being taken on them are covered in the press notice attached. I also attach a further list of all the recommendations of the FAC and COT and the action under way on each of them together with a copy of Appendices I and II,

Despite the generally low levels of residues found and the action already taken on problem areas publication is likely to result in high media coverage given both the current concern over food safety, and increased consumer awareness generally. Interest is likely to centre on the issues covered in the press notice, but there may be general anxiety (however unfounded) over the presence of residues, even at very low levels - in common foods. Public perception is that any residues are undesirable and that residue levels above international or UK Maximum Residue Levels (MRLs) are unsafe even though this is not the case: although MRLs are not themselves safety limits they are widely equated with safety by the general public.



This point is covered in the news release and will be emphasised at the press briefing which will, as is usual for such reports, be given by officials.

I am copying this to other members of MISC 138, the Attorney General and to Mr Wilson in the Cabinet Office.



JOHN MACGREGOR

MINISTRY OF AGRICULTURE, FISHERIES AND FOOD  
8 March 1989

JOINT ANNOUNCEMENT BY THE AGRICULTURE DEPARTMENTS IN THE UNITED KINGDOM, THE SCOTTISH HOME AND HEALTH DEPARTMENT, THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF THE ENVIRONMENT

March 1989

WORKING PARTY ON PESTICIDE RESIDUES IN FOOD PUBLISHERS  
1985-1988 REPORT

The third general report of the Working Party on Pesticide Residues published today shows that pesticide residue levels in food in the UK are generally low and that estimated average dietary intakes are well within Acceptable Daily Intakes, the safety levels set by the UN Food and Agriculture Organisation and the World Health Organisation.

The report, which covers the results of monitoring pesticide residue levels for the period mid-1985 to Spring 1988, provides information about residue levels in both home produced and imported food (including animal products, infant foods, foods from health food outlets, cereals and their products, and fruit and vegetables) and in wildlife.

The results of this monitoring give a reassuring overall picture. Where residues were found they have generally been low and rarely exceeded international maximum residue levels (MRLs).

These MRLs are not themselves safety limits. They are intended primarily to act as a check that good agricultural practice in the use of pesticides is being followed and to allow international trade to take place. During the approval process the potential exposure of consumers to residues in food is carefully assessed and uses are only approved if the likely residue presents no risk to health. The level of use permitted in agriculture results in an exposure level far below any safety limit; but it is this level which is set as the MRL.



Even if a person consumes a particular food over a long period of time, and all that food contains residues over the MRL (which is unlikely) the resulting residue intake should cause them no harm.

In those areas where the Working Party Report draws attention to the need for further action, this has been taken; or where further research or survey work has been indicated it is underway. These areas include:

- residues of hexachlorocyclohexane (HCH) in meat products imported from the People's Republic of China. MAFF is in discussion with the Chinese authorities and imports are being closely monitored. The statutory UK maximum residue levels introduced last year will be enforced.
- dieldrin residues in eels from certain rivers in the United Kingdom. Although short-term exposure to the levels detected is not likely to pose health risks, the Government issued advice last year aimed at regular consumers of locally caught eels. Most commercially produced UK supplies come from sources in Northern Ireland where monitoring shows residue levels to be low. On the advice of the Advisory Committee on Pesticides, to whom this Working Party reports, the Government announced on 20 October that approvals for the use of aldrin and dieldrin are being withdrawn.
- pesticide residues in bran. Although present levels pose no hazard to health, it is Government policy that residues should be kept as low as possible. The ADAS Central Science Laboratory at Slough has collaborated with UKASTA and guidance on the use of pesticides in commercial grain stores has been issued and this will now be strengthened. Steps have also been taken to inform the industry more widely of work done at Slough on alternative storage methods requiring less pesticide input. Levels in bread and other cereal products were generally well below Codex MRLs.



- tecnazene residues on potatoes. The Advisory Committee on Pesticides is reviewing tecnazene on the basis of further data being provided by the industry. Advice will be forthcoming before the next season's application. If data are not forthcoming to justify a higher level, the Codex MRL of 1 mg/kg is likely to be applied. Meanwhile the use of tecnazene remains controlled under the Control of Pesticides Regulations 1986 and residues on potatoes continue to be monitored by the Working Party. There is no indication of a health hazard from the levels of this product on potatoes arising from current use in the UK.

As is normal practice, the report has been referred to the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment and the Food Advisory Committee: the comments of both Committees are appended to the report and have been taken fully into account by the Government in planning subsequent action.



## NOTES FOR EDITORS

1. The Working Party on Pesticide Residues was established by the Ministry of Agriculture, Fisheries and Food in 1977 to co-ordinate the monitoring of pesticide residues in food and animal feeding stuffs, in human tissues, and in wildlife and the environment. The membership and terms of reference of the Working Party and its parent bodies, the Steering Group on Food Surveillance and the Advisory Committee on Pesticides, are included in the report.

2. Copies of the twenty-fifth report of the Steering Group on Food Surveillance, "Report of the Working Party on Pesticide Residues: 1985-88", can be obtained from HM Stationery Office (01-873-9090) or through booksellers, price £5.90, quoting ISBN 0 11 242 870 3.

3. The Steering Group on Food Surveillance is a Government advisory committee that monitors the chemical safety and nutritional value of the UK food supply. Much of its work is carried out through working parties, such as the Working Party on Pesticide Residues, which cover the 10 broad areas making up the Steering Group's current programme. Reports from the Steering Group and its working parties are published regularly as Food Surveillance Papers. A list of earlier reports is given at the front of Food Surveillance Paper No 25. The previous report (Food Surveillance Paper No 24, HMSO, 1988) provides details of the Steering Group's food surveillance programme during 1985 to 1988. A brief outline of "Government Food Surveillance" is given in the free leaflet of the title which can be obtained from:

MAFF Publications Unit  
Lion House  
Willowburn Trading Estate  
Alnwick  
NE66 2 PF

4. The Advisory Committee on Pesticides (ACP) was established as a statutory body under Section 16 (2) 97) of the Food and Environment Protection Act 1985 on 31 October 1985. Ministers



are obliged to consult the ACP about regulations, pesticide approvals and conditions on approvals. The ACP may advise Ministers, either on request or on its own initiative, in furthering the general purposes of Part III of the Food and Environment Protection Act.

5. The Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment advises at the request of Government Departments, on the toxic risk to man of chemicals in food, consumer products and the environment.

6. The Food Advisory Committee advises the Government on the composition, labelling, and advertising of food, and on additives, contaminants and other substances that are, or may be, present in food, or used in its preparation.

7. Acceptable daily intake (ADI) is defined in the report as the amount of a chemical which can be consumed every day for an individual's entire lifetime in the practical certainty, on the basis of all the known facts, that no harm will result. The ADI is expressed as milligrams of the chemical per kilogram body weight of the consumer. In the report ADIs are provided on the basis of a body weight of 70 kg.

8. Maximum residue limit (MRL: previously known as "tolerance") is defined in the report as the maximum concentration of pesticide residues likely to occur in or on a food commodity, either resulting from the use of the pesticide according to good agricultural practice directly or indirectly for the production and/or protection of the commodity concerned or arising from environmental sources, including former agricultural uses. The MRL is expressed as milligrams of the residues per kilogram of the commodity unless otherwise stated.

9. The Pesticides (Maximum Residue Levels in Food) Regulations 1988 (SI 1988 No 1378) came into force on 2 August 1988 in respect of cereals and products of animal origin, and came fully into effect from 31 December 1988. Copies of the Regulations are available from HMSO, price £2.20, ISBN 011 088605 6.



10. Advice on pesticide residues in freshwater eels was issued by Agriculture, Fisheries and Food, Health and Environment Departments in a News Release on 20 October 1988 (Press Notice 409/88).

11. The United Kingdom Agricultural Supply Trade Association Ltd (UKASTA) represents manufacturers, processors, distributors traders and brokers of grain, pulse, seed, fertilizers, feedingstuffs, agricultural and horticultural chemicals and other goods and services used in agriculture.

APPENDIX I CONSIDERATION OF THE REPORT BY THE COMMITTEE ON TOXICITY OF CHEMICALS  
IN FOOD, CONSUMER PRODUCTS AND THE ENVIRONMENT

1. We have been asked to consider the report of the Working Party on Pesticide Residues (1985-88) (WPPR) and to advise the Advisory Committee on Pesticides (ACP), the Steering Group on Food Surveillance and the Food Advisory Committee on possible hazards to human health from pesticide residues in food.
  
2. Concern is expressed in some quarters about the presence of pesticide residues in food. Pesticides are valuable elements in modern agricultural practice and their use is essential in some situations. The presence of residues of certain pesticides in food is an unavoidable consequence of their use. Each pesticide undergoes a thorough safety assessment before it is approved for a specific use and the level of residues occurring in food is an important factor taken into account in the approval procedure. Pesticides are by necessity toxic and large safety factors are used in deciding whether residue levels in food are tolerable. If the available data indicated that residues were likely to be a hazard to health, then approval would not be granted for that use. However, unforeseen contamination or occasional levels of residues higher than those predicted could occur, for example, as the result of incorrect application of pesticides or of indirect contamination. The overall intake of residues of a pesticide occurring in more than one foodstuff must also be considered. We therefore welcome the essential monitoring work carried out by the Working Party on Pesticide Residues. In general, we find the results in this report reassuring. Where this is not the case we have commented below. It should be noted, however, that in many of the cases on which we comment, our recommendations are made not because we consider that there is a hazard to health from the residue levels reported but because we believe it is prudent to keep levels as low as possible.
  
3. In our assessment of this report we have taken into account the large variations in the pattern of food consumption which occur in the population. Although the majority of consumers can be regarded as 'average consumers' whose intakes will not include excessive amounts of any particular food, our concern lies also with the smaller number of consumers who may either have extreme intakes of certain foods or may obtain particular foods solely from a local



source which might consistently contain residue levels at the high end of the range. In particular we are concerned about infants and young children who may consume a more limited diet than the general population. In order to improve the assessment of hazard to health associated with extreme consumption of particular foods we recommend that, in future, studies be undertaken to better define food consumption by extreme consumers.

#### Total diet study

4. The overall levels of pesticide residues found in the 1984-85 total diet study, which estimates exposure to residues in the average national diet, do not in our opinion constitute a hazard to health. Organophosphorus and pyrethroid pesticide residues were rarely detected, and we welcome the continuing decline in organochlorine pesticide residues which has occurred during the last two decades of surveillance and which we have noted previously<sup>2</sup>. We note that high residue levels of pesticides were occasionally found. However, with the possible exception of certain imported meat products (para. 6 in this Appendix) and potatoes containing dieldrin (para. 10 in this Appendix), we consider that no hazard to health would result from even a consistent intake of extreme amounts (estimated at 3 times the mean) of those foods containing the highest residue levels reported in the total diet study.
5. Residues of pentachlorophenol, which is mainly used as a wood treatment agent, were found in 32 to 48 per cent of offal, poultry, egg and milk samples analysed in the total diet study. We have been informed that possible sources of this contamination include the use of treated wood shavings and paper for poultry bedding and the use of pentachlorophenol for treatment of wooden fencing and buildings on farms. Although we do not consider that the levels detected present any hazard to health, we recommend that all the major sources of pentachlorophenol residues in food are traced and that action is then taken where feasible to remove these sources from the environment of food producing animals.

#### Surveys of major food commodities

6. Mean pesticide residue levels in most of the commodities analysed do not indicate any cause for concern. We noted in a previous report<sup>2</sup> and note again that residues of certain hexachlorocyclohexane (HCH) isomers were detected in meat products from the People's Republic of China, which suggested that



technical HCH, which contains the undesirable  $\alpha$  and  $\beta$  isomers, had been used. We commented previously on the toxicity of these compounds<sup>2,56-62</sup> and on our concern that certain groups may have a high consumption of these imported products. We understand that discussions have taken place between the UK authorities and their counterparts in the People's Republic of China but that these have failed to resolve the problem. We also understand that due to the persistence of HCH in the environment high residues of  $\alpha$ - and  $\beta$ -HCH are likely to continue to be found in these products for some time and we are very concerned about this. We recommend that monitoring of these products continues and that firm action be taken either to ensure the absence of  $\alpha$ - or  $\beta$ -HCH residues in products imported into the UK (e.g. appropriate quality control by the exporter) or, if this is not feasible, to prevent the importation of products contaminated in this way.

7. We understand that there is increasing use of pyrethroid containing products, such as sprays, pour-on preparations and ear tags, to protect food producing animals. We have been informed that the monitoring for pyrethroids will be extended in future WPPR surveys to include meat products and we welcome this.
8. We noted in a previous report<sup>2</sup> that high levels of dieldrin were found in fish liver oils. We have been informed that the British Pharmacopoeia Commission are currently considering pesticide residues in this type of product used for medicinal purposes and we welcome this.
9. In the present report we see that consumption of small amounts (5g/day) of eels from certain rivers in the United Kingdom could give an intake in excess of the recommended acceptable daily intake (ADI) for dieldrin of 0 to 0.1  $\mu\text{g}/\text{kg}$  body weight set by the Food and Agriculture Organisation/World Health Organisation Joint Meeting on Pesticide Residues (JMPR). There is limited but reassuring evidence from studies of humans exposed to dieldrin, both orally<sup>63</sup> and in industrial settings<sup>64-70</sup>, that short-term exposure to dieldrin levels above those likely to be encountered by extreme consumers of contaminated eels (> 50g/day) would produce no adverse health effects. However, we consider it desirable that the JMPR ADI for dieldrin should not be exceeded on a regular basis and we concur with the advice, which has recently been issued by Government departments, that those people who regularly consume eels caught in those areas where contamination is highest should be advised to restrict their intakes<sup>71</sup>.



10. Relatively high levels of dieldrin were detected in some samples of imported beef, UK chickens, potatoes and cows milk (para. 11 in this Appendix). Although the frequency of occurrence in these commodities was generally low, the JMPE ADI for dieldrin could be exceeded by the average consumption of the most contaminated samples. Dieldrin is not permitted for agricultural use in the UK, although it is permitted for certain non-agricultural purposes, and the related compound aldrin, which can degrade to dieldrin, is permitted for a limited number of agricultural uses. As dieldrin is occurring in more than one food category and there is clearly an associated chance of summated intakes we endorse the recommendation of the ACP to prohibit all UK pesticide usage of dieldrin by the end of March 1989 and of aldrin by the end of December 1992<sup>72</sup>. We suggest that provision be made for the safe disposal of any unused pesticide stocks remaining after these dates. We also recommend that action be taken to ensure that contamination with dieldrin is not occurring as a result of uses other than the current permitted uses of dieldrin.
11. We are concerned at the levels detected and the frequency of occurrence of organochlorine residues in cows milk, particularly as this may constitute a large percentage of the diet in infants and young children. We are concerned that intakes of dieldrin by infants consuming the most contaminated samples of milk could exceed the JMPE ADI, as the long-term effects, if any, of exceeding the ADI are unknown. The highest organochlorine residue levels in milk were detected in a survey conducted in 1985-86. A subsequent survey in 1987 detected lower mean and peak levels of organochlorine compounds, although intakes by some consumers (those consuming more than 2 l/day) may exceed JMPE recommended ADIs. We welcome the further work initiated by the WPPR to determine the sources of these residues and we recommend that this work continues in order to reduce still further the residue levels in cows milk.
12. We note that a survey of certain types of foodstuffs purchased both from health food outlets and from other suppliers indicated that those samples obtained from health food stores were not necessarily freer of pesticide residues than those purchased elsewhere. In general the residue levels detected give us no cause for concern but we note that residues of  $\alpha$ - and  $\beta$ -HCH were detected in occasional samples of peanut butter, pulses and sesame seed oil. We reiterate our recommendation in paragraph 6 in this Appendix that action be taken to ensure the absence of  $\alpha$ - or  $\beta$ -HCH in products imported into the UK. We also



note that occasional high levels of bromomethane were detected in some samples of nuts. Only limited toxicological data are available for this compound but it has been shown to be mutagenic in a series of short-term tests. We are therefore concerned that residues of this fumigant have been detected in produce offered for sale and we welcome the review of all uses of bromomethane being undertaken by the ACP.

13. We note that pesticide residues were detected in some samples of commercial infant foods as well as in foods likely to be consumed in higher amounts by infants and young children than by most of the population (e.g. eggs, milk). The residue levels in infant foods were generally low and unlikely to pose any hazard to health, but there are particular difficulties in interpreting data in terms of the health hazard to infants and young children and we consider that the grounds for prudence are particularly strong in this case. We therefore recommend that efforts be made to reduce residue levels in infant foods as much as possible.
14. We note the evidence of a change from organochlorine to organophosphorus based preparations for dipping sheep in the UK. We welcome this move to the use of less persistent compounds and the results of the most recent survey (1985-86) showing residue levels of organochlorine compounds to be declining. However, we recommend further monitoring of retail sheep meat to ensure that unacceptable residue levels are not present.
15. In a previous report<sup>2</sup> we recommended that efforts be made to discourage the use of carbon tetrachloride on grain intended for human consumption. We were concerned that there was a high incidence of contamination of imported maize with carbon tetrachloride. We have been informed that the use of carbon tetrachloride has decreased and is currently very infrequent. We understand that as rice is now the only cereal which might be expected to contain residues of carbon tetrachloride, it was the only commodity analysed in the recent surveys for residues of this liquid fumigant. No residues of carbon tetrachloride were detected in these rice samples. We reaffirm our previous recommendation and, in view of previous findings, we recommend that a future survey includes analysis of imported maize for carbon tetrachloride residues to confirm that its usage abroad has been reduced.



16. We welcome the finding that residue levels of pesticides in cereals and cereal products are generally low. However, we note that residue levels in bran appear to be increasing. Although present levels in bran and bran-based products present no hazard to health, in view of the increasing consumption of high fibre foods by some sections of the population, we recommend that monitoring of these products continues. We welcome the decision of the ACP to review the use of multiple treatments of grain, since some of the compounds used have similar biological actions and their effects on the body may be additive.
17. Residues of tecnazene (a post-harvest treatment agent) were detected frequently in potatoes and the incidence of detection has increased in recent years. Because of the volatile nature of this compound, we expect that residue levels will decrease with time along the distribution chain, although as yet no evidence has been sought on this point. Substantial reductions in residue levels ( $> 80\%$ ) have been found to occur if the potatoes are either washed and peeled, or baked<sup>1,2</sup>. We understand that the ACP is currently reviewing the use of tecnazene on potatoes and we welcome this. As a matter of prudence we recommend monitoring of retail samples be continued and that steps be taken to reduce residue levels in this staple food.
18. We note that residues of bitertanol, a pesticide not permitted for use in the UK but permitted elsewhere, were detected in some samples of imported apples (3/169) and pears (7/51). Bitertanol was refused clearance for use in the UK because it was shown to be teratogenic in laboratory animals and the results of controlled trials indicated that residues on fruit would be such that there would not be an adequate safety margin between intake levels and the levels which might cause adverse effects. The residue levels found in samples of imported fruit were lower than those recorded in the controlled trials and we are satisfied that they present no hazard to health. However, we recommend that monitoring of imported fruit for bitertanol residues continues to ensure that levels do not increase in the future.
19. Residue data suggest that the use of DDT in the UK and in countries exporting food to the UK continues to decline and we welcome this.

20. Residues of hexachlorobenzene (HCB) were found in some samples of UK milk, dairy produce, eels, meat and poultry. HCB is not an approved pesticide in the UK. We do not consider the residue levels found are likely to cause significant health effects but recommend steps be taken to identify and eliminate the sources of contamination.

#### Other areas considered

21. In a previous report<sup>2</sup> results of a survey of organochlorine residues in human milk were reported. No surveys of human milk are included in the current report and we have been told that this is due to problems in obtaining milk samples. We consider that such surveys provide invaluable information on trends in population exposure to such compounds, and we recommend that every effort is made to resolve the problem of obtaining samples of human milk so that further surveys can be undertaken.
22. We considered the possibility of adventitious contamination of food by pesticides used for non-agricultural purposes, such as the treatment of buildings (or equipment) involved in food storage or handling for insect, rodent or other pests. We have been informed that most of the pesticides used for such purposes are also used for agricultural purposes and that it would not therefore be possible to distinguish in food between residues resulting from non-agricultural and agricultural uses. We also understand that most of the remaining pesticides used for non-agricultural purposes are rapidly degraded so that detectable residues are unlikely to occur in food. We do not, therefore, consider that it would be feasible to mount a food survey to investigate this. We have been informed that the Ministry of Agriculture, Fisheries and Food, and the Health and Safety Executive, exercise control over the use of pesticides in premises involved in food storage and handling. We recommend that these agencies review the present control measures to ensure that they are adequate to prevent adventitious contamination of food.

November 1988



## APPENDIX II CONSIDERATION OF THE REPORT BY THE FOOD ADVISORY COMMITTEE

1. We have been asked by the Steering Group on Food Surveillance to comment on this report. We are encouraged by the further development of this area of surveillance and, in particular, by the introduction of continuous monitoring of major food commodity groups. Nevertheless it is essential for this development to continue. In particular we recommend that more emphasis is given to the analysis of foods in the forms in which they are consumed. We also recommend increased attention to foods consumed by those who might be at most risk, such as infants or those with high intakes of particular foods. In this context we welcome the continuing work on milk and milk products.
2. We note that the conclusions of the Working Party are generally reassuring. However we consider that two areas to which we drew attention in our comments on the previous report<sup>2</sup> of the Working Party remain unsatisfactory and require greater effort to resolve, namely:
  - further action be taken to reduce the levels of HCH isomers in foods imported from the People's Republic of China; and
  - information be obtained on the effects of processing including in-home preparation, on residues in food.
3. We are concerned about the frequency of occurrence of residues of dieldrin in foodstuffs. In this regard we welcome the withdrawal of approval for all pesticide uses of dieldrin by the end of March 1989 and of aldrin (a precursor of dieldrin in the food chain) by the end of December 1992.
4. We note that internationally agreed MRLs are set on the basis of good agricultural practice. We understand that further efforts are being made to ensure that these limits continue to be set on the basis that the ADI is not to be exceeded and we welcome and support these moves.
5. We welcome this report of the Steering Group and endorse the comments of the Committee on Toxicity. We wish to be kept informed of the results of surveillance and of measures designed to ensure that even extreme consumers do not exceed the ADI.

November 1988

SUMMARY OF THE ACTION WHICH IS BEING TAKEN IN RESPONSE TO THE RECOMMENDATIONS OF THE COMMITTEE ON TOXICITY (COT) AND THE FOOD ADVISORY COMMITTEE (FAC) ON THE REPORT OF THE WORKING PARTY ON PESTICIDE RESIDUES: 1985-88

Paragraph in report	Recommendation	Action being taken
Appendix I para 3	In order to improve the assessment of hazard to health associated with extreme consumption of particular foods, the COT recommend that, in future, studies be undertaken to better define food consumption by extreme consumers.	A major survey is underway which will provide information on the range of intakes of foods by the normal adult population in Great Britain. A similar survey of infants has already been carried out. In addition, some information on consumption of foods by vegetarians will be available from a more limited survey which is also underway.
Appendix I para 5	Although the COT do not consider that the levels detected present any hazard to health, they recommend that all the major sources of pentachlorophenol (PCP) residues in food are traced and that action is then taken where feasible to remove these sources from the environment of food producing animals.	The Working Party is continuing to investigate possible sources of PCP residues in foods. Recent residues data have been sent to the Advisory Committee on Pesticides Secretariat drawing their attention to the level of contamination, the Working Party's concern and the COT's recommendation.
Appendix I para 6	The COT recommend that monitoring of meat products imported from the People's Republic of China continues and that firm action be taken either to ensure the absence of $\alpha$ - or $\beta$ -HCH residues in products imported into the UK (e.g. appropriate quality control by the exporter) or, if this is not feasible, to prevent the importation of products contaminated in this way.	Officials met representatives from the Chinese Embassy on 16 February. They were informed again that monitoring showed that imports of Chinese rabbit and other meat products contained residues in excess of UK MRLs; that we would continue to monitor these products and would be enforcing our Regulations. Enforcement monitoring is underway. The position has been confirmed in writing to the Chinese.
Appendix I para 10	The COT recommend that action be taken to ensure that contamination of food with dieldrin is not occurring as a result of uses other than the current permitted uses of dieldrin.	All uses of dieldrin, covered by the Control of Pesticides Regulations 1986, which include its use as a wood preservative, will be revoked from the end of March 1989 and those for aldrin (which is converted to dieldrin) from 31 December 1992. HSE are currently investigating all chemicals and treatments used in the textile industry with a view to bringing them under the Regulations. (It has been suggested that dieldrin may be present on imported fleeces.) Other possible sources of contamination with dieldrin need to be identified and the on-going monitoring will be the first step towards this. However, since dieldrin is persistent, residues are likely to continue to be found for some time.
Appendix I para 11	The COT recommend that work to determine the sources of organochlorine residues continues in order to reduce still further the residue levels in cow milk.	The sources of residues are being investigated. Further information on potential sources of residues will be provided from the results of a survey of compounded feeding stuffs and raw materials due to be completed this year.
Appendix I para 13	The COT recommend that efforts be made to reduce residue levels in infant foods as much as possible. (The COT considered that residue levels in infant foods were generally low and unlikely to pose any hazard to health but made this recommendation because of the particular difficulties in interpreting data in terms of the health hazard to infants.)	Officials are in touch with the infant food industry to urge them to reduce residue levels.
Appendix I para 14	The COT recommend further monitoring of retail sheep meat to ensure that unacceptable residue levels are not present.	Samples of both imported and UK-produced sheep meat are being monitored continually as part of the Working Party's programme which began in April 1988. 120 samples of sheep meat are analysed each year for organochlorine and organophosphorus residues. Imported samples are obtained from retail outlets and UK-produced samples are obtained from slaughterhouses.



Appendix I para 15

The COT recommend that a future survey includes analysis of imported maize for carbon tetrachloride residues to confirm that its usage abroad has been reduced.

As part of the Working Party's programme of monitoring cereals and cereal products, 120 samples of imported maize for human consumption will be obtained during financial year 1989 and analysed for residues of organophosphorus insecticides and liquid fungicides including carbon tetrachloride.

Appendix I para 16

The COT recommend that monitoring of bran and bran-based products continues.

Residues of pesticides in bran and bran-based breakfast cereals are being monitored regularly as part of the Working Party's programme. Samples of retail bran will be obtained during financial year 1989 and it is proposed that bran-based breakfast cereals will be monitored during the following financial year (1990).

Appendix I para 17

The COT recommend as a matter of prudence that monitoring of retail samples of potatoes be continued and that steps be taken to reduce residue levels of tecnazene in this staple food.

Regular monitoring of potatoes started in January 1987 as part of the Working Party's survey of residues in staple items of the average diet. This monitoring is continuing; 120 samples of retail potatoes are analysed per annum. The Advisory Committee on Pesticides is currently reviewing the use of tecnazene on potatoes on the basis of further data being provided by the industry. Advice will be issued as soon as possible. [If these data are not forthcoming to justify a higher maximum residue limit (MRL), the Codex Alimentarius Commission MRL of 1 mg/kg is likely to be applied.]

Appendix I para 18

The COT recommend that monitoring of imported fruit for bitertanol residues continues to ensure that levels do not increase in the future.

Monitoring for residues of bitertanol in retail apples pears and stone fruit is continuing as part of the Working Party's programme of surveillance of fruit and vegetables. Samples of dessert apples are analysed every year. Samples of apricots and plums are being analysed in the current financial year (1988) and samples of peaches and pears will be monitored during the next financial year (1989). Samples of each commodity will be obtained roughly in proportion to UK-produced and imported supplies.

Appendix I para 20

The COT do not consider that the residue levels of hexachlorobenzene (HCB) found are likely to cause significant health effects but recommend steps be taken to identify and eliminate the sources of contamination.

Due to the nature of its previous and current uses, residues of HCB are monitored by the Working Party on Pesticide Residues and the Working Party on Organic Environmental Contaminants. There is close liaison between the 2 committees, and work to investigate residue levels around potential sources of HCB has already been proposed for funding.

Appendix I para 21

The COT recommend that every effort is made to resolve the problem of obtaining samples of human milk so that further surveys can be undertaken.

A further survey of human milk is being set up although sampling has not yet commenced.

Appendix I para 22

The COT recommend that NAPP and HSE review the present control measures over the use of pesticides in premises involved in food storage and handling to ensure that they are adequate to prevent adventitious contamination of food.

This recommendation will be considered by the Working Party on Pesticide Residues at its next meeting on 15 March.

Appendix II para 1

The FAC recommend that more emphasis is given to the analysis of foods in the forms in which they are consumed.

Existing work on residues in the average total diet - in which foods are prepared as if for eating - will continue. A research project has been commissioned to continue investigations into the effects of domestic washing and food preparation on residues levels.

Paragraph in report

Recommendation

Action being taken

Appendix II para 1

The FAC recommend that increased attention is given to foods consumed by those who might be at most risk, such as infants or those with high intakes of particular foods.

This recommendation will be considered by the Working Party on Pesticide Residues at its next meeting on 15 March. [See also above Appendix I paras 3 and 13.]

March 1989



dti

the department for Enterprise

*EXPL*

The Rt. Hon. Tony Newton OBE, MP  
Chancellor of the Duchy of Lancaster and  
Minister of Trade and Industry

Dominic Morris Esq  
Private Secretary to  
the Prime Minister  
10 Downing Street  
LONDON  
SW1A 2AA

→ cc AT  
BI

Department of  
Trade and Industry

1-19 Victoria Street  
London SW1H 0ET

Switchboard  
01-215 7877

Telex 8811074/5 DTHQ G  
Fax 01-222 2629

Direct line  
Our ref  
Your ref  
Date

215 5147

6 March 1989

*Dear Dominic,*

**STAMP ISSUE DEPICTING DAIRY PRODUCE**

As you may already be aware the Post Office will be issuing a set of postage stamps depicting eggs, chicken and cheeses on 7 March. This was planned to mark Food and Farming Year, and has already attracted some Press comment (copies attached).

It takes time to arrange publication of a commemorative issue and work is begun many months in advance. The timing of this issue may not be the best but to delay publication now would incur substantial costs for the Post Office and might itself attract significant adverse publicity. I understand MAFF officials have been consulted and were content for publication to proceed. If you require any further briefing please do not hesitate to let me know.

Copies of this letter and attachments go to Steven Catling (Lord President's Office), Andrew McKeon (Department of Health) and Shirley Stagg (Ministry of Agriculture, Fisheries and Food).

*Yours,*  
DAVID STYLES  
ASSISTANT PRIVATE SECRETARY

*Linda Joyce*

*pp*

PETAAO

# Laying an egg over a sticky issue

by ALAN ROAD

FORTUNATELY, it is not thought possible to pick up salmonella or listeria infection by licking stamps. Otherwise, the health of an anxious nation could be put at further risk next month, when a new set of stamps depicting eggs, chickens and cheeses goes on sale on 7 March.

This oddly timed Post Office special issue celebrates Food and Farming Year and marks, of all joyous occasions, the centenary of the Ministry of Agriculture, Fisheries and Food. It is an anniversary that the Minister, Mr John MacGregor, must be looking forward to in the way a turkey contemplates Christmas.

In the four-stamp set, various farm produce is presented against a thematic background of the kind of tiles once common in butchers' shops. The 27p stamp features a cockerel — symbolic, perhaps, of what the NFU president, Mr Simon Gourlay, last week termed the 'unholy cock-up' of the on-off cheese ban.

According to Mr Terence Griffin of

Sedley Place, the London firm responsible for the stamps' design, 'all the artwork was being done eight months ago, long before we learnt what wonderful things are in our food'. A Post Office spokesman said that the problems had arisen since the announcement of the food and farming stamps, but confirmed no official pressure had been brought to bear to withhold them.

Older collectors may recall that this is not the first time the unfortunate ministry has come unstuck over a postal problem. In 1949 the Post Office introduced a slogan postmark which said, 'Britain says thank-you for food gifts.' Unfortunately, letters announcing the nation's gratitude ended up in Germany, Italy, Japan and Third World countries that were certainly not sending Britain food gifts.

On that occasion it was the Conservatives who were enjoying Labour's embarrassment. There was a commotion in the



Bad timing: Celebrating cheese.

Commons involving the then Minister, Edith Summerskill, and Tory John Boyd-Carpenter.

Dealers Stanley Gibbons treasure a 1960 series of Philippines stamps launching a campaign against smuggling. The stamps were overprinted with the legend

'Help me stop smuggling — President Marcos'.

Stamps provoked a shooting war in 1930 when Paraguay and Bolivia both produced an issue laying claim to the same piece of disputed territory. And, as long ago as 1936, Argentina brought out a one peso stamp in which the Falklands were clearly represented on a map as part of the country.

Indeed, philatelic faux pas are by no means new, even in this country where the stamp was invented. In 1960, for instance, a World Refugee Year slogan postmark consisting of a symbolic hand had to be withdrawn after a few days because, in too many instances, its positioning made it appear that the portrait of the Queen was thumbing its nose at her subjects.

If only half the current scare stories about our dairy produce are true, perhaps the monarch should be holding her nose on the new issue.

■ 'Wrong cheeses' were withdrawn, page 3

Observer  
19/3/59





# Keith Waterhouse

## Help stamp out stamps

**W**ITH impeccable timing, the Post Office is about to launch a new commemorative set of pictorial stamps featuring eggs, cheese and chickens. My information is that they will still carry the familiar silhouette of the Queen in the top right-hand corner, rather than that of Mrs Edwina Currie.

The occasion is Food and Farming Year which marks the centenary of the Ministry of Agriculture, Fisheries and Food. Of all the anniversaries to which the British nation has been eagerly looking forward, that of the good old Min of Ag and Fish must surely take the cattle-cake. There will be morris dancing in the streets and an amnesty for selected battery hens.

It is tough luck on the Post Office to have this egg on its face and it is bound to feel jolly humiliated should its latest efforts in the stamp line be entered in the philately catalogues as the Great Salmonella and Listeria Twin-pack. But the Post Office has brought this embarrassment upon itself by going in for pictorial stamps in the first place.

I have always held that just as constant tinkering with the shape and size of the currency is a sure sign of a dodgy economy, so mucking about with the postage stamps is an indication of a third-rate postal system. The bigger and more garish the stamps become, the worse the service gets. Show me a country with triangular postage stamps and I will show you a postal system where it is more reliable to despatch your mail by cleft-stick.

It was Tony Benn, of course, who introduced pictorial stamps to this country, and it is piquant that after all his philosophising and posturing and pontificating, his only lasting contribution to British life is to put flora and fauna on the postage stamps. (The account in the Benn diaries of his earnest obsession with trying to get the Queen's head off our stamps is the funniest thing since Mr Pooter.)

**S**UNDAY collections were cancelled shortly afterwards and the service has been going downhill ever since. Even the stamps themselves, as artifacts, ceased to be efficient — the perforation is now imperfect. You could part a sheet of the old, unsmucked-about-with stamps with the speed and smoothness of a zip fastener. Try ripping two stamps apart now and you will end up with half a stamp in one hand and one and a half stamps in the other.

But that is a minor quibble. My major quibble is with the design of the stamps themselves, which range from the adequate to the awful. The Post Office recently released (or maybe they escaped) a collection of gaudy greetings stamps which look exactly like those transfers we used to stick on our wrists as kids. A friend put one on a birthday card addressed to me and posted it 200 yards from my home. It took four days to arrive. The stamp was of a teddy bear wearing a scarf. For a moment I thought the reason for the absurd delay in delivery was that it wasn't a proper stamp at all, but that it had come out of a Toytown Post Office set.

Do we really want these nursery stamps on our grown-up mail? Is there a popular demand — as apart from a demand by philatelists, which was the money-making reason for the wheeze in the first place — for these jumbo-sized depictions of puffins and teddy bears and cupids and what I think, though I cannot be sure since the definition is not of the highest quality, is a depiction of a bowl of fruit trifle, on the Royal Mail? In between these outbursts of exuberance, the Post

**'WHEN I WRITE TO MY ACCOUNTANT I DON'T WANT TO SAY IT WITH TEDDY BEARS OR CUPIDS'**

Office goes on issuing the traditional monarch's head stamps which are a triumph of design, although the billous orange of the 18p stamps owes much to the pictorial fruit trifle.

While I know it is an illusion, these utterly non-frivolous stamps seem, by definition, more trustworthy — they do not look as if they are about to be delivered by Noddy on his tricycle, as soon as he has had his glass of lemonade. More reliable or not, the Queen's head is invariably appropriate for the occasion. When I write to my accountant in connection with my VAT returns, for instance, I do not want to say it with teddy bears or cupids.

I believe that some underprivileged countries go in for the practice of printing and franking stamps especially for the Bumper 1,000 All Different Stamp Collection market, whereby, circumventing pillar box and postman, newly-issued stamps go direct from printer to dealer. Maybe we should go the whole hog and join this philatelist banana republic trade — it would at least keep pictorial stamps from cluttering up the postal system. Otherwise, cannot the Post Office find something more auspicious to celebrate than the 100th anniversary of the Min of Ag and Fish?

## Out of the mouths . . .

AN interesting spin-off of the Salman Rushdie affair is the blood-thirsty reaction of Moslem children in Bradford, some of them as young as nine, who seem pretty well unanimous in endorsing the Ayatollah's preposterous death sentence on the author and all connected with his works.

Maybe the Government is awaiting clarification of the children's alarming comments. They certainly shouldn't be left to drift off into the wind. Some pundits have expressed astonishment that young Moslems born and educated in this country should be uttering such extreme and alien views. They have most likely been heavily influenced by their parents and religious instructors; but I should like to know what their schools have been doing to temper their fanatical ideas.

My guess is precious little.



## Food & Farming

7 March 1989



1989 has been designated "British Food & Farming Year", it also marks the 150th anniversary of the Royal Agricultural Society of England and the centenary of the Ministry of Agriculture. The production of food is one of Britain's biggest industries supplying three-quarters of the country's food requirements.

The four stamps to be issued on 7 March feature the four main areas of food production - fruit & vegetables, meat, dairy produce and cereal production.



The 19p stamp (inland first class and EEC basic rate) shows a selection of fruits and vegetables set against the background of an old tile showing a tree. Similar tiles are depicted on all four stamps; these tiles were a regular feature



of food shops (particularly butchers) before the Second World War; some still survive reminding shoppers of a less-rushed era before the age of supermarkets.

The 27p stamp (airmail postcards) features

meat products, the 32p value (airmail Zone B) dairy produce and the 35p stamp (airmail Zone C) cereals.

Britain's farmers produce a wide range of fruit and vegetables - especially traditional crops



such as apples, pears, currants, berries, salad plants, onions, leeks, cauliflowers, broccoli, tomatoes, Brussels sprouts, peas and beans. In recent years several more exotic items have been grown in increased quantities, for example



herbs, sweet peppers, aubergines, kohlrabi, mooli, pumpkins and squashes. Mushrooms are now grown in huge quantities and rank second to potatoes as the country's most valuable horticultural crop. Owing to our variable climate, much horticultural produce is now grown under glass.

In medieval times the English economy owed a very great deal to sheep - reared for their wool which was made into cloth for export. Today wool is less important although still a

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at the ends of the  
Greycoat Street  
on SW1 from 28  
exhibition opens at  
on other days,  
the final day when it  
will be £3 on the  
for adults, 75p for  
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Stampex 1988  
will be Birds and  
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another attraction!  
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panel of judges; the  
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significant factor in the economy of the more remote parts of the country. Lamb is still a popular part of the diet although beef and chicken are the most popular meats. Pork is becoming more popular as is duck and turkey – no longer eaten just at Christmas. British farmers produce nearly 90 per cent of all meat and poultry consumed in the UK.

There are some 45,000 dairy farmers in the UK and no fewer than 3 million cows, between them producing enough milk for the average Briton to drink 216 pints each year. Much milk is turned into cheese, with an average annual consumption of 14lb per person. In recent years a considerable number of new cheeses have been added to the range produced. As we become more health conscious so the manufacture and consumption of skimmed, semi-skimmed and low-fat products is increasing. The term "dairy" also includes eggs – a staggering 12,000 million are laid every year by a chicken population of 38 million.

By far the largest proportion of cereal production is used for animal feed; the main cereal crops are barley, wheat, maize and oats. Wheat is mostly used for bread and biscuits, barley in malting and distilling and the manufacture of vinegar and oats for breakfast cereals. The average Briton consumes 100 lb of bread a year. Sugar beet, although not a cereal, is an important crop, especially in East Anglia. Beet sugar supplies half of UK sugar requirements, the other 50 per cent coming from imported cane sugar.



#### Technical Details

Designed by Sedley Place Limited design team (their first stamps), the four stamps have been printed in photogravure by Harrison & Sons Ltd. They are of "square" format, measuring 35 x 37mm, printed in sheets of 100 on phosphor coated paper with PVA Dextrin gum. Perforation is 14 x 14½.

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#### Royal Mail Stamp Cards

Royal Mail Stamp Cards (formerly referred to as PHQ cards) featuring each of the four stamps will be available from 20 February, price 16p each. They are numbered 116A-D.

#### Presentation Pack

The presentation pack (No 197) will cost £1.35 and was designed by Sedley Place Limited with text by Judith Hodge. The pack illustrates farming scenes and some of the most popular British foods and includes an interesting map showing the main agricultural activities in the United Kingdom.

#### First Day Cover

The first day cover design shows a cornucopia of British foods – bread, cheese, leeks, pears, etc. set against a background of food shop tiles. It will be available from 20 February, price 17p, from the British Philatelic Bureau, philatelic counters, the National Postal Museum and main post offices. Two pictorial postmarks will be used for the first day cover service, one at the Bureau and one at Stoneleigh, Kenilworth, Warwickshire – the permanent home of the Royal Agricultural Society annual show.

A first day cover service will be provided by the Bureau with the official Royal Mail cover addressed to the destination required with the four stamps cancelled with either postmark – charges £1.62 UK (including VAT), £1.41 overseas (no VAT). Application forms, available from the Bureau and main post offices, should be returned not later than 7 March.

Customers requiring only the special pictorial postmarks may obtain them under the reposting facility by sending on the first day of issue a stamped addressed envelope under an outer cover endorsed "Special First Day of Issue handstamp" to:

British Philatelic Bureau 20 Brandon Street  
EDINBURGH EH1 5YJ

Stoneleigh Special Postmark Duty  
Customer Services  
Letter District Office  
40 Bishop Street  
COVENTRY CV1 1AA

First Day Posting Boxes will be provided at most main offices for those collectors who wish to post covers to receive the standard, non-

FOOD AND FARMING

From Sedley Place Limited



OBSERVER

# Laying an egg over a sticky issue

by ALAN ROAD

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According to Mr Terence Griffin of

Sedley Place, the London firm responsible for the stamps' design, 'all the artwork was being done eight months ago, long before we learnt what wonderful things are in our food'. A Post Office spokesman said that the problems had arisen since the announcement of the food and farming stamps, but confirmed no official pressure had been brought to bear to withhold them.

Older collectors may recall that this is not the first time the unfortunate ministry has come unstuck over a postal problem. In 1949 the Post Office introduced a slogan postmark which said, 'Britain says thank-you for food gifts'. Unfortunately, letters announcing the nation's gratitude ended up in Germany, Italy, Japan and Third World countries that were certainly not sending Britain food gifts.

On that occasion it was the Conservatives who were enjoying Labour's embarrassment. There was a commotion in the



Bad timing: Celebrating cheese.

Commons involving the then Minister, Edith Summerskill, and Tory John Boyd-Carpenter.

Dealers Stanley Gibbons treasure a 1960 series of Philippines stamps launching a campaign against smuggling. The stamps were overprinted with the legend

'Help me stop smuggling — President Marcos'.

Stamps provoked a shooting war in 1930 when Paraguay and Bolivia both produced an issue laying claim to the same piece of disputed territory. And, as long ago as 1936, Argentina brought out a one peso stamp in which the Falklands were clearly represented on a map as part of the country.

Indeed, philatelic faux pas are by no means new, even in this country where the stamp was invented. In 1960, for instance, a World Refugee Year slogan postmark consisting of a symbolic hand had to be withdrawn after a few days because, in too many instances, its positioning made it appear that the portrait of the Queen was thumbing its nose at her subjects.

If only half the current scare stories about our dairy produce are true, perhaps the monarch should be holding her nose on the new issue.

■ 'Wrong cheeses' were withdrawn, page 3





## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~SECRETARY~~ Health

The Rt Hon John MacGregor OBE MP  
 Minister for Agriculture, Fisheries and Food  
 Ministry of Agriculture, Fisheries and Food  
 Whitehall Place  
 LONDON  
 SW1A 2RH

6 March 1989

Dear John,

Following Wednesday's meeting of MISC 138, I have been giving some preliminary thought to how we might set about raising public awareness of good practices for food safety and hazards to be avoided. I feel that if we are to do this proper justice, it is essential to draw upon the best talents and expertise to advise us on, for example, matters of content, format and the way in which we should tackle the job. Before we actually get to the stage of inviting tenders, however, we need to be clear about what we are aiming to do. My officials have prepared the attached outline brief as a basis on which we might proceed.

The key element underlying this brief is that we should aim at a co-ordinated campaign covering both food safety advice for consumers and the Government's overall strategy on food safety. We should not give the impression that the leaflet is all that the Government is doing.

I think we ought to come to a view on the leaflet and campaign by the end of the week. Not least amongst the issues we shall need to resolve for all of this is the question of the budget. In my view, we are unlikely to achieve sufficient impact for anything less than £1/2 million.

I am copying this letter and enclosure to other members of MISC 138 and to Sir Robin Butler.

KENNETH CLARKE

The Leaflet

Audience - general public as consumer

Scope/Content

Commonsense advice covering  
food poisoning simple brief factual background

Buying, storing, preparing food

Domestic fridges

CMO current guidance

Do not overload it with a long list of committees and regulations  
which will be lost on the general public.

Production

Use a professional journalist/writer with food/home economics  
experience and a professional designer.

The Campaign

There is a lot of advice material about already - Sainsbury's, Food  
and Drink Federation, the Asda/Gateway/Sainsbury's/Safeway/Tesco  
group, and the Government to name but some.

Suggest we establish an umbrella identity - say FOODWISE - which, if  
generally applied, could enhance the overall impact of the sum of  
the parts.

Back up with TV and radio fillers and possibly a self financing free  
fridge thermometer offer. Organise a 'striking' media launch.

You would then have the makings of a public awareness campaign  
rather than just another leaflet.





## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01 210 3000

From the Secretary of State for ~~Social Security~~ Health

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON SW1

3 March 1989

*Dear Andrew*

**ALUMINIUM IN INFANT FORMULAE: LETTER IN THE LANCET, 4 MARCH 1989**

I attach a copy of the letter which will appear in tomorrow's Lancet but which has already aroused much media interest today.

The conclusions reached in the letter are that there is insufficient information to be sure of the level of aluminium that is safe for all infants, and that milk formulae should be available on medical advice only. It quotes earlier findings that levels of aluminium in infant milk formulae based on cow's milk are 10 and 20 times greater than in human milk, and in those based on soya milk, 100 times greater. These findings are in line with levels of aluminium in milk formulae found by a recent MAFF survey. The higher figures for soya based formulae are not unexpected since vegetable products such as soya have naturally higher levels of aluminium than animal products.

The DH expert advisory Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) was asked at its January meeting to consider the health implications of the MAFF findings in the light of available research. COT noted that the estimated intakes from aluminium from both types of milk formulae were below the WHO tolerable intake levels and that the intake levels for infants relative to their body weights were no greater than the level for adults. The Committee agreed that the findings did not call for immediate regulatory action to reduce the aluminium levels in infant formulae. However, it concluded that more work was needed to obtain better information about the source of aluminium in soya based infant formulae. COT was also concerned about lack of information about the gastro-intestinal absorption and excretion of aluminium in infants and recommended further research be undertaken. DH has accepted both these conclusions. We have already asked manufacturers to produce information about the source of aluminium in their products and we are actively considering how best to carry the research on absorption and excretion.

On the basis of the COT's advice, the Department of Health sees no reason to restrict the use of soya-based infant formulae for healthy infants. Mothers are, of course, free to choose which product they use. Premature babies and those with impaired renal functions would be under medical care, and advice on feeding would be given by the doctors responsible for their care. It should be recognised that soya based products are not needed in the care of most infants, but they may be necessary for infants with an established intolerance to products made from cow's milk.

COT will continue to keep the matter under review, and I shall keep you informed of interesting developments.

I am copying this letter to the private secretaries to other members of MISC 138 and Sir Robin Butler and to Carolyn Sinclair (No 10 Policy Unit) and Richard Wilson (Cabinet Office).

*Yours ever*

*Flora*

FLORA GOLDHILL  
Private Secretary



## Letters to the Editor

### ALUMINIUM IN INFANT FORMULAS

SIR,—Dr Martyn and colleagues' paper (Jan 14, p 59) and subsequent letters (Feb 4, p 267) have focused attention on aluminium (Al) intake from water and Alzheimer's disease. Does the Al contamination of milk formulas pose a risk to the health of infants?

In 1986 we reported the levels of Al in milk formulas.<sup>1</sup> Others have confirmed our findings. Compared with carefully collected breast milk (5–20 µg/l), Al concentrations are 10–20-fold greater in most cow's milk derived formulas and 100-fold greater in soy-based formulas. (Values for breast milk above 20 µg/l probably reflect contamination from talcum powder or deodorants or from storage in glass containers.) The current European Community directive specifies that the Al content of drinking water must not exceed 200 µg/l so the Al concentration in infant formulas may increase considerably during preparation.

Al absorption may be increased in the neonatal period. The permeability of the gastrointestinal tract is greatest in the first days after birth, enhancing the potential for absorption of substances normally excluded.<sup>2</sup> The urinary Al/creatinine quotient at age 3 weeks is four times greater than at a mean age of 5 months for enterally fed term infants. Whilst urinary creatinine is lower in the newborn than in older infants, the difference is unlikely to account for the observed increase in ratio, possibly indicating increased absorption in the younger infants.<sup>3</sup>

Al is excreted through the kidney, and immature or reduced renal function can result in accumulation. In one infant with severe renal failure, the absorption and retention of Al from a cow's milk derived formula resulted in clinical toxicity, and a brain Al concentration in the neurotoxic range by age 1 month.<sup>4</sup> Preterm infants are at increased risk of retaining absorbed Al until their glomerular filtration rate increases to the value seen for term infants. For most infants born preterm, this is attained by 40 weeks post-conceptual age.

Al uptake and deposition is thought to be enhanced by zinc deficiency.<sup>5</sup> Al may be absorbed by competing for binding sites on a zinc-binding ligand in the gastrointestinal tract,<sup>6</sup> especially in situations of reduced zinc availability. Infants at risk for zinc deficiency are those born to mothers who smoked or consumed alcohol during pregnancy.<sup>7,8</sup> Infants fed exclusively on soy-based milk risk a reduction of zinc availability due to the increased concentrations of phytate in such formulas, compared with cow's milk-derived formulas.<sup>9</sup>

Al is deposited in bone and brain where, in sufficient quantities, it exerts toxic effects. The rate of bone growth immediately after birth is the most rapid seen at any time ex utero, and 80% of brain growth occurs in infancy so any insult sustained at this time may have long-term consequences.

Insufficient data are available for firm recommendations on levels that can be considered safe for all infants. There is no evidence that cow's milk formulas pose a particular risk to most full-term infants. The American Committee on Nutrition<sup>10</sup> suggested that it would be prudent to avoid soy-based formulas in low birthweight infants and those with impaired renal function, including preterm infants. In the UK the 1988 report of the Department of Health and Social Security committee advising on infant feeding did not, unfortunately, cover Al.<sup>11</sup> Nevertheless, it did recommend that infant formulas meet acceptable composition standards and be distinctively marked so that the purchaser could identify them. Information on the Al content of milk formulas and local water should be available to those caring for infants at risk of accumulation of this metal. Soy-based milks "have been approved for prescription in the National Health Service as borderline substances for established forms of milk intolerance".<sup>11</sup> Soy-based formulas have the highest Al and phytate contents of any available for newborn

avoidable hazard when gastrointestinal and renal function are immature; these formulas should be available on medical advice only.

MRC Diet Nutrition Unit,  
Cambridge CB4 1XJ

N. BISHOP

Departments of Paediatrics,  
Southwest Hospital,  
Bristol

M. MCGRAW

Trace Element Analysis Laboratory,  
Department of Chemistry,  
University of Surrey,  
Guildford, Surrey

N. WARD

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### ALUMINIUM ENCEPHALOPATHY AND ALZHEIMER'S DISEASE

SIR,—There is growing public concern that aluminium (Al) may be the cause of dementia, especially Alzheimer's disease (AD). The evidence for this perceived association is threefold—the finding of Al in the neurones and senile plaques in the cerebral cortex at necropsy in AD; epidemiological evidence relating the incidence of AD to the level of Al in the water supply; and reports that Al can cause an encephalopathy. The first<sup>1</sup> and the second (Feb 4, p 267–69) lines of evidence have been criticised but the striking differences between Al encephalopathy and AD have not been emphasised.

Al encephalopathy can be induced experimentally by the intracerebral or subcutaneous injection of Al or its salts.<sup>2</sup> It has also occurred rarely (no case reported since 1962) as an industrial disease,<sup>3</sup> and it suddenly appeared in the 1970s as an iatrogenic disease in patients on long-term haemodialysis with dialysate high in Al.<sup>4,5</sup> The clinical picture of chronic human neurotoxicity from Al<sup>3+</sup> is that of an encephalopathy, beginning with dysarthria and myoclonus, suggesting epilepsy rather than a dementia ("syndrome of dyspraxia and multifocal seizures associated with chronic dialysis"<sup>6</sup>) although mental deterioration ensues. The electroencephalogram (EEG) suggests a movement disorder. There is anaemia and osteomalacia. The disorder is related to the increased body load of Al, with high Al in the brain, and arises after one or more years of dialysis. It is reversible, with recovery, if detected early and treated either slowly with dialysis based on a dialysate low in Al or more rapidly by chelating agents. The neuropathological findings also differ from those of AD. The brain is more or less normal macroscopically. There are no senile plaques. Neurones showing neurofibrillary change are infrequent. Intracytoplasmic argyrophilic fibrillary material has been described but it is not doubly refractile, does not stain with congo-red, and reacts with an antibody to the 210 000 D portion of neurofilament polypeptide—all features of experimental Al neurotoxicity, not AD.<sup>7</sup>

AD is a severe, progressive, global dementia, without movement disorder and with EEG findings differing from those seen in Al toxicity. There is no anaemia or bony disease. The body load of Al seems normal.<sup>8</sup> Analyses of Al in brain have given conflicting results





CABINET OFFICE

70 Whitehall London SW1A 2AS Telephone 01-270

CONFIDENTIAL AND PERSONAL

Prime Minister  
Still enough stories to  
keep this running  
AF  
3/3

P 03386

MR TURNBULL

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

1. I held another informal meeting this morning with senior officials from the Treasury, the Department of Health (DOH) and the Ministry of Agriculture, Fisheries and Food (MAFF) to give preliminary consideration to the agenda for the next meeting of MISC 138 on Wednesday 22 March, and to review developments on food safety which may come to public attention in the next week or so.

Next Meeting of MISC 138

2. Discussion with Departments suggests that the following items will be ready for the next meeting of MISC 138.

i. Proposals for the handling of negotiations on food safety and animal and plant disease aspects of the single European market: a memorandum by the Minister of Agriculture to be circulated by Friday 17 March.

ii. A progress report on the preparation of a revised leaflet on kitchen hygiene: a note by the Minister of Agriculture in conjunction with the Secretary of State for Health.



iii. Irradiation: a note by the Minister of Agriculture in consultation with the Secretary of State for Health, to be circulated by Friday 17 March.

iv. In addition I understand that the Minister of Agriculture may wish to circulate a draft of the consultation document that would be required for any new regulations on the sale of cracked, dirty or washed eggs. The issue will in any event need to be covered in the Government's reply to the Agriculture Select Committee's report which MISC 138 may wish to discuss after Easter.

### Issues Likely to Come to Public Attention in the Near Future

3. Current developments include the following.

v. As agreed by the Prime Minister and other interested Ministers, the Minister of State, Department of the Environment (Mr Howard) announced yesterday the establishment of a group of experts under the chairmanship of Sir John Badenoch to advise on the problem of cryptosporidia. I understand that the Chief Medical Officer had an informal meeting with Sir John Badenoch and other experts this morning and has concluded that, unless and until the Badenoch group advises to the contrary, the Government should maintain its line that no special precautions are required. (The advice to residents of Oxford and Swindon that certain groups should not drink water unless it has been boiled was a local initiative.)

Forward a  
letter to  
me about  
(gastroenterology)  
at Oxford

vi. There is to be an Estimates day debate in the House of Commons on Tuesday 7 March on assistance to the egg industry and the Agriculture Select Committee report on salmonella and eggs. Mr Ryder will be handling the debate.

vii. The Social Services Select Committee will be questioning the Chief Medical Officer on Wednesday 8 March when they begin an inquiry into pre-cooked chilled meals served in hospitals.



The chairman of the Committee, Mr Frank Field MP, has indicated that the Committee will wish to broaden their inquiry to consider listeria generally.

viii. Discussions with major retailers are continuing on the proposed regulations to prescribe a maximum temperature for the storage of pre-cooked chilled foods, with a view to going out to formal consultation as soon as possible.

*I thought we had  
got this far!*

ix. I understand that the Minister of Agriculture will be minuting the Prime Minister and other members of MISC 138 about a report, which is awaiting publication, by the working party on pesticide residues. The report summarises monitoring results on pesticide residues from samples taken between 1985-88 and contains advice from the Committee on Toxicity about any follow-up action which is needed. The report brings out that, for the most part, residue levels give no cause for concern. However, it draws attention to residue levels found in some samples of foodstuffs including rusks, milk and New Zealand lamb. On rusks, the Committee on Toxicity found that some samples contained higher than expected levels of pesticides residue, although in all cases they were within international safety limits. Nevertheless, the Committee has recommended that "efforts should be made to reduce residue levels in infant foods as much as possible", though they have given no indication of how they think that this might be achieved. Very small traces of residues, which appear to have derived from disinfectants, have been found in some milk samples: the Committee made no recommendation on this point, and MAFF are already investigating it in consultation with the Milk Marketing Board. On New Zealand lamb, two samples taken in 1985 contained DDT derivative residues which exceeded the EC limit but were within the FAO limit. I understand that residues in New Zealand lamb should by now have diminished, however, since New Zealand phased out the use of DDT derivatives for spraying grass during the 1970s.



x. Today's edition of the "Lancet" contained a letter about levels of aluminium found in infant milk formula based on cow's milk and soya milk. I understand that the Secretary of State for Health's office will be minuting you, and the offices of other members of MISC 138, about this. — *attached*

4. I am copying this minute to the Private Secretaries to members of MISC 138 and the Lord Privy Seal, to the Chief Medical Officer and the Chief Veterinary Officer, to Miss Sinclair (No 10 Policy Unit) and Mr Woolley (Cabinet Office), and to Mr Monck (Treasury), Mr Heppell (DoH) and Mrs Attridge (MAFF).

*R.T.J.*

R T J WILSON  
3 March 1989

MR INGHAM

2 March 1989

cc. Mr Turnbull

FOOD AND SAFETY BOOKLET

The Prime Minister has commented favourably on the 'Environment in Trust' booklets which were launched yesterday by Nicholas Ridley. I attach a set.

The first general booklet could serve as a model for the booklet on hygiene in the home. When this was pointed out to John MacGregor, he suggested that he did not have enough money to pay for a booklet of this quality.

DOE tell me that they conceived the idea of the seven booklets, and drew up the texts. The COI managed the production for them. The design and art work was carried out by Lloyd Northover - who are expensive, but good.

The cost for a production run of 25,000 copies was:-

£120,000 - design and art work  
£ 99,000 - printing cost.

A single highquality booklet would cost less than 7, though we would need a lot more copies than 25,000. Nevertheless, I think we are talking in terms of six rather than seven figures. I do not believe that MAFF/Department of Health cannot find this money.

I have passed the DOE booklets to John MacGregor's political adviser. He understands about these things, and produced a good booklet himself on Planning and Farmers. He has not hitherto been much involved in the hygiene campaign, but I think now grasps the importance of getting it right.



CAROLYN SINCLAIR



PRIME MINISTER

28 February 1989

MISC 138 MEETING, 1 MARCH: FOOD SAFETY

The three topics on the agenda are:

- (i) The terms of reference for the review of compensation arrangements under the Animal Health Act 1981 (John MacGregor's minute of 27 February to you).
- (ii) Proposed publicity for food safety - (MISC 138(89)4) and notes listing the specialist MAFD/Department of Health Committees, and the role of Sir Donald Acheson.
- (iii) Further measures to control salmonella in eggs - MISC 138(89)5 and MISC 138(89)6.

General

In the last week or so the Government has regained some grip in the area of food safety. Publication yesterday of the Southwood Report on Bovine Spongiform Encephalopathy went reasonably well. Media interest is dying down a little, partly no doubt because of other distractions. But the subject will not go away. It is essential that the Ministers and officials concerned give high priority to handling food safety issues effectively.

Review of Compensation Arrangements

*(Caroline wrote this before your meeting with Lord President)*

The principle of this wide-ranging review was agreed at the last MISC 138 meeting. John MacGregor was asked to circulate the proposed terms of reference. The aim is to legislate in the 1989-90 session.

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John MacGregor argues in his covering minute that it will be politically difficult to announce a review of the scope for transferring responsibility for compensation arrangements to the industry at a time when public interest in animal health is at its height. He seems mesmerized by the need to recompense farmers for taking measures which contribute to public health. He is worried about added costs reducing the international competitiveness of British farmers.

The following points can be made against these arguments:

- The public do not understand why farmers regularly appear to be bailed out by the Government. There was considerable criticism of the Government's action before Christmas to stabilize the egg market.
- Those who think that all problems can be solved by spending tax payers' money will take this line whatever the Government does. More discriminating observers will welcome an approach which treats farming more like other businesses.
- Compulsory insurance would offer the public a guarantee that all farmers would behave responsibly over animal health problems (the NFU's Mutual Insurance proudly boasts that it will insure virtually anything).
- Other businesses have to take measures on public health grounds, rather than for their own commercial reasons. There is no taxpayers' money for a restaurant which is ordered to renew its kitchen by Environmental Health Inspectors.
- International competitiveness depends on a number of factors. If we had always avoided doing anything which appeared to put our businesses at a disadvantage compared with other European industries, we would not have achieved the revitalisation of British business which has taken



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place in recent years. Deregulation and low taxes help growth, not subsidies.

The draft Answer describing the scope of the review is acceptable - John Major is likely to be content. But the supplementary briefing is weak. The following points need to be made in presenting the review:

- The review takes place against the background of increased scientific knowledge about disease in animals. As knowledge increases still further, it may become necessary to take a number of measures which affect farmers.
- Such developments make it essential to find financial arrangements which will safeguard public health, the viability of the farming industry, and the public purse.

II MISC 138(89)4 - PUBLICITY ON FOOD SAFETY

This paper is a muddle. It is cluttered up with the text of booklets which MAFF have already issued (Annexes I-III). The proposed texts of the new booklets - Annexes IV-VI - show how confused thinking is about what should be said to whom.

Bernard Ingham has sent you a separate note. He rightly focusses on the first priority - a clear, well-presented booklet for ordinary readers which

- sets the problem of food-poisoning in context;
- assembles the Chief Medical Officer's various bits of advice, especially for pregnant women and other vulnerable groups;
- runs over known and less well-known advice on kitchen hygiene (including the dangers of cracked eggs and the correct way to clean eggs - see below).

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The booklet should avoid lecturing housewives. It should not be consciously addressed to "housewives" at all, but to people who eat to live. The general reassuring introduction and conclusion suggested by Bernard Ingham could include a sentence or two about government action eg the establishment of the Richmond Committee. This will help us to avoid accusations that the Government is sliding out of its responsibilities by blaming all food poisoning on poor hygiene in the house.

The booklet desperately needs a competent and experienced author. Bernard has offered to help. Somebody should: MAFF are punch-drunk with new Regulations, the Food Bill, new consultation documents etc.

A booklet on these lines would meet the remit first mentioned in December. The other ideas which have crept in, and are now reflected to Annexes V and VI, are later accretions. There may well be a Parliamentary and press audience for the details of government machinery on food safety, including the lengthy list of committees. But this is a second order question at the moment.

III FURTHER MEASURES TO COMBAT SALMONELLA IN EGGS

John MacGregor proposes:

- i) to start spot checking imported eggs straightaway;
- ii) to issue a consultation document trailing a ban on the sale of dirty, washed and cracked eggs, and an update of the regulations governing liquid egg pasteurization.

i) is clearly sensible. It would be consistent with our EC obligations. The problem is that if we find salmonella after a second check, we will not be able to ban imports

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from that source. We will first have to raise the issue bilaterally with the Member State concerned, keeping the Commission informed. Only after attempts by the Member State to identify and remedy the source of infection could we take steps to prevent imports from that source.

The proposal to ban sales of dirty, washed and cracked eggs is more difficult (updating the rules on pasturisation poses no problem).

The measures we have already taken to combat salmonella infection in eggs are as stringent as any in Europe. It is right that we should continue to close loop-holes.

But this needs to be balanced against the fact that thorough cooking will kill salmonella bacteria in eggs, as it will in poultry. Given that people can take this simple precaution, how far should we go in banning sales of certain home produced eggs - particularly since our ability to stop imports of infected eggs is hampered by EC regulations?

The ban on sales of dirty and cracked eggs will hit very small producers. It is not clear how enforceable it would be. Villages are full of Mrs A selling eggs from her twelve hens to Mrs B and Mrs C. Unenforceable bans court ridicule.

It is important that everyone, including Mrs A, Mrs B and Mrs C are aware that dirty and cracked eggs carry a particular health risk. It is also important for Mrs A to be told that the way to clean eggs is to brush them, not to wash them. Presumably eggs that cannot be brushed clean should be discarded.

A consultation paper would have the merit of bringing these points to people's attention. They could also be covered

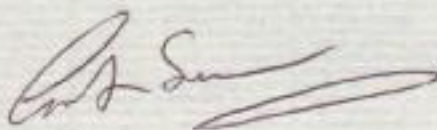
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in the booklet on home hygiene (see above). A market solution might then emerge. People would be unwilling to buy dirty or cracked eggs. Small producers would draw their own conclusions.

This is a more attractive option than yet another ban which will be attacked by the fresh food lobby.

A handwritten signature in dark ink, appearing to read 'Carolyn Sinclair', with a long horizontal flourish extending to the right.

CAROLYN SINCLAIR

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cc Sinclair

PRIME MINISTER

PUBLICITY ON FOOD SAFETY

The paper MISC 138(89)4 on this issue for your meeting is not the sort of fare that should be served up for Ministers. It is an extremely confused, unappetising mish-mash.

The paper complicates the whole business by proposing to address a variety of audiences when there is only one priority audience: the ordinary individual and more especially the ordinary housewife.

Consequently you need to be clear at your meeting

- (a) what is required by way of publication; and
- (b) when we are going to get it (since the media has been led to expect a big publicity drive)

I suggest that what is needed soonest is:

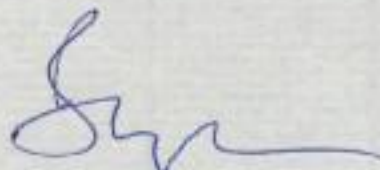
- a popular, attractively produced leaflet based on the draft at Annex IV which sets out necessary advice to all handling food in the home and buying it from a shop
- this should cover:
  - (i) general reassuring introduction
  - (ii) what to avoid when buying food (both fresh and pre-cooked) in shops
  - (iii) guidance given on storage temperatures in shops
  - (iv) advice on transporting food from shop to home - eg heat in cars etc
  - (v) observing "sell by" and "best before" labels

- (vi) storage tips - including using fridge/freezer correctly
- (vii) cooking advice, including pre-cooking for use later
- (viii) cleanliness and hygiene
- (ix) guidance given by Chief Medical Officer on salmonella, listeria etc
- (x) what to do, if all this fails, and you get food poisoning
- (xi) a reassuring conclusion, reinforcing the point that for normal, healthy people common sense will keep you fit.

We should not complicate the issue at this stage with ideas about other publications. Our efforts should be concentrated on satisfying the consumer (and political) need for a popular down-to-earth leaflet. If necessary, I will help to draft this.


Other ideas - eg for a more sophisticated account of all that is being done to protect the food chain as suggested in Annex 5 - should be considered separately and later.

I suggest you ask MAFF/Health to submit a separate paper later on publicity/publication policy. This substantial paper should propose a public information strategy.



BERNARD INGHAM  
February 28, 1989



CC 18/2 4/4  
  
CONFIDENTIAL

P 03381

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY

2. PUBLICITY ON FOOD SAFETY (MISC 138(89) 4)

OBJECTIVES AND DECISIONS

1. The Minister of Agriculture is seeking agreement to the text of a leaflet on kitchen hygiene which he hopes to launch shortly before Easter. He is also seeking a steer on how he should fulfil the remit given at the Committee's first meeting to prepare a smartly-presented booklet on food safety and on the standing arrangements by which the Government obtain expert advice in this field.

2. If time permits, you may also wish to have a short discussion about the network of committees which operate in the food safety area. A minute has been circulated giving some background information on this.

BACKGROUND

3. MAFF announced some time ago that a kitchen hygiene campaign would be launched in the Spring; and in response to a question from the Leader of the Opposition on 9 February about what steps the Government was taking to deal with the problem of salmonella, you replied as follows:

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"The salmonella enteritidis is a new strain, as I believe the Rt Hon. Gentleman knows. We are trying to find out all the latest facts. During the past 10 years there have been enormous changes in food technology. All these, plus the habits and customs of people and the way they cook, must be taken into account. We shall shortly be issuing a leaflet based on the best advice that we can gather about food hygiene from professional advisers. We shall make it available to housewives, schools, and shops and offices generally."

4. At Annexes I-III to the Memorandum are some booklets which MAFF have issued on, respectively, food additives; Government food surveillance; and food labelling. None of these are directly relevant to the proposals to be discussed at the meeting and there is no need for you to read them. A draft of the kitchen hygiene leaflet is at Annex IV; and proposals for the booklet commissioned at the Committee's first meeting are at Annexes V and VI.

Now  
attached to the minutes

#### MAIN ISSUES

##### Kitchen Hygiene Leaflet.

5. Work on the kitchen hygiene leaflet began several months ago. You will wish to consider whether the leaflet adequately deals with current public concerns over food safety issues. You will also wish to seek the Committee's views on its overall tone and presentation.

6. Our own view is that the leaflet has rather an old-fashioned look and that its appearance could be improved by the use of more attractive illustrations and a crisper layout. In places, it seems to adopt a rather hectoring style. The advice it contains seems reasonably sensible so far as it goes (although the advice on washing one's hands could perhaps be condensed into a general reminder that hands should always be washed before handling food). But you may wish to consider whether it should also include the Chief Medical Officer's recent advice on eggs, cheese and pre-cooked chilled meals. Although that advice is not directly concerned with kitchen hygiene,

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the public might find it odd for the Government to issue a leaflet on food safety without providing advice on the very matters which have given rise to most recent public concern. It might also be helpful for the leaflet to list the other publications on food safety (such as those at Annexes I-III of the Memorandum) which are available to the public, and to indicate how they can be obtained.

Timing.

7. The Agriculture Minister proposes to launch the leaflet in three weeks' time, and envisages distributing around four million copies through shops and schools. You may wish to consider whether it would be sensible to launch this initiative shortly before the Easter holiday weekend and just as schools are breaking up. If it were decided to postpone the campaign until, say, mid-April, you may feel that it would be helpful for the Agriculture Minister to make use of the extra time to polish the booklet and expand it to cover the C.M.O.'s recent advice, perhaps conducting at least a simple piloting exercise.

8. Some critics have already claimed that the leaflet is part of an exercise to shift the blame for food poisoning onto the housewife. You may wish to consider whether there are any steps which the Government could take to counter this line of argument. For example, the Agriculture Minister might make a speech around the time of the leaflet's launch setting out the steps which the Government have taken to address the problem of food safety; and the advisory committees operating in the food safety area could be set out in reply to an inspired Question.

Possible new booklet on Food Safety

9. At the Committee's first meeting, you asked the Agriculture Minister to bring forward proposals for a smartly-presented booklet explaining the basic facts of food safety and summarizing the standing arrangements by which the Government obtains expert advice in this area. The Agriculture Minister suggests that information about the Government's advisory committees would be out of place in the leaflet on kitchen hygiene. While this seems right, there might

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be scope in that leaflet for a brief passage underlining the Government's commitment to promoting food safety and summarizing the steps it has taken to this end.

10. The Agriculture Minister proposes instead that the Government might either produce a booklet of some 25 pages with a print run of 20,000 for distribution to the media, schools, food and health organisations or a shorter document which might be given a wider circulation. In both cases the aim would be to set out the research and scientific basis for Government policies on food safety.

11. With a major Food Bill in prospect for next Session, you may wish to consider as a possible alternative to these proposals whether the Government should publish a White Paper setting out the issues in more detail than would be appropriate for a booklet issued free to the public. Such a document might set out the measures which the Government have taken to promote food safety and summarise the Government's arrangements for obtaining expert advice on food safety measures, and for acting on such advice. It would also need to bring out that the last few years have seen very rapid changes. In that context, it would mention the gaps in the current law which the Food Bill would fill, although it would need to do this in a way which avoided giving the impression that the public were currently at risk as a result of deficiencies in the existing law.

12. An early White Paper might generate pressure for a Bill to be introduced in the current Session to fill the most obvious gaps in the current law. If, therefore, you thought it would be helpful for the Government to issue a White Paper, it might be best to defer publication until, say, the end of May or June. There might well be a case for producing a summary version of the White Paper (which would be a direct substitute for the booklet proposed by the Agriculture Minister) which could be made available to interested members of the public.

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Advisory Committees on Food Safety

*You have already read this  
You only query on a  
page 2 of Note 1.*

13. The letter from the Health Secretary's office list the advisory committees which operate in the food safety area and sets out their terms of reference. However, it gives no indication of their membership how the various Committees interlock or whether there are any arrangements for coordinating and monitoring the work of the different committees and the extent to which each of the committees are pro-active.

14. Given public comment on the strength of the agriculture industry you may wish to probe with the Agriculture Minister the extent to which the industry is represented on the various committees. You may also wish to ask about the arrangements for ensuring that Ministers are given early warning of the recommendations which committees are likely to put forward. (We understand, for example, that the Southwood Committee on bovine spongiform encephalopathy (BSE) had a joint secretariat from MAFF and DoH, but it is not clear how far this helped them to handle the Committee's likely recommendations.)

15. You may feel that it would be helpful to commission a further note from the Minister of Agriculture and the Health Secretary for consideration at the Committee's next meeting which set out clearly:

- a. the various committees' composition, including in particular the representation of the industry, independent scientists and Government officials, together with their terms of reference;
- b. the arrangements for the coordination and oversight of the different committees' work;
- c. the arrangements for giving Ministers early warning of committees' likely recommendations; and

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- d. the extent to which each of the committees are active.

The existing structure of Committees presumably developed in an ad hoc fashion and you may wish to invite the Agriculture Minister and the Health Secretary to consider also whether any streamlining is required. *eg. Y on queried overlap between Working Party on Pesticides Residues and the Advisory Committee on Pesticides.*

16. You might also find it useful to have a note from the two Ministers about the main statutory constraints on their freedom of action. In particular, the consultation period that is enjoined under the Food Act is clearly an important factor, and it would be helpful to know how much room for manoeuvre this leaves the Minister of Agriculture.

#### HANDLING

17. You will wish to invite the Agriculture Minister to introduce his Memorandum. You may then wish to invite the Committee to deal first with the proposed leaflet on kitchen hygiene. The Health Secretary will have views on this. You will particularly wish to ensure that the Chief Medical Officer is content with the advice which it contains. Other members of the Committee will have political points to make.

18. You may then wish to turn to the proposed booklet (or, as suggested in paragraph 10 above, White Paper). The Health Secretary may have comments on this. The Lord President may wish to comment on the interface with next session's Food Bill.

19. You may then wish to invite the Health Secretary and Agriculture Minister to speak briefly about the advisory committees which operate in the food safety area.

*RJW*  
R T J WILSON  
Cabinet Office  
28 February 1989

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# F O O D ADDITIVES



THE BALANCED APPROACH

# WHAT ARE FOOD ADDITIVES?

Most packaged food contains additives – substances that preserve food or change it in some way. There are around 3,500 additives that food manufacturers use. There's no point calling them chemicals – everything from air to water to a human being is made of many thousands of chemicals.

Some additives are found in nature. Many are taken from plants. Pectin (E440) is one example of these. It is used to set jams. Lecithin (E322) is made from soya beans and is used to stop food separating.



helps bread dough hold together better.

Other additives are manufactured, but are identical to natural substances. Saltpetre is one of the oldest known meat preservers. Its manufactured twin, potassium nitrate (E252), is used to preserve bacon and ham.

Some are manufactured by food scientists and are not based on natural substances at all. For example, azodicarbonamide (927) is a flour improver that

## Controls for safety

The Food Acts make it illegal to put anything into food that will injure health. Government Departments have the job of deciding what can safely be put into food. There is a long procedure that many additives have to go through in order to be permitted for use. This approval procedure is described in detail later in this booklet.

The general medical view is that additives are safe and do not harm health – for most people. There are a very few people who have a reaction to additives... just as there are a few people who are allergic to foods such as strawberries or shellfish. In fact, more people are allergic to natural substances than to man-made additives. So the question is: safe for whom? The answer is: safe for almost everybody

except for those very few people who react, between three and 15 people in 10,000.

Some researchers feel that there may be a 'cocktail effect' of eating many different additives together. Again, the same could be said of all food.



## Your choice

You may decide you want to avoid additives. The choice is yours. To make that choice you need information.

That is why this booklet has been prepared by the Ministry of Agriculture, Fisheries and Food. And why there is a system that tells you what is in foods.



## The numbers

Ingredients in food must be listed on labels. Of the permitted additives, 280 have been given a number. When the additive has also been approved by the European Community, it has an 'E' in front of it. From 1 July 1985, additives must be listed by type and chemical name or number or both in the ingredients list. For example: 'Preservative: potassium nitrate' or 'Preservative: E252'. Other permitted additives without a number must be listed by name.

A full list of numbers, their chemical names, and their common uses is provided at the end of this booklet.

But are additives necessary? The next section looks at the work additives do and the benefits they bring.





## WHAT DO ADDITIVES DO?

The first questions that a food manufacturer must answer when asking permission to use a new additive are: is this new additive necessary? Does it do a job that no other additive can do? Does it do it better? More cheaply? Is it of positive benefit to the consumer?

Together with the European Community, the Government puts permitted additives into four main categories according to the work they do.

- Preservatives** – stop microbes from spoiling food or making it unsafe.
- Antioxidants** – stop fats and oils from going rancid and destroying vitamins.
- Emulsifiers and stabilisers** – mix foods or prevent them from separating.
- Colours** – make food more colourful.

In the UK, there are other permitted categories as well, such as:  
**flavour enhancers and sweeteners** which affect the taste of food;  
**anti-caking agents** which stop lumps forming in powdery foods and  
**raising agents** which, like baking powder, make food rise.

The following categories are under consideration for control: flavourings, which also affect taste; modified starches, which thicken food; and enzymes, which speed up chemical reactions.

Additives help provide whole new categories of food – emulsifiers make low-fat spreads possible. Preservatives mean that we have a greater variety of food. Such things are of positive benefit to the consumer. Other additives simply make food more appealing or convenient. These may be benefits that you feel you can do without – that's your choice.

The next sections look at each category in more detail.

## PRESERVATIVES

Preservatives help food keep longer. Obviously, this benefits shopowners, and manufacturers, as well as consumers, because it means that food can stay on shelves longer. But the Government approves of permitted preservatives for other reasons as well.

Preservatives help prevent wastage of food through spoilage. Less wastage on shelves means lower prices. Less wastage at home saves money.

Preservatives mean there is a greater variety of diet. Longer shelf-life means that smaller stores can stock a greater range. Foods are available out of season; more foods can be safely imported from abroad. People can keep their kitchens stocked with fewer visits to the supermarket.

Another important reason is that preservatives help protect the public from the microbes that cause food poisoning.



Cured and tinned meats, instant and packaged food, bottled foods and drinks – anything that sits on shelves for a long time is very likely to have preservatives in it. These range from sorbic acid (E200) to nitrites and nitrates such as saltpetre (E252) used to preserve cooked or cured meat.

Look at the label – it must tell you if preservatives have been used by the manufacturer.

## ANTIOXIDANTS



Any food prepared with fats or oils – from meat pies to salad creams – is likely to contain an antioxidant. Antioxidants stop oils and fats and fat-soluble vitamins from combining with oxygen and going rancid. Two of the most widely used are butylated hydroxyanisole or BHA (E320) and butylated hydroxytoluene or BHT (E321). They illustrate the difficulties of defining what is safe. In extremely high doses, BHA and BHT may cause cancer in rats. But in low doses, such as those permitted in foods, evidence from animal research suggests that they protect against cancer, reducing the likelihood of developing it. Another commonly used antioxidant is L-ascorbic acid (E300) – otherwise known as vitamin C.

Antioxidants are sometimes used with sequestrants, substances that bind trace metals and stop them from speeding up the unwanted process of oxidation.

## COLORS



There are 57 permitted colours. The commonest is caramel (E150), made by over-cooking or chemically changing sugar. Another example is curcumin (E100) a yellow extract of turmeric roots. Beta carotene (E160a) is a colouring which can be extracted from carrots and is a form of vitamin A. There are also 20 permitted artificial colours. Some are known as azo dyes. Tartrazine (E102) is one of the commonest and has been linked with some adverse reactions.

No colourings are permitted in baby foods.

## EMULSIFIERS AND STABILISERS

Emulsifiers mix together ingredients like oil and water that would normally separate. Stabilisers prevent them from separating again. Both are particularly useful in making low-fat table spreads, but they have many other uses in both sweet and savoury foods. Examples include locust bean gum (E410) made from carob beans or gum arabic (E414), the sap of the acacia tree. On the whole, emulsifiers and stabilisers are natural substances or are chemically related to them.



Performing similar functions in food are thickeners and gelling agents. The commonest gelling agent is pectin (E440), mentioned earlier. Thickeners do the same job as flour in sauces – they give body to the consistency. Some thickeners are in the number system. Others, called modified starches, are being considered for control. They are discussed later in this booklet.

Preservatives, antioxidants, colours, emulsifiers and stabilisers are given E numbers – they are controlled by both the UK and the European Community.

There are many other categories which are controlled within the UK. These are described on the next page.



## OTHER CATEGORIES

**Flavour enhancers.** These are not flavourings, but substances that make existing flavours in the food seem stronger. The best known is monosodium glutamate or MSG (621). It can be made from seaweed, but it is more usually made from sugar beet or wheat. It stimulates the taste buds, and has been used by the Chinese for centuries.

**Sweeteners.** The best known is probably saccharin. Sugar is a food ingredient which provides energy. It is not considered as an additive.

**Acids, buffers and bases** – control the acidity or alkalinity of food (its pH).



**Humectants**– absorb water to stop food drying out. Glycerol (E422) is used in sweets.

**Firming and crisping agents**– keep tinned or bottled fruits and vegetables crisp. Calcium chloride (509) is one example.

**Flour improvers and bleachers**– make stronger dough or whiten flour. Potassium bromate (924) and benzoyl peroxide are examples.

**Glazing agents** add a sheen to the surface of food. **Anti-foaming agents** (usually oils) are used to stop liquids frothing when they are bottled. **Propellants** push food out of spray cans. **Release agents** stop it sticking to pans. **Anti-caking agents** and **raising agents** have already been mentioned. In all, there are 24 categories of additives that are controlled by the UK. Some of these additives are also controlled by the European Community.

## UNDER CONSIDERATION

Category by category, additives are being brought into the control system.

### Flavourings

Flavourings are by far the largest category of additives – there are roughly 3,000 of them. When you consider that over 200 different substances make up the taste of honey, or over 130 make up the taste of an apple, it's not surprising that there are so many flavourings. The majority of them are chemical twins of naturally occurring substances that give foods their subtle tastes.

Many of them are also used in tiny amounts compared to other additives – about one thousand times smaller than the already small amounts of preservatives.

So despite the great number of different flavourings, they have until now been a low priority for control. The European Community is now attempting the enormous task of regulating flavours. This will automatically bring them under control in the UK.

If flavouring has been used in a food, the label will tell you without giving you its chemical name.

### Modified starches

When is an ingredient an additive? Starches are used as thickeners, much as cornflour is used. Some of them have been chemically changed, or milled or roasted to do a better job. There is some debate about the need to control them. If modified starches have been used, this information is given on the label.

### Enzymes

Enzymes are biological catalysts. This means that they speed up chemical reactions. Rennet, for example, is an enzyme used to make cheese and junket. Another enzyme removes pectin from fruit juice. Since enzymes are often used while food is being made, many of them do not appear in the final product. Enzymes are also being considered for control.

## CONTROLS ON ADDITIVES

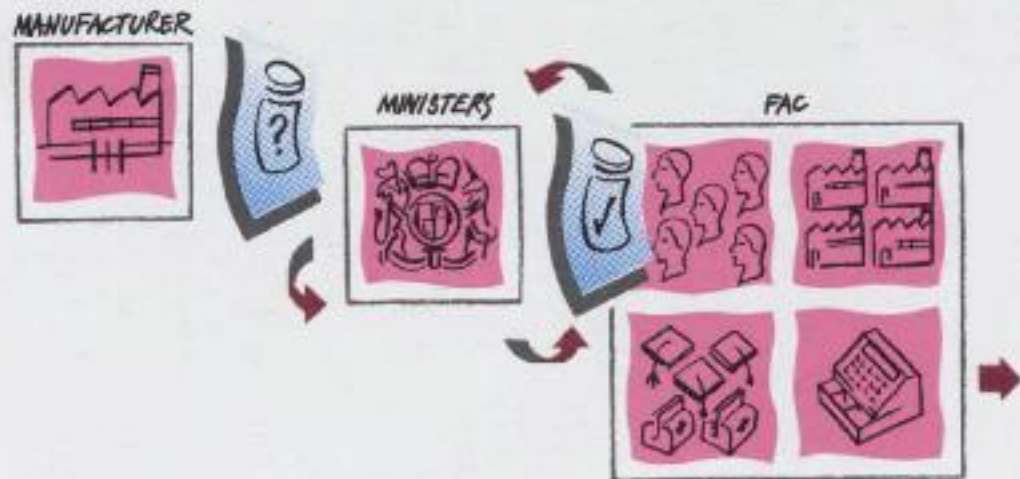


**B**efore an additive is permitted for use, it must go through a long process of approval.

Before the process begins, research is carried out by the manufacturer. This must produce evidence that will convince the Government that any proposed new additives are useful and safe. As such research is extremely expensive, no manufacturer will undertake this expenditure lightly.

Proposed additives are considered by five UK Government Departments concerned with health and food.

## WHAT IS NECESSARY ?



**T**he first step is to determine if a proposed new additive is necessary. This is the job of the Food Advisory Committee, which advises UK health and food ministers. The members of the Committee are drawn from many fields independent of government in order to advise on food issues.

Its current Chairman is head of a food research institute. There are five members of the Committee who are from consumer or enforcement bodies, four from the food industry, five from the medical and academic professions and one retailer.



## CONTROLS of ADDITIVES

The manufacturer must show the Committee that the new additive will be of clear benefit to the consumer – one that cannot be achieved by an already approved additive or other means.

What kind of benefits? The Committee take into account six needs:

- the need to keep food wholesome until it is eaten;



- the need for it to be attractively presented;



- the extension of choice of diet;

- the convenience of purchasing, packaging, storage, preparation, and use;



- and any economic advantage (such as longer shelf-life or reduced price).



- the need for nutritional supplement;

## WHAT IS SAFE?



If the Food Advisory Committee decides that there is a proven need for the new additive, then its safety is examined. The proposal is passed on to the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT). COT advises a number of Departments on the safety of chemicals. Its 14 members are expert toxicologists from academia, medicine, and research.

It looks at the results of the manufacturer's own research and consults other sources to judge the safety of the new additive.

## CONTROLS OF ADDITIVES



It can cost about £1 million to carry out the necessary research. The Committee looks at this research for flaws or gaps that raise question marks about safety. The results themselves may also raise questions about safety. The Committee looks at similar research done by institutes, or reports from international organisations such as the World Health Organisation and the European Community. It also scans all published research in the field and can invite other committees to look at the evidence. The Committee makes a judgement based on the available evidence about whether or not an additive is likely to be safe for use in food.

It can then recommend that an additive be permitted or be permitted for use for a certain time during which further information about it must be made available.

It can also recommend that an additive not be used until further research is done – or that it not be used at all. It can also make recommendations about permitted amounts.

## WHAT IS PERMITTED?

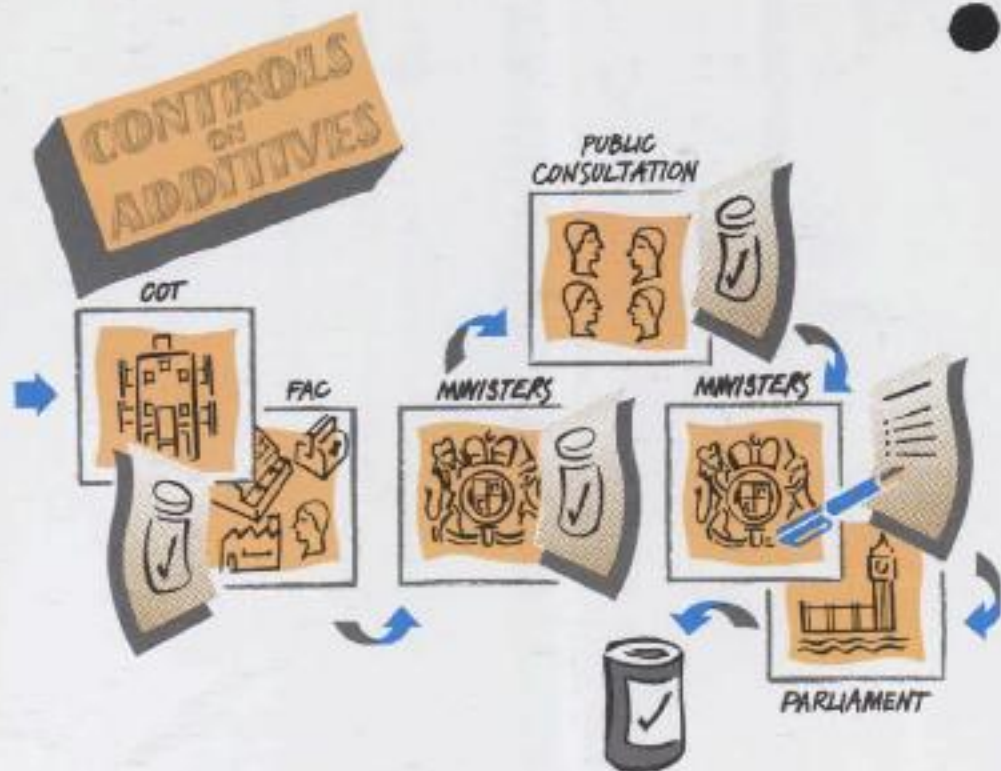


The FAC considers this advice. It makes the final recommendation to health and food Ministers about whether the additive should be used and under what conditions. The FAC also from time to time reviews all the additives in each category. Reports of its Reviews are published for public comment.

If the additive is a preservative or one of the other categories considered by the European Community, the EC must also approve it. Another long process of approval is necessary.

If the additive is then approved by the European Community, or if it does not need their approval, Ministers jointly draw up proposed regulations about the new additive.





The proposed regulations are then made public. They are circulated to up to 750 individuals and organisations. A press notice advising the media is also issued.

Comments on the regulations are received and considered. If no new compelling evidence has come to light, the regulations will be signed jointly by Ministers. The regulations will then be laid before Parliament and Members can object within 40 days.

## WHAT IS NUMBERED?



The approved additive usually has a number – without an E if it is controlled by the UK but not yet by the European Community. Some approved additives like sweeteners will not be given numbers until European numbers are assigned. They must be listed on labels and their use, like those with numbers, may be restricted – the amount may be controlled; they may have to come up again for review.

And if it's been used, the information must appear on the label. If you choose, you can buy the product, knowing that the new additive in it has been tested and examined.



## THE BALANCED APPROACH

It is illegal to put anything into food that will injure health. Category by category, existing additives have been tested and brought under control. The most important categories are already controlled. The main category still under consideration is flavourings. These are now being considered by the European Community.

Additives in the controlled categories have been shown to be useful and acceptable for use in food, but by law all additives must be safe. As this booklet has tried to show, the word 'safe' means safe for almost everyone, except for those very few people who have adverse reactions to additives. (It's worth remembering that many more people appear to have adverse reactions to naturally occurring foods.) It means safe within the permitted amounts and based on current knowledge.

The negative side of additives has been given publicity. In making your own mind up about them, remember the benefits they bring –

not just longer shelf-life for food, but a greater variety, more convenience or more reliable, uniform quality. Preservatives protect the wholesomeness of food. Some of the most lethal agents are poisons produced by the microbes that preservatives shield against. Antioxidants protect fat-soluble vitamins. Emulsifiers and stabilisers make possible many foods that can be part of a diet with reduced fat.



The point of this booklet is to give you information to help you choose. There is a continuing debate about additives and food. If you want more information or views from both sides of the debate, a reading list follows. There is also a guide to understanding food labels, and a complete list of additives and their numbers and what they do.



## FURTHER READING

### BRITISH FOOD MANUFACTURING INDUSTRIES RESEARCH ASSOCIATION

Food additives: descriptions, functions and UK legislation, by N.R. Jones and D.W. Flowerdew. 3rd ed. Leatherhead, £30.00, 1982 – looseleaf.

### CHEMICAL INDUSTRIES ASSOCIATION LTD

The chemistry on your table: additives take nothing away. London, 1983.

### EUROPEAN COMMUNITIES COMMISSION

Food additives and the consumer. Luxembourg, 1980.

### FOOD AND DRINK FEDERATION

Food additives. London, (free), 1984.

### HANSSSEN, M. ed.

E for additives supermarket shopping guide. Wellingborough, Thorsons, £1.99, 1986.

### HANSSSEN, M. & MARSDEN, J.

E for additives: the completely revised best selling 'E' number guide. Wellingborough, Thorsons, £3.50, 1987.

### INSTITUTE OF FOOD SCIENCE AND TECHNOLOGY

Food additives – the professional and scientific approach. (£3.50) The Executive Secretary, Institute of Food Science and Technology, 20 Queensbury Place, London SW7 2DR, 1986.

### MAFF FOOD ADDITIVES AND CONTAMINANTS COMMITTEE, AND FOOD ADVISORY COMMITTEE

Reports – listed in HMSO Sectional List no. 1

### GIBSON, G.G. & WALKER, R. eds.

Food toxicology: real or imaginary problems? London, Taylor and Francis, £40.00, 1985.

### MILLER, M.

Danger! additives at work: a report on food additives: their use and control. London, London Food Commission, £5.00, 1985.

### MILLSTONE, E AND ABRAHAM, J.

Additives – a guide for everyone. Penguin Books, £3.95, 1988.

### NATIONAL DAIRY COUNCIL

Food additives in focus. (free) National Dairy Council, 5-7 John Princes Street, London W1 0AP, 1986.

### PULLING, J.

Additives: a shopper's guide: a supermarket guide to popular processed foods. London, Century, Hutchinson, £2.95, 1985.

### WHEELOCK, V.

Food additives in perspective: a review of current issues with particular reference to consumers, industry, and government. (£9.50) Food Policy Research, School of Biomedical Science, University of Bradford, Bradford BD1 1DP, 1988.

There are a number of booklets produced by food manufacturers and food retailers. Speak to your local supermarket manager or write to food manufacturers.





## UNDERSTANDING THE LABEL

Here are examples of four ingredient lists.

They show what the manufacturer has used to produce the food, in order of the amount used. The first ingredient listed is used in the greatest amount, the last one is used in the smallest amount.

Other things to be aware of when reading ingredient lists are pointed out.

For more information about such things as sell-by dates or lists of nutrients, ask for the Ministry of Agriculture leaflet **Look at the Label**.

### BLACK FOREST GATEAU

Ingredients must be listed in descending order of weight. Here, dairy cream is the largest ingredient.

These additives are only in the chocolate-flavour strands. E414 gum arabic is a permitted stabiliser, but here it is used as a glazing agent and is labelled accordingly.

(Chemically) modified starches are only indicated by the generic name 'modified starch'.

Some serial numbers do not have an 'E' prefix, because the additives have not been fully evaluated by the European Community. Here, 155 is chocolate brown HT and 476 is polyglycerol pelycinoate.

The ingredients list must include all additives which perform a function in the final product.

#### INGREDIENTS

Dairy Cream, Sugar, Chocolate Flavour Strands (contains Emulsifier E322, Glazing Agents 904, E414, Flour, Skimmed Milk, Egg), Glaze Cherries (contains Preservatives E202, E220, Colour E127) Morello Cherries, Vegetable Fat, Cocoa, Dextrose, Cornflour, Modified Starch, Soya Flour, Emulsifiers (E322, E471, E475, 476), Salt, Stabilisers (E401, E405), Colours (155, E102, E110, E122, E123, E124, E132, E142, E151), Kirsch, Flavourings, Gelling Agent (E410), Acidity Regulator (E331), Preservative (E211).

Only the category name need be used for flavourings.

The smallest ingredient by weight is the last on the list. E211 is sodium benzoate.

The category name must be accompanied by either the serial number identifying the additive or its chemical name (or both) for most categories of additives. For this label, the manufacturer has chosen the serial numbers.

Dextrose (glucose) and salt are not classed as additives.

E410 locust bean gum is a permitted stabiliser, but here it is used as a gelling agent.

Here the acidity regulator is the 'buffer' E331, sodium salts of citric acid.

### WHOLE ORANGE DRINK

This food manufacturer has chosen to use the chemical names of additives instead of their serial numbers.

Only the category name need be included for flavourings.

Although beta-carotene is a permitted colour, and is being used as a colour in this drink, it is also a source of vitamin A.

#### INGREDIENTS, AFTER DILUTION:

Water, Sugar, Glucose Syrup, Comminuted oranges, Citric acid, Preservatives Sodium benzoate, Sodium metabisulphite, Artificial Sweetener (Saccharin), Vitamin C, Flavourings, Colour (Beta-carotene - Provides Vitamin A)

It is not necessary to use the category name for additives which function as 'acids' in foods and whose chemical name includes the word 'acid'.

Saccharin does not have a serial number so that it must be indicated by the category 'artificial sweetener' and its chemical name.

Vitamin C is the same chemical as the antioxidant E300 L - ascorbic acid. Here, however, it is being used as a vitamin.

### BAKED BEANS - REDUCED SALT AND SUGAR

#### INGREDIENTS:

Beans, Tomatoes, Water, Sugar (2%), Modified Starch, Salt (0.8%), Onion, Spices, Artificial Sweetener Saccharin

Saccharin does not have a number, so that it must be indicated by the category name 'artificial sweetener' and the chemical name.

Added water is labelled if more than 5% of the total weight.

(Chemically) modified starches are only indicated by the generic name 'modified starch'.

### SUGAR-FREE MINTS

#### INGREDIENTS:

Hydrogenated Glucose Syrup, Peppermint Oil

The larger ingredient is an additive, the sweetener hydrogenated glucose syrup. This is used instead of sugar (sucrose). There is no category name for non-artificial sweeteners,

and these additives do not have a serial number, so that only the chemical name appears on the label when hydrogenated glucose syrup is an ingredient.



# THE NUMBERS IDENTIFIED

To find a particular additive on this list, look first at its category as listed on the label - for example, Colour or Preservative. Additives are listed in numerical order within each category. Those without numbers are listed alphabetically at the end of each section. The list also tries to give an idea of foods in which each additive is used. Many additives can be used for similar functions. These additives are listed together in tinted boxes. Examples of foods in which they might be used are given at the bottom of each box. The uses given are merely examples - they do not represent the only uses to which the additives are put nor are they meant to imply that these are the only uses allowed by law.

## ANTIOXIDANTS

STOP FATTY FOODS FROM GOING RANCID AND PROTECT FAT-SOLUBLE VITAMINS FROM THE HARMFUL EFFECTS OF OXIDATION.

- E300 L-ascorbic acid = fruit drinks; also used to improve flour and bread dough
- E301 sodium L-ascorbate =
- E302 calcium L-ascorbate =
- E304 6-O-palmitoyl-L-ascorbic acid (ascorbyl palmitate) = scotch eggs
- E306 extracts of natural origin rich in tocopherols = vegetable oils
- E307 synthetic alpha-tocopherol = cereal-based baby foods
- E308 synthetic gamma-tocopherol =

- E309 synthetic delta-tocopherol =
- E310 propyl gallate = vegetable oils; chewing gum
- E311 acyl gallate =
- E312 dodecyl gallate =
- E320 butylated hydroxyanisole (BHA) = beef stock cubes; cheese spread
- E321 butylated hydroxytoluene (BHT) = chewing gum
- E322 lecithins = low fat spreads; also used as an emulsifier in chocolate

**diphenylamine** =  
**ethoxyquin** = used to prevent 'scald' (a discolouration) on apples and pears

## COLOURS

MAKE FOOD MORE COLOURFUL, COMPENSATE FOR COLOUR LOST IN PROCESSING.

- E100 curcumin = flour confectionery, margarine
- E101 riboflavin = sauces
- E101(a) riboflavin-5'-phosphate =
- E102 tartrazine = soft drinks
- E104 quinoline yellow =
- E110 sunset yellow FCF = biscuits
- E120 cochineal = alcoholic drinks
- E122 carmoisine = jams and preserves
- E123 amarant =
- E124 ponceau 4R = dessert mixes
- E127 erythrosine = glace cherries
- E28 red 2G = sausages
- E131 patent blue V =
- E132 indigo carmine =
- E133 brilliant blue FCF = canned vegetables
- E140 chlorophyll =
- E141 copper complexes of chlorophyll and chlorophyllins =
- E142 green S = pastilles
- E150 caramel = beer, soft drinks, sauces, gravy browning
- E151 black PN =
- E153 carbon black (vegetable carbon) = liquorice
- E154 brown FK = kippers
- E155 Brown HT (chocolate brown HT) = chocolate cake

- E160(a) alpha-carotene; beta-carotene; gamma-carotene = margarine, soft drinks
- E160(b) annatto; bixin; norbixin = crisps
- E160(c) capsanthin; capsorubin =
- E160(d) lycopene =
- E160(e) beta-apo-8' carotenal =
- E160(f) ethyl ester of beta-apo-8' carotenonic acid =
- E161(a) flavoxanthin =
- E161(b) lutein =
- E161(c) cryptoxanthin =
- E161(d) rubixanthin =
- E161(e) violaxanthin =
- E161(f) rhodoxanthin =
- E161(g) canthaxanthin =
- E162 beetroot red (betanin) = ice-cream, liquorice
- E163 anthocyanins = yoghurt
- E171 titanium dioxide = sweets
- E172 iron oxides; iron hydroxides =
- E173 aluminium =
- E174 silver =
- E175 gold = cake decorations
- E180 pigment rubine (Ethel rubine BK) =  
methyl violet = used for the surface marking of citrus fruit  
paprika = canned vegetables  
saffron; crocin =  
sandalwood; santalin =  
turmeric = soups

## EMULSIFIERS AND STABILISERS

ENABLE OILS AND FATS TO MIX WITH WATER IN FOODS, ADD TO SMOOTHNESS AND CREAMINESS OF TEXTURE, RETARD BAKED GOODS GOING STALE.

- E400 alginate = ice-cream; soft cheese
- E401 sodium alginate = cake mixes
- E402 potassium alginate =
- E403 ammonium alginate =
- E404 calcium alginate =
- E405 propene-1,2-diol alginate (propylene glycol alginate) = salad dressings; cottage cheese
- E406 agar = ice-cream
- E407 carrageenan = quick setting jelly mixes; milk shakes
- E410 locust bean gum (carrab gum) = salad cream
- E412 guar gum = packet soups and meringue mixes
- E413 tragacanth = salad dressings; processed cheese
- E414 gum arabic (acacia) = confectionery
- E415 xanthan gum = sweet pickle; coleslaw
- E416 karaya gum = soft cheese; brown sauce
- E432 polyoxyethylene (20) sorbitan monooleate (Polysorbate 20) =
- E433 polyoxyethylene (20) sorbitan mono-oleate (Polysorbate 80) =
- E434 polyoxyethylene (20) sorbitan monopalmitate (Polysorbate 40) =
- E435 polyoxyethylene (20) sorbitan monooleate (Polysorbate 60) =
- E436 polyoxyethylene (20) sorbitan tristearate (Polysorbate 65) = bakery products; confectionery creams
- E440(a) pectin =
- E440(b) amidated pectin =
- pectin extract = jams and preserves
- E442 ammonium phosphatides = cocoa and chocolate products
- E460 microcrystalline cellulose = grated cheese
- alpha-cellulose (powdered cellulose) = slimming bread
- E461 methylcellulose = low fat spreads
- E463 hydroxypropylcellulose =

- E464 hydroxypropylmethylcellulose = edible ices
- E465 ethylmethylcellulose = gâteaux
- E466 carboxymethylcellulose, sodium salt (CMC) = jelly; gâteaux
- E470 sodium, potassium and calcium salts of fatty acids = cake mixes
- E471 mono- and di-glycerides of fatty acids = frozen desserts
- E472(a) acetic acid esters of mono- and di-glycerides of fatty acids = mousse mixes
- E472(b) lactic acid esters of mono- and di-glycerides of fatty acids = dessert topping
- E472(c) citric acid esters of mono- and di-glycerides of fatty acids = continental sausages
- E472(e) mono- and diacetyltartaric acid esters of mono- and di-glycerides of fatty acids = bread; frozen pizza
- E473 sucrose esters of fatty acids =
- E474 mono-glycerides = edible ices
- E475 polyglycerol esters of fatty acids = cakes and gâteaux
- E476 polyglycerol esters of polycondensed fatty acids of castor oil (polyglycerol polyricinoleate) = chocolate-flavour coatings for cakes
- E477 propene-1,2-diol esters of fatty acids = instant desserts
- E481 sodium stearyl-2-lactylate = bread, cakes and biscuits
- E482 calcium stearoyl-2-lactylate = gravy granules
- E483 stearyl tartrate =
- E491 sorbitan monooleate =
- E492 sorbitan tristearate =
- E493 sorbitan monooleate =
- E494 sorbitan mono-oleate =
- E495 sorbitan monopalmitate = cake mixes

extract of quillins = used in soft drinks to promote foam  
oxidatively polymerised soya bean oil =  
polyglycerol esters of dimerised fatty acids of soya bean oil = emulsions used to grease bakery tins

## PRESERVATIVES

PROTECT FOOD AGAINST MICROBES WHICH CAUSE SPOILAGE AND FOOD POISONING. THEY ALSO INCREASE STORAGE LIFE OF FOODS.

- E200 sorbic acid = soft drinks; fruit yoghurt; processed cheese slices
- E201 sodium acorbate =
- E202 potassium sorbate =
- E203 calcium sorbate = frozen pizza; flour confectionery
- E210 benzoic acid =
- E211 sodium benzoate =
- E212 potassium benzoate =
- E213 calcium benzoate =
- E214 ethyl 4-hydroxybenzoate (ethyl para-hydroxybenzoate) =
- E215 ethyl 4-hydroxybenzoate, sodium salt (sodium ethyl para-hydroxybenzoate) =
- E216 propyl 4-hydroxybenzoate (propyl para-hydroxybenzoate) =
- E217 propyl 4-hydroxybenzoate, sodium salt (sodium propyl para-hydroxybenzoate) =
- E218 methyl 4-hydroxybenzoate (methyl para-hydroxybenzoate) =
- E219 methyl 4-hydroxybenzoate, sodium salt (sodium methyl para-hydroxybenzoate) = beer, jam, salad cream, soft drinks, fruit pulp, fruit-based pie fillings, marinated herring and mackerel
- E220 sulphur dioxide =
- E221 sodium sulphite =
- E222 sodium hydrogen sulphite (sodium bisulphite) =
- E223 sodium metabisulphite =
- E224 potassium metabisulphite =
- E225 calcium sulphite =
- E227 calcium hydrogen sulphite (calcium bisulphite) = dried fruit, dehydrated vegetables, fruit juices and syrups, sausages, fruit-based dairy desserts, cider, beer and wine; also used to prevent browning of raw peeled potatoes and to condition biscuit doughs

- E220 biphenyl (diphenyl) =
- E231 2-hydroxybiphenyl (orthophenylphenol) =
- E232 sodium biphenyl-2-yl oxide (sodium orthophenylphenate) = surface treatment of citrus fruit
- E233 2-(thiazol-4-yl) benzimidazole (thiabendazole) = surface treatment of bananas
- E234 nisin = cheese, clotted cream
- E239 hexamine (hexamethylenetetramine) = marinated herring and mackerel
- E249 potassium nitrite =
- E254 sodium nitrite =
- E251 sodium nitrate =
- E252 potassium nitrate = bacon, ham, cured meats, corned beef and some cheeses
- E280 propionic acid =
- E281 sodium propionate =
- E282 calcium propionate =
- E283 potassium propionate = bread and flour confectionery, Christmas pudding

## SWEETENERS

THERE ARE TWO TYPES OF SWEETENERS - INTENSE SWEETENERS AND BULK SWEETENERS. INTENSE SWEETENERS HAVE A SWEETNESS MANY TIMES THAT OF SUGAR AND ARE THEREFORE USED AT VERY LOW LEVELS - THEY ARE MARKED WITH \*\* IN THE LIST BELOW. BULK SWEETENERS HAVE ABOUT THE SAME SWEETNESS AS SUGAR AND ARE USED AT THE SAME SORT OF LEVELS AS SUGAR.

\*acesulfame potassium = canned foods, soft drinks, table-top sweeteners  
\*aspartame = soft drinks, yoghurts, dessert and drink mixes, sweetening tablets

- hydrogenated glucose syrup =
- isomalt =
- E421 mannitol = sugar-free confectionery
- \*saccharin =
- \*sodium saccharin =
- \*calcium saccharin = soft drinks, cider, sweetening tablets, table-top sweeteners
- E420 sorbitol; sorbitol syrup = sugar-free confectionery, jams for diabetics
- \*thaumatin = table-top sweeteners, yoghurt
- xylinol = sugar-free chewing gum



# O T H E R S

ACIDS, ANTI-CAKING AGENTS, ANTI-FOAMING AGENTS, BASES, BUFFERS, BULKING AGENTS, FIRMING AGENTS, FLAVOUR MODIFIERS, FLOUR BLEACHING AGENTS, FLOUR IMPROVERS, GLAZING AGENTS, HUMECTANTS, LIQUID FREEZANTS, PACKAGING GASES, PROPELLANTS, RELEASE AGENTS, SEQUESTRANTS AND SOLVENTS.

- E170** calcium carbonate = base, firming agent, release agent, diluent; nutrient in flour
- E260** acetic acid =
- E261** potassium acetate =
- E262** sodium hydrogen diacetate =
- E262** sodium acetate = acid/acidity regulators (buffers) used in pickles, salad cream and bread; they contribute to flavour and provide protection against mould growth
- E263** calcium acetate = firming agent; also provides calcium which is useful in quick-set jelly mix
- E270** lactic acid = acid/flavouring protects against mould growth; salad dressing, soft margarine
- E290** carbon dioxide = carbonating agent/packaging gas and propellant; used in fizzy drinks
- E296** DL-malic acid; L-malic acid =
- E297** fumaric acid = acid/flavouring; used in soft drinks, sweets, biscuits, dessert mixes and pie fillings
- E325** sodium lactate = buffer, humectant; used in jams, preserves, sweets, flour confectionery
- E326** potassium lactate = buffer; jams, preserves and jellies
- E327** calcium lactate = buffer, firming agent; canned fruit, pie filling
- E330** citric acid =
- E331** sodium dihydrogen citrate (monosodium citrate); disodium citrate; trisodium citrate =
- E332** potassium dihydrogen citrate (monopotassium citrate); tripotassium citrate =
- E333** monocalcium citrate; dicalcium citrate; tricalcium citrate = acid/flavourings, buffers, sequestrants, emulsifying salts (calcium salts are firming agents); used in soft drinks, jams, preserves, sweets, UHT cream, processed cheese, canned fruit, dessert mixes, ice-cream
- E334** L-(+)-tartaric acid =
- E335** monosodium L-(+)-tartrate; disodium L-(+)-tartrate =
- E336** monopotassium L-(+)-tartrate (cream of tartar); dipotassium L-(+)-tartrate =
- E337** potassium sodium L-(+)-tartrate = acid/flavourings, buffers, emulsifying salts, sequestrants; used in soft drinks, biscuit creams and fillings, sweets, jams, dessert mixes and processed cheese
- E338** orthophosphoric acid (phosphoric acid) = acid/flavourings; soft drinks, cocoa
- E339** sodium dihydrogen orthophosphate; disodium hydrogen orthophosphate; trisodium orthophosphate =
- E340** potassium dihydrogen orthophosphate; dipotassium hydrogen orthophosphate; tripotassium orthophosphate = buffers, sequestrants, emulsifying salts; used in dessert mixes, non-dairy creamers, processed cheese
- E341** calcium tetrahydrogen diorthophosphate; calcium hydrogen orthophosphate; tricalcium diorthophosphate = firming agent, anti-caking agent, raising agent; cake mixes, baking powder, dessert mixes
- E350** sodium malate; sodium hydrogen malate =
- E351** potassium malate = buffers, humectants; used in jams, sweets, cakes, biscuits
- E352** calcium malate; calcium hydrogen malate = firming agent in processed fruit and vegetables
- E353** metatartric acid = sequestrant; used in wine
- E355** adipic acid = buffer/flavouring; sweets, synthetic cream desserts
- E363** succinic acid = buffer/flavouring; dry foods and beverage mixes
- E370** 1,4-heptanediol = acid, sequestrant; dried soups, instant desserts
- E375** nicotinic acid = colour stabiliser and nutrient; bread, flour, breakfast cereals
- E380** triammonium citrate = buffer, emulsifying salt; processed cheese
- E381** ammonium ferric citrate = dietary iron supplement; bread
- E385** calcium disodium ethylenediamine-NNN'-tetra-acetate (calcium disodium EDTA) = sequestrant; canned shellfish
- E422** glycerol = humectant, solvent; cake icing, confectionery
- E453(a)** disodium dihydrogen diphosphate; trisodium diphosphate; tetrasodium diphosphate; tetrapotassium diphosphate =
- E453(b)** potassium triphosphate; pentapotassium triphosphate =
- E453(c)** sodium polyphosphates, potassium polyphosphates = buffers, sequestrants, emulsifying salts, stabilisers, texturisers, raising agents; used in whipping cream, fish and meat products, bread, processed cheese, canned vegetables
- E500** sodium carbonate; sodium hydrogen carbonate (bicarbonate of soda); sodium sesquicarbonate =
- E501** potassium carbonate; potassium hydrogen carbonate = bases, aerating agents, diluents; used in jams, jellies, self-raising flour, wine, cocoa
- E503** ammonium carbonate; ammonium hydrogen carbonate = buffer, aerating agent; cocoa, biscuits
- E504** magnesium carbonate = base, anti-caking agent, water biscuits, icing sugar
- E507** hydrochloric acid =
- E508** potassium chloride = gelling agent, salt substitute; table salt replacement
- E509** calcium chloride = firming agent in canned fruit and vegetables
- E510** ammonium chloride = yeast food in bread
- E513** sulphuric acid =
- E514** sodium sulphate = diluent for colours
- E515** potassium sulphate = salt substitute
- E516** calcium sulphate = firming agent and yeast food; bread
- E518** magnesium sulphate = firming agent
- E524** sodium hydroxide = base; cocoa, jams and sweets

- E525** potassium hydroxide = base; sweets
- E526** calcium hydroxide = firming agent, neutralising agent; sweets
- E527** ammonium hydroxide = diluent and solvent for food colours, base; cocoa
- E528** magnesium hydroxide = base; sweets
- E529** calcium oxide = base; sweets
- E530** magnesium oxide = anti-caking agent; cocoa products
- E535** sodium ferrocyanide =
- E536** potassium ferrocyanide = anti-caking agents in salt; crystallisation aids in wine
- E540** dicalcium diphosphate = buffer, neutralising agent; cheese
- E541** sodium aluminium phosphate = acid, raising agent; cake mixes, self-raising flour, biscuits
- E542** edible base phosphate = anti-caking agent
- E544** calcium polyphosphates = emulsifying salt; processed cheese
- E545** ammonium polyphosphates = emulsifier, texturiser; frozen chicken
- E551** silicon dioxide (silica) = anti-caking agent; skimmed milk powder, sweeteners
- E552** calcium silicate = anti-caking agent, release agent; icing sugar, sweets
- E553(a)** magnesium silicate synthetic; magnesium trisilicate = anti-caking agent; sugar confectionery
- E553(b)** talc = release agent; tableted confectionery
- E554** aluminium sodium silicate =
- E556** aluminium calcium silicate =
- E558** bentonite =
- E559** kaolin =
- E570** stearic acid = anti-caking agents
- E572** magnesium stearate = emulsifier, release agent; confectionery
- E575** D-glucose-1,5-lactone (glucose delta-lactone) = acid, sequestrant; cake mixes, continental sausages
- E576** sodium gluconate =
- E577** potassium gluconate = sequestrants
- E578** calcium gluconate = buffer, firming agent, sequestrant; jams, dessert mixes
- E620** L-glutamic acid =
- E621** sodium hydrogen L-glutamate (monosodium glutamate; MSG) =
- E622** potassium hydrogen L-glutamate (monopotassium glutamate) =
- E623** calcium dihydrogen di-L-glutamate (calcium glutamate) =
- E627** guanosine 5'-disodium phosphate (sodium guanylate) =
- E631** inosine 5'-disodium phosphate (sodium inosinate) =
- E635** sodium 5'-ribonucleotide = flavour enhancers used in savoury foods and snacks, soups, sauces and meat products
- E636** maltol =
- E637** ethyl maltol = flavourings, flavour enhancers used in cakes and biscuits
- E900** dimethylpolysiloxane = anti-foaming agent
- E901** beeswax =
- E903** carnauba wax = glazing agents used in sugar and chocolate confectionery
- E904** shellac = glazing agent used to wax apples
- E905** mineral hydrocarbons = glazing/coating agent used to prevent dried fruit sticking together
- E907** refined microcrystalline wax = release agent, chewing gum
- E920** L-cysteine hydrochloride =
- E924** potassium bromate =
- E925** chlorine =
- E926** chlorine dioxide =
- E927** azodicarbonamide = flour treatment agents used to improve the texture of bread, cake and biscuit doughs
- aluminium potassium sulphate = firming agent; chocolate-coated cherries
- 2-aminethanol = base; caustic lye used to peel vegetables
- ammonium dihydrogen orthophosphate; diammonium hydrogen orthophosphate = buffer, yeast food
- ammonium sulphate = yeast food
- benzoyl peroxide = bleaching agent in flour
- butyl stearate = release agent
- calcium heptanoate = firming agent, sequestrant; prepared fruit and vegetables
- calcium phytate = sequestrant; wine
- dichlorodifluoromethane = propellant and liquid freezant; used to freeze food by immersion
- diethyl ether = solvent
- disodium dihydrogen ethylenediamine-NNN'-tetra-acetate (disodium dihydrogen EDTA) = sequestrant; brandy
- ethanol (ethyl alcohol) =
- ethyl acetate =
- glycerol mono-acetate (monocetate) =
- glycerol di-acetate (diacetate) =
- glycerol tri-acetate (triacetate) = solvents used to dilute and carry food colours and flavourings
- glycine = sequestrant, buffer, nutrient
- hydrogen =
- nitrogen = packaging gases
- nitrous oxide = propellant used in aerosol packs of whipped cream
- octadecylammonium acetate = anti-caking agent in yeast foods used in bread
- oxygen = packaging gas
- oxystearic = sequestrant, fat crystallisation inhibitor; salad cream
- polydextrose = bulking agent; reduced and low calorie foods
- propene-1,2-diol (propylene glycol) =
- propan-2-ol (isopropyl alcohol) = solvents used to dilute colours and flavourings
- sodium heptanoate = sequestrant; edible oils
- spermaceti =
- sperm oil = release agents
- tannic acid = flavouring, clarifying agent; beer, wine and cider



FURTHER COPIES OF THIS BOOKLET CAN BE OBTAINED ON REQUEST FROM

**In England and Wales:**  
Ministry of Agriculture, Fisheries and Food,  
Publications Unit,  
Lion House,  
Wilkinson Trading Estate,  
Alwick,  
Northumberland NE66 3PL

**In Northern Ireland:**  
The Department of Health and Social Services,  
Food Control Branch,  
Annex A,  
Dunbrack House,  
Upper Newwards Road,  
Belfast BT4 3SF

**In Scotland:**  
Department of Agriculture and Fisheries for Scotland,  
Foods Branch,  
Room 006,  
Chesser House,  
Gorgie Road,  
Edinburgh EH11 3AW



ANNEX II



*Government* **F O O D**

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**S U R V E I L L A N C E**



**surveillance** (say sir-vay-l'nce) noun  
a close watch or guard.  
[French]

**surve** (say sir-vay-l'nce) verb

# Government **F O O D** **S U R V E I L L A N C E**

Everything we eat and drink is a mixture of chemicals - just as we are ourselves.

There is a wide range of chemicals in the enormous variety of foodstuffs available today.

The Government's food surveillance system ensures that scientists are constantly monitoring our food and drink, analysing and evaluating the types and quantities of the chemicals present.

If, for example, toxins, pesticides or metals are found, their concentrations are measured and their effects on our health carefully assessed.

Any cause for concern is acted upon. Government is advised and the appropriate remedial action is taken.

In this booklet, you will learn how Food Surveillance works and acts. You will realise the extent of the intense scientific activity on which food surveillance work is founded. You will see how 10 Working Parties report back to a senior Government committee. And you will see how you have full access to information through the publication of Food Surveillance Papers.



**MAFF**  
**FOOD SCIENCE**

# Government **F O O D** **S U R V E I L L A N C E**

## Who is testing what?

Surveillance of our food and drink has been carried out for many years. The work is co-ordinated by a senior Government committee, the Steering Group on Food Surveillance.

Under this senior committee, expert Working Parties make sure there are no adverse changes, for any reason, to the composition of our food or drink, by monitoring the 10 broad areas shown here.



### **FOOD WRAPPING COMPONENTS**

With the rapid and continuing increase in the use of plastic in food wrapping materials in recent years, there are continuous studies on the possible transfer of chemicals from wrappings into foodstuffs.

### **METALS**

This working party originally surveyed levels of mercury in tuna fish in 1971, and is currently completing investigations into the incidences in our diet of other metals, such as cadmium and lead, their effects and their sources.

### **VETERINARY DRUG RESIDUES**

Constant checks are made for undesirable residues of drugs used in food producing animals. This working party liaises closely with the MAFF State Veterinary Service, as well as carrying out its own programmes of surveillance and related research.

### **ADDITIVES**

Satisfying the need for authoritative information on our intake of food additives, initially from per capita estimates and working towards more detailed studies.

### **PESTICIDES**

It is estimated that without pesticides, some 30% of world crops would be lost before harvest. Surveillance constantly monitors pesticide residues in home-produced and imported foodstuffs, and in human tissues.

### **NITRATE, NITRITE, NITROSAMINES**

Nitrate in the diet comes from natural life processes, from nitrogenous fertilisers and from its use as a food preservative. Dietary intake is being monitored and studies undertaken into what happens to these substances after consumption. Current usages and practices are being investigated.

### **NUTRIENTS**

Surveillance plays a vital part in defining nutrient levels as new farming, food processing and storage methods develop, and as new foods come onto the UK market. Improved analytical methods provide more accurate measurements of the nutritional value of the national diet.

### **NATURAL TOXINS**

Assessing the incidences and levels of naturally occurring toxins in food is as relevant and as important as work on man-made chemicals in the diet. Certain bacteria, plants and fungi can have toxic effects.

### **INDUSTRIAL ORGANIC CONTAMINANTS IN THE ENVIRONMENT**

With increasing public interest in the possibility of contamination in the food chain from, for example, chemical works, this working party was established in 1986 to investigate this and related topics.

### **RADIONUCLIDES**

The Ministry has been monitoring radionuclides in foodstuffs, and in agricultural and marine materials, since the 1950s. There is extensive monitoring of produce from around nuclear sites and, currently, of the after-effects of Chernobyl.

## **STEERING GROUP ON FOOD SURVEILLANCE**



# Government FOOD SURVEILLANCE

## How is food tested?

Surveillance is looking for problems *before* they develop. This is the most effective way of protecting the consumer and plays a vital role in support of our legislation.

Samples may be bought specially, obtained from production lines, or at any stage in the growing or rearing processes.

Surveillance information is constantly being produced and assessed. Thousands of samples are analysed each year. Surveillance has developed some exceptionally sophisticated techniques, able to detect concentrations of some chemicals to as low as *one part in one million million*.

*Its like looking for one particular speck of dust in four double-decker buses!*



## What happens to the findings?

There are regular reports from the Steering Group on Food Surveillance and from each Working Party. They are published and available in *Food Surveillance Papers* from HMSO.

If a problem seems to be indicated, then remedial action is proposed to the appropriate Government Department.

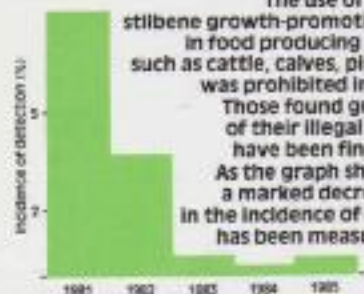
Findings can form the basis for policy and, ultimately, legislation. They can bring about revisions in manufacturing or growing methods; support home products; prevent environmental contamination; and protect us from foodstuffs imported from areas where regulations are less stringent.



# Government FOOD SURVEILLANCE

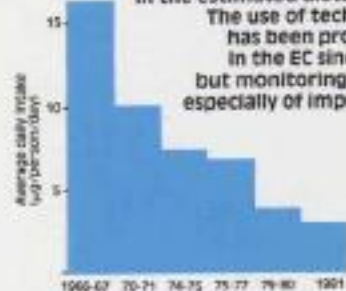
## STILBENE RESIDUES

The use of stilbene growth-promoting hormones in food producing animals such as cattle, calves, pigs and sheep, was prohibited in 1982. Those found guilty of their illegal use have been fined. As the graph shows, a marked decrease in the incidence of residues has been measured.



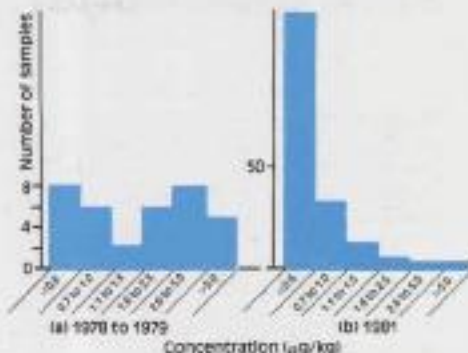
## HCH INTAKE

This chart shows that the general move towards less persistent pesticides in agriculture has led to a substantial decrease in the estimated dietary intake of HCH. The use of technical HCH has been prohibited in the EC since 1981, but monitoring continues, especially of imported foods.



## PVC BOTTLES

This graph shows the dramatic fall in the levels of vinyl chloride (VC) in PVC bottles since changes in production methods were initiated in 1974. This has greatly reduced the possibility of VC finding its way into the bottle's contents.



## NDMA IN BEER

The potentially harmful nitrosamine N-nitrosodimethylamine (NDMA) was found at low levels in beers in 1978. This was traced to the use of natural gas with e.g. its higher temperatures and lower sulphur content. Recommended changes in production methods resulted in significant reductions in NDMA levels by 1981.



## Any questions?

MAFF provides answers to questions on Food Surveillance in the form of reports from the Working Parties. There are also regular progress reports from the Steering Group on Food Surveillance, which give an overview of work and results, commentaries on work in progress and observations on future activity.

All Food Surveillance Papers can be purchased from HMSO. (Telephone orders on 01-622 3316).

The full list of Food Surveillance Papers is given on the next page.





# Government **F O O D**

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## **S U R V E I L L A N C E**

### *Papers*

<b>Food Surveillance Paper No.</b>	<b>Title</b>	<b>Date</b>
1	The surveillance of food contamination in the United Kingdom	1978
2	Survey of vinyl chloride content of polyvinyl chloride for food contact and of foods	1978
3	Survey of vinylidene chloride levels in food contact materials and in foods	1980
4	Survey of mycotoxins in the United Kingdom	1980
5	Survey of copper and zinc in food	1981
6	Survey of acrylonitrile and methacrylonitrile levels in food contact materials and in foods	1982
7	Survey of dieldrin residues in food	1982
8	Survey of arsenic in food	1982
9	Report of the Working Party on Pesticide Residues (1977-1981)	1982
10	Survey of lead in food: second supplementary report	1982
11	Survey of styrene levels in food contact materials and in foods	1983
12	Survey of cadmium in food: first supplementary report	1983
15	Polychlorinated biphenyl (PCB) residues in food and human tissues	1985
14	Steering Group on Food Surveillance progress report 1984	1984
15	Survey of aluminium, antimony, chromium, cobalt, indium, nickel, thallium and tin in food	1985
16	Report of the Working Party on Pesticide Residues (1982 to 1985)	1986
17	Survey of mercury in food: second supplementary report	1987
18	Mycotoxins	1987
19	Survey of colour usage in food	1987
20	Nitrate, nitrite and N-nitroso compounds in food	1987
21	Survey of plasticiser levels in food contact materials and in foods	1987
22	Anabolic, anthelmintic and antimicrobial agents	1987
23	The British diet: finding the facts	1988
24	Food Surveillance 1985 to 1988	1988





# LOOK AT THE LABEL



MINISTRY OF AGRICULTURE  
FISHERIES AND FOOD

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## INTRODUCTION

This booklet is about the kind of information you can expect to find on food labels. There is now a huge variety of foods available in the shops. So it is very important that enough information is there on the label to help you choose what to buy.

Food labels tell you more than you perhaps realise. A simple ingredients list can help you to judge a product's value for money and compare it with other products. Datemarking tells you how long a product will last if you follow the storage instructions. Nutrition labelling makes it easier to choose a healthier, more balanced diet.

This booklet is designed to help you understand what food labels mean, so that they can be of more help to you.



## FOOD LABELLING LAWS AND GUIDELINES

Food labelling regulations require labels to provide detailed information about food. For example, the label must tell you what the food is and what its ingredients are. Most foods have to be datemarked, and certain claims shown on labels about the benefits of foods must be supported by the information on the label.

There are specific labelling requirements for particular foods (see inside back cover to find out more about these). For example, bread and flour must be sold under names specified by law — such as 'wholemeal', 'brown' and 'white'. Labels on jam must indicate the amount of fruit and sugar used. Most meat products and spreadable fish products (like fish paste) must give the minimum meat or fish content. For some meats the amount of water that has been added to them must be declared. This booklet does not go into these special requirements, but you should know that different rules apply to certain products.

Some regulations set standards for the composition of certain foods, although the trend is to move away from rigid recipes. Today the main aims are to ensure that you know what you are getting and that it is safe and wholesome. The Government believes that, for most foods, having the information that you need about the product on the label is more important than restricting variety by controlling the details of ingredients. Then the choice is yours.



Information about nutrition — for example, how much energy a food provides, or how much fat it contains — is not required by law. But many manufacturers and retailers are now providing this information. The Government has issued guidelines to encourage them to present nutrition information in a standard way so that you can compare foods more easily. The decision about whether or not to provide nutrition information is being left to manufacturers and retailers, but it is expected that most will do so. In the future, a standardised presentation is likely to be required by law.

### IN A NUTSHELL

The main points you will see on a label are:

- the name or description of the food
- what it's made from
- how long you can keep it and under what conditions
- its weight, volume or number in the pack
- perhaps its place of origin
- preparation or cooking instructions where necessary
- the name and address of the manufacturer, packer or seller.

In addition, labels will increasingly show:

- nutrition information.

... and some may:

- claim particular benefits for a food.



## WHAT'S IN A NAME?

The most important thing to know about a food is what it actually is, and the name on the label must show this clearly. For some foods — like sugar, chocolate or salmon — the names which are used are set out in law. Labels on melons must show the species (such as 'Cantaloup' or 'Honeydew'), and labels on potatoes must show the variety (such as 'Desirée' or 'King Edward'). Other foods have customary names, not defined by law but known to most people, like jam tarts or muesli.

New foods, or foods which are not widely known, must have a name (or accompanying description) which clearly explains what they are — 'a hot chocolate drink', for example, or 'a crisp savoury pancake with cheese and ham filling'.



A trade mark, brand, fancy or invented name is no substitute for a clear name or description. The description *must* appear—the trade mark, brand or fancy name cannot be used on its own.

The name of the food must reflect its true nature and not mislead the customer. When a product has been processed in a particular way, the label must tell you—'smoked cheese', 'UHT cream', 'dried vegetables'. Similarly, strawberry yogurt can only be called 'strawberry' or 'strawberry flavoured', or show a picture of strawberries on the label, if its flavour comes mainly from real strawberries. If it tastes of strawberries but the flavour does not come mainly from strawberries, it can be called 'strawberry flavour' yogurt. In other words, it has the flavour of strawberries, but the flavour does not come from strawberries. The same principles apply to all other flavours.

## WHAT AM I EATING?

Labels on most pre-packed foods must include a complete list of ingredients. Although the actual quantities are not normally given, the ingredients must be listed in descending order of weight. In other words, the ingredient at the top of the list will be the one that weighed the most when it went into the food. Water added as an ingredient must be included in the list unless there is only a small amount.

Some ingredients are themselves made up of several ingredients: for example, the pasta in lasagne as a ready meal may be made of semolina flour, water and eggs, and these ingredients usually have to be given too. Other foods, such as butter or fresh fruit or vegetables, don't need an ingredients list because they are simple foods rather than processed or mixtures of foods.



If a particular ingredient is emphasised, as in this case, the percentage must be shown next to the name or in the ingredients list. This backs up such claims as 'with extra fruit'.

## ADDITIVES

The ingredients list must also show any additives that have been used as ingredients in foods. Most approved additives have an identifying number. The numbering system was introduced as a simple code to avoid putting long chemical names on labels. If the additive has been approved by the European Community, as well as by the United Kingdom, there is an 'E' in front of the number. An additive may be shown in the ingredients list either by its number or by its proper name or both. Usually a category name, such as 'preservative', must come before the additive to tell you its purpose.

If the preservative sorbic acid has been used in salad cream, the label will include:

either



or



One category of additives, flavourings, which are used in very small amounts in complex mixtures, are not currently controlled in this way, although, like all other additives, they can only be used in food if they are safe. Labels must state that flavourings have been used but need not list them by name. The European Community is now attempting the difficult task of regulating flavourings.

## THE CHOICE IS YOURS

Many people are concerned about additives and 'E' numbers. The information on the label is there to help you avoid certain additives if you wish. A few people do have adverse reactions to some additives, but many more are allergic to foods such as milk, strawberries or shellfish.



When making up your mind, remember that additives also bring positive benefits. Preservatives keep foods safe to eat for a longer time. Emulsifiers prevent mixtures from separating. These and other additives ensure that manufacturers are able to provide the very wide range of foodstuffs that consumers expect today. Additives are not allowed to be used until they have gone through a long approval process and have shown that they provide a positive benefit and are safe.

A free booklet *Food Additives: The Balanced Approach* is available if you would like more information.



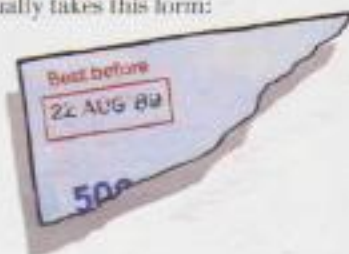


## IS IT FRESH?

Most foods must now carry a datemark. This helps retailers to keep their stocks up to date, and helps you to use foods while they are still at their best. The datemark is based on the minimum period of time that the food will stay as the manufacturer or packer intended. During that period, it should keep such characteristics as its flavour or crispness — so long as it is properly stored. Any conditions for keeping the food fresh, such as storing it in a fridge, *must* also be shown.

### BEST BEFORE

A datemark usually takes this form:



If the food will stay at its best for not more than three months, the year may be omitted. If the food will last *longer* than three months, the day may be omitted.

### SELL BY DATES

**Sell by** dates can be used for more perishable foods, such as yogurt, which should be eaten within six weeks of packaging.

**Sell by** dates look like this:



The label should also tell you that the food is best eaten within a certain number of days after purchase.



### USE BY DATES

**Sell by** dates will soon be replaced by **use by** dates for highly perishable foods which should be used by the date given on the packaging. **Use by** dates will look like this:



### SPLIT DATE MARK

Sometimes it is difficult to print the date beside the words **Sell by**, **Best before** or **Use by**. In that case, the label *must* tell you where to find the date. For example:

### FOOD SOLD AFTER THE DATE MARK

It's not illegal to sell a product simply because its datemark has expired. The food could still be sound and wholesome, but it may be past its best. The datemark alerts you to this possibility.

If the food is not in the condition expected, or if it has gone off and is not fit to eat, then it is an offence to sell it — even if the datemark has not expired. If you wish to complain, page 27 tells you what to do.

### FOOD WITH NO DATE MARK

Some foods don't have to carry a datemark. Either they last for a long time — longer than they would normally be on a shop shelf or in your cupboard — or you would normally eat them within a short time, and a datemark would not be practical. They include:

- food that lasts for more than 18 months, for example some canned goods;\*  
● most alcoholic drinks, except beer;  
● vinegar;  
● cooking salt;  
● sugar and sugar-based foods;  
● chewing-gum and similar products;  
● some cheeses, which improve while still in their packaging;  
● some breads and pastries;  
● fresh fruit and vegetables.

\*Marking cans with the date you bought them helps you to check your stock regularly and replace old food. Even cans don't last for ever.



Frozen foods do not carry a datemark, because their quality varies according to the temperature at which they are stored. Most of them are labelled with the voluntary star-marking system. This indicates how long the product will last at three different temperatures.

However, foods which last for more than 18 months, all cheeses and frozen foods will soon need to be datemarked too.



## WHAT ELSE MUST THE LABEL SHOW?

### NET QUANTITY

Under weights and measures legislation, for most foods the label must show the quantity either by net weight or by volume.

The symbol **e** next to the net quantity means that the European Community-based 'average' system of quantity control applies and that the actual quantity may be slightly above or below the given figure. But only very limited variations are acceptable.

Sometimes it is more useful to know how many items there are in a packet. In such cases — eggs or saccharin tablets, for example — the labels must show the number of items rather than the net weight or volume. They can of course show both.



### ALCOHOL CONTENT

Some drinks already show how much alcohol they contain. As from 1 May 1989, all alcoholic drinks will be required to indicate their alcoholic strength on the label. This will be given as the percentage of alcohol by volume: for instance, '40% vol.' or 'alcohol 40% vol.' on a bottle of Scotch whisky.

### PLACE OF ORIGIN

People don't expect all Bakewell tarts and Swiss rolls to come from Bakewell or Switzerland, because the names refer to particular types of cake. However, they might be surprised if Devon fudge had been made in Newcastle or Germany. If people are likely to be misled, the label must show where the food comes from.

### STORAGE AND USE

The label must give you any instructions that are needed to ensure that the food remains in good condition, and to tell you how you can make the best use of the food. It is important to follow these instructions.

Manufacturers base their datemarks on the assumption that food will be properly stored. If the label says 'keep in a cool place' or 'refrigerate after opening', the food is bound to go off more quickly if you don't.

Any special conditions of use must also be indicated. For example, some fat spreads are suitable only for spreading and should not be used for frying.

If it would be difficult to use food properly without instructions, these must be clearly given on the label. For instance, a cake mix would normally need preparation instructions on the packet which you would need to follow carefully for good results. Similarly instructions are required for foods that are to be cooked in a microwave oven.





## WHAT'S IN 100 GRAMS?

To help you compare products easily, labels show how much of a nutrient there is in 100 grams (about 3½ ounces) of the food, as it is sold to you. This also gives you an indication of the proportion of the nutrients you will take in with any helping of that food. If the instructions tell you to add milk, the nutrients in the milk are *not* included, so you won't get the impression that you are paying for nutrients which you are in fact adding yourself. The nutritional content of the final prepared dish may be shown as well. If the packet contains less than 100 grams of food, the label may show the nutritional content of what is in the packet, or in each individual serving of the packet.



## ENERGY AND THE MAIN NUTRIENTS

Not all manufacturers have the resources to provide a complete and detailed nutritional picture of their product. Some labels are also too small to carry such a large amount of information. The simplest form of nutrition information you will see consists of **protein, carbohydrate and fat**. The total amount of **energy** these nutrients provide is also shown.

## Energy

Energy doesn't simply mean get-up-and-go. Energy is the power you need to fuel your bodily processes, such as heartbeat, breathing, growth and repair. The fuel that provides this power is the protein, carbohydrate and fat in the food you eat.

Almost all foods provide some energy. Energy is measured in kilojoules (kJ). You are probably more familiar with the older term, calorie (strictly speaking, kilocalorie). Both measure the same thing. Until people have got more used to thinking in terms of kilojoules, labels will show kilocalories (kcal) as well. One kilocalorie is just over four kilojoules.

If the amount of energy in the food you eat exceeds the amount of energy you use, you will put on weight.

## Protein

Proteins are the basic building-blocks of the body, and are needed for growth and for the repair of tissues. It is unusual for people in this country to lack protein, unless they are on very restricted diets. You probably know that meat, fish, eggs and some dairy products are high in protein. Nutrition labels will show you that there are many other good sources. About one-third of the protein eaten in this country comes from bread and other cereal products, nuts, and vegetables such as potatoes, beans and peas.



## Carbohydrates

Carbohydrates are a major source of energy. Bread, cereals, potatoes, sugars — all starchy and most sweet foods — are primary sources of carbohydrates. People often think that carbohydrates are fattening and bad for you, but they are a less concentrated source of energy than fats. If you want to reduce the fat in your diet (and don't need to lose weight), you should consider increasing the amount of starchy carbohydrates you eat, in order to make up for the lost energy.

## Fat

Fat is also a major source of energy, providing over twice as many calories as the same weight of protein or carbohydrates. So it is particularly important to eat less fat if you want to lose weight.

The United Kingdom has one of the worst records for premature death from heart disease. Fat, and especially the part of fat called 'saturated fatty acids', is closely linked to heart disease.

The Government's medical advisers have said that if people cut down on fat, there would be less heart disease, and particularly less premature heart disease. If you are eating a normal British diet, you are probably eating too much fat and too many saturated fatty acids.

The amount of fat you need depends upon whether you are a man or woman and on the amount of energy you use. Women generally need less than men, and people who don't get much exercise need less than people who are active.

Remember that children under 5 years old should not be put on a low-fat diet — they need the energy.

If you decide to reduce the amount of fat you eat, comparing labels can help you choose foods that are lower in fat.

## THE FULL PICTURE

Many food labels that give nutrition information do more than just say that the food contains protein, carbohydrate and fat. They will actually give a breakdown of the different types of carbohydrate and fat, together with information about sodium and fibre.



### Types of fat

**SATURATES** Saturated fatty acids, or saturates, are generally thought to be one of the causes of heart and other cardiovascular diseases. The Government's medical advisers have therefore recommended that people should cut down on saturates. Saturates are found in all fats but particularly in some meats, dairy products and hard 'block' margarines. Labels may show how much of the total fat in the product is saturates.





**OTHER FATTY ACIDS** Another component of fat is trans fatty acids. These, too, have caused some concern, and so the Government's medical advisers have recommended that not too much of the fat we eat should consist of trans fatty acids. They are found mostly in margarine and in products containing milk fat, such as butter and cheese.

Monounsaturates and polyunsaturates are fatty acids that are believed to be less harmful than saturates, so the medical experts have advised us to increase the *proportion* of these in the fat we eat. They do stress, though, that the total amount of fat that we eat should be reduced.

### Types of carbohydrate

**SUGARS AND STARCH** Sugars are forms of carbohydrate and may be listed on labels under that heading. There are many different sorts of sugar, not just the white or brown 'sugar' (sucrose) that you have in the kitchen. Other sugars include glucose, which occurs naturally in fruit and fruit juices; fructose, in some fruit and vegetables and in honey; and lactose in milk. Sugars are found not only in sweet foods like biscuits, but also in such foods as carrots, peas and savoury products. The label shows the total amount of all the sugars in the food, not just the amount that has been added.

You may want to watch your intake of sugars. Perhaps you want to lose weight, or avoid tooth decay, which may in part be caused by having sugary foods and drinks too often. Perhaps you simply don't like sweet things. By comparing labels, you can reduce sugars in your diet without cutting down on other nutrients.

Foods high in starch — such as potatoes, pasta and bread — are a useful way of making up energy (calories) as an alternative to sugars or fat.



### Sodium

You may be looking for 'salt' on the label rather than 'sodium'. Table salt's chemical name is sodium chloride. However, sodium chloride is difficult to identify in a food because sodium and chloride are also found in other substances, such as *sodium bicarbonate* or *monosodium glutamate* and *potassium chloride*. Sodium is thought to be the more important element, and the label therefore gives the total amount of sodium — not just the sodium in salt. People with kidney disease or high blood pressure may need to have a low-sodium diet. Nutrition labelling helps them choose.

### Fibre

Fibre, which used to be called 'roughage' or 'dietary fibre', is the parts of plants which the body leaves largely undigested. It is not found in animal products. Good sources of fibre are bread and cereals (particularly wholemeal varieties), which help food and waste products pass through the body and can relieve constipation. Fruit, beans, peas and other vegetables are sources of fibre which can help to reduce blood cholesterol. Eating carbohydrates that are high in fibre is a good way of taking in energy if you are cutting down on fats.

### **Vitamins and minerals**

The nutrition information on labels may also include a full list of vitamins and minerals. Information about selected vitamins and minerals may be given, but only if the label tells you what proportion the food is providing of the vitamins and minerals you need every day.

Vitamins and minerals are important for health, but you only need small amounts, and too much of some can actually be harmful.

**VITAMINS** Vitamin A is necessary for vision in dim light and for maintaining healthy skin. There is a wide variety of B vitamins. They help us use carbohydrates, proteins and fats. Vitamin C is important in fighting infection, in helping us to absorb iron, and in keeping skin and other tissues healthy. Vitamin D helps absorb calcium. Generally people get enough of these, and of the other vitamins, in their normal diet. But it is sensible to eat plenty of fresh foods, and not to overcook them since they will then lose many of their vitamins.

**MINERALS** Calcium is an important mineral which strengthens bones and teeth. Iodine helps the thyroid gland to work properly. Iron is needed to prevent anaemia.

More information about the nutrients in food and about following a healthy, balanced diet may be found in a MAFF publication called *The Manual of Nutrition*.

## **RESTRICTIONS ON CLAIMS MADE ABOUT FOOD**

The label can also be used to make claims about the benefits of a food. It may say that the food is high in fibre, low in fat, rich in vitamin C; or that a product is 'natural' or helps you slim. It is important that such claims are not misleading. Our laws contain general rules to prevent misleading claims and descriptions. For some claims, there are more specific controls.



### **FOODS SUITABLE FOR PARTICULAR PEOPLE**

If a food claims to be suitable for a particular group of people, such as diabetics or slimmers, it has to meet specific conditions. Slimming products, for example, must not contain more than 167 kilojoules (40 kilocalories) of energy in every 100 grams of food. The label must make this information clear to the consumer.

### **'HIGH IN POLYUNSATURATES'**

If a label makes this claim, then the food must meet specific conditions about the total amount of fat it contains and the relative amounts of saturates and polyunsaturates. Information about these amounts must appear on the label, to ensure that you are not being misled.



### **'LOW IN CHOLESTEROL'**

A claim that food is low in another component of fat, called cholesterol, can be made only if there is a claim about polyunsaturates as well. Again, there are specific conditions which must be met.

As long as there is uncertainty about the benefits or otherwise of polyunsaturates and cholesterol, there must be no claim that particular levels of these nutrients are good for your health.



### **'CONTAINS VITAMINS AND MINERALS'**

This claim can only be made if a normal serving of the food contains at least one-sixth of the recommended daily amount for those vitamins or minerals mentioned on the label. If the food claims to be a 'rich' or 'excellent' source of a particular vitamin or mineral, the quantity of the food that can reasonably be expected to be eaten in one day must contain one-half of the recommended daily amount of the particular vitamins or minerals. The label has to tell you the percentage of the recommended daily amount that the food provides and the number of servings per pack.

### **CURES ALL KNOWN ILLS**

Finally, a food can't claim to prevent or cure illness or disease. If it did, it would count as a medicine, and would therefore need to meet quite different strict controls necessary for it to be licensed as a medicine.

## **IS IT CLEAR?**

All labels must be easy to understand. The information on them should be easy to read and indelible. When you buy a product, all the required information should be easy to see and not hidden in any way by other writing or pictures.

## **COMPLAINTS**

Generally, any complaint you have about a food should be made first to the shop where you bought it or to the address on the label. If you are still not satisfied, or if you think there is a matter of public concern, you should contact your local authority which enforces the food labelling laws. In England and Wales this is the Trading Standards Department of the County Council; in metropolitan areas it is the District Council; in London it is the London Boroughs; and in Scotland and Northern Ireland it is the Environmental Health Department of the District Council. You'll find them in the telephone book.

## CONCLUSION

This booklet has explained what must appear on the label and what other information you can expect to see. It only takes a moment to read a label and it is not difficult to work out what it means once you know what to look for. So if you understand food labels, you will be better informed when choosing which foods to buy, and able to keep and use those foods properly at home.

Our food labelling rules are based on European Community law. The Ministry of Agriculture, Fisheries and Food represents the United Kingdom and plays an active part at meetings which decide on Community law. It also draws up national rules and guidelines to protect consumers.

If you wish to comment on any general aspects of food labelling, you can write to the Ministry's Food Standards Division, Nobel House, 17 Smith Square, London SW1P 3JR. If you want to know more about nutrition or about our food laws, there are a number of other government publications available and these are shown on the next page.

This booklet is not a legal document. Copies of the Food Labelling Regulations 1984 (Statutory Instrument 1984 No. 1305), the Food Labelling (Scotland) Regulations 1984 (Statutory Instrument 1984 No. 1519 (S 128)) and the Food Labelling Regulations (Northern Ireland) 1984 (Statutory Rules of Northern Ireland 1984 No. 407) are available from Her Majesty's Stationery Office, PO Box 276, London SW8 5DR, or can be ordered from your local bookseller. *The Manual of Nutrition* can also be obtained from these sources.

Further copies of *Look at the Label* and copies of *Food Additives: The Balanced Approach* can be obtained free of charge from:

In England and Wales:  
Ministry of Agriculture,  
Fisheries and Food  
Publications Unit  
Lion House  
Willowburn Trading Estate  
Alnwick  
Northumberland NE66 2PF

In Scotland:  
Scottish Home and Health  
Department  
Food Branch  
Room 40  
St Andrew's House  
Edinburgh EH1 3DE

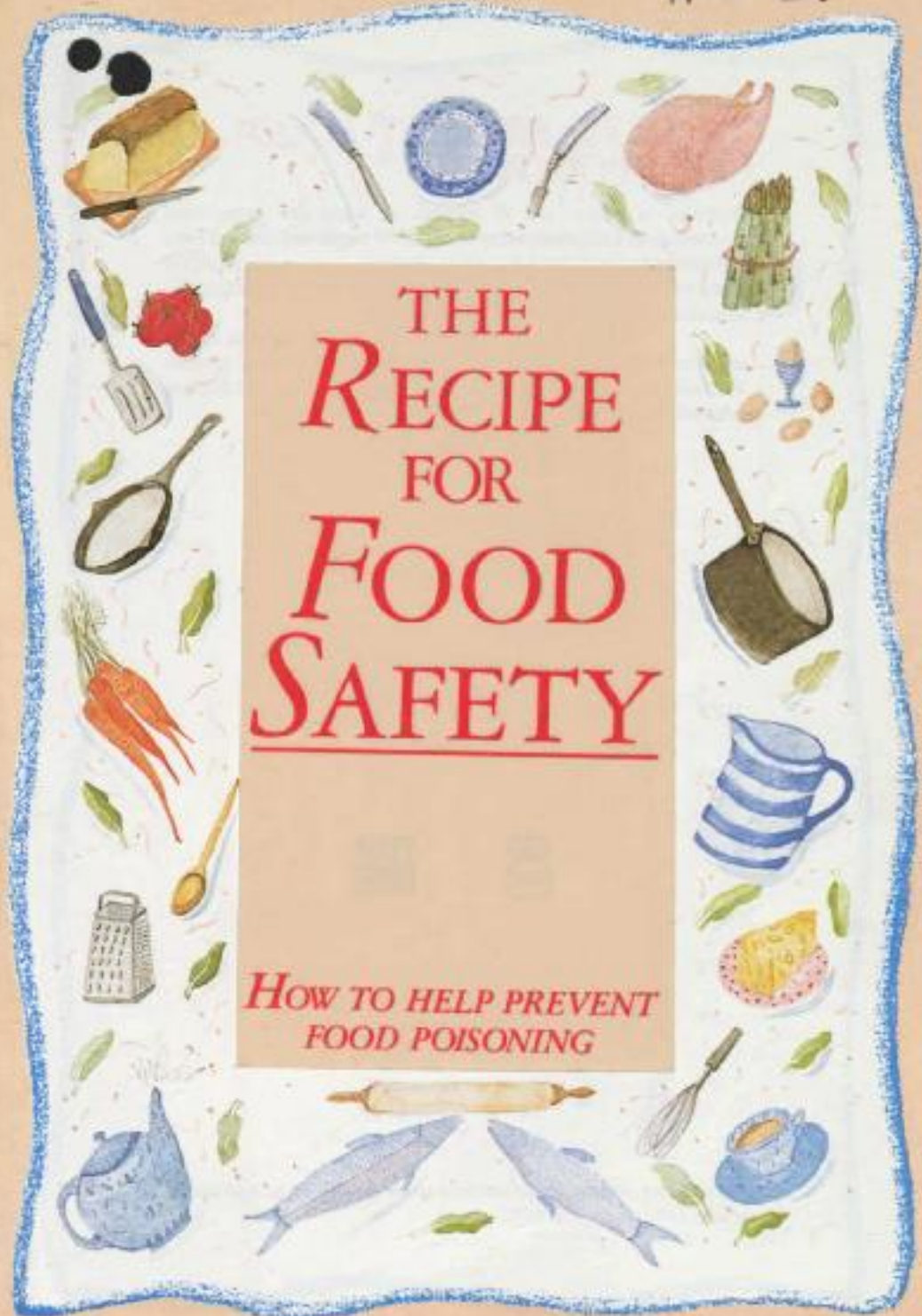
In Northern Ireland:  
The Department of Health and  
Social Services  
Medicines and Food  
Control Branch  
Annex A  
Dundonald House  
Upper Newtownards Road  
Belfast BT4 3SF

A comprehensive list of food legislation material, including the document *Legislation Governing the Labelling, Advertising and Composition of Food*, may be obtained, free of charge, from:

Ministry of Agriculture,  
Fisheries and Food  
Food Standards Division  
Nobel House  
17 Smith Square  
London SW1P 3JR



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THE  
RECIPE  
FOR  
FOOD  
SAFETY

HOW TO HELP PREVENT  
FOOD POISONING



## HOW TO HELP PREVENT FOOD POISONING

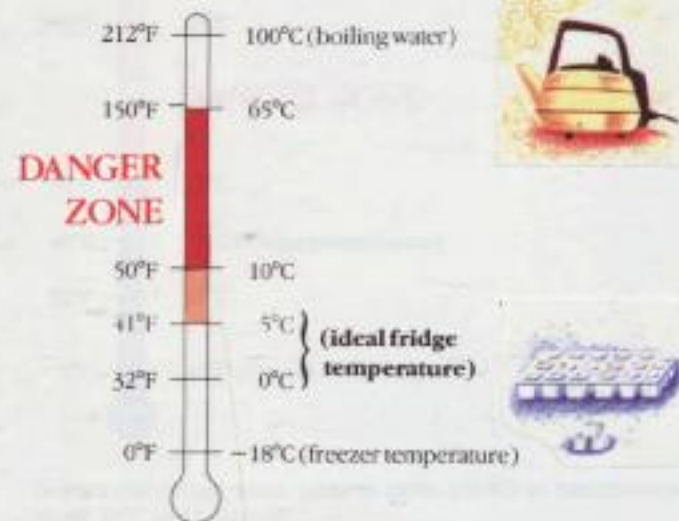
Bacteria, or germs, are all around us. Some can cause food poisoning. In 1988, there were over 44,000 **reported** cases of food poisoning in the United Kingdom. Many cases go unreported. To reduce food poisoning action is needed at all points from farm to kitchen. You can play your part.

Try to follow these simple rules to help prevent food poisoning in your home:

- ★ Keep it clean
- ★ Store food carefully
- ★ Use your fridge and freezer correctly
- ★ Cook food thoroughly

## TEMPERATURE IS IMPORTANT

Beware the **danger zone** temperatures at which bacteria grow.



## KEEP IT CLEAN

Always wash your hands with hot soapy water

- ★ before you start preparing food
- ★ after handling raw food
- ★ after using the toilet or handling dirty nappies
- ★ after touching pets
- ★ after blowing your nose

Then dry your hands on paper towels or on a **clean** hand towel.

Use hot soapy water to wash work surfaces, knives, spoons, chopping boards and any other equipment that you have used to prepare raw food.

Use separate chopping boards and **try** to keep separate areas for preparing raw and cooked food.

Cover cuts and sores on your skin with a waterproof dressing.

Keep pets away from food and work surfaces.



## STORE FOOD CAREFULLY

Bacteria love warm and wet surroundings. They grow quickly on food kept at room temperature, especially if it is not protected by preservatives. Therefore:

- ★ Keep food cool and remember the **danger zone** temperatures.
- ★ Put "perishable" foods (such as meat, poultry, dairy products and fish) in a fridge, freezer or other cool place as quickly as possible after you have bought them. Remember, cars and buses can get very warm.
- ★ Keep raw and cooked foods separate, and prevent them from touching one another, as food poisoning bacteria can be passed from raw to cooked food.



Go through your larder, pantry or fridge regularly and throw away very old food. Check the "sell by" dates and "best before" dates on the labels. Also check the labels for any storage instructions.

**If in doubt, throw it out.**



## USE YOUR FRIDGE AND FREEZER CORRECTLY

Your fridge and freezer should be used according to the manufacturers instructions. **Clean them regularly.** The temperature control in your fridge will probably need altering from time to time, particularly in the summer months.



Keep your fridge at 0–5°C (32–41°F)

Keep your freezer at –18°C (0°F)

(You can check the temperatures with a fridge thermometer which should be left overnight on the centre of the middle shelf. Note: 1 or 2 star freezer compartments operate at temperatures above –18°.)

### Remember:

Never put hot food straight into the fridge or freezer, as it will raise the temperature. Let it cool first in a shallow container, in a cool place.

Unless the packet says that food can be cooked from frozen always defrost foods thoroughly before cooking. Defrost fish, meat, poultry and dairy products in the fridge or microwave. Remember to allow plenty of time for defrosting in the fridge and don't let defrosting food drip onto other foods.

Always keep raw meat and poultry **below** cooked foods and dairy products in your fridge.

Clean out your salad drawer regularly, and check that nothing is dripping into it.

## COOK FOOD THOROUGHLY

Always cook your food thoroughly, especially poultry. Poultry that is red at the thigh joints is still not properly cooked. Joints of meat and poultry should be cooked all the way through.

Serve cooked food as soon as possible and keep it piping hot (above 65°C or 150°F). If cooked food is not eaten straightaway, cool it down quickly (for example, by standing a hot saucepan in cold water), and then put it in the fridge.

**Cooked food should not be kept at room temperature for more than about an hour.**

You can reheat cooked food, but once only, and make sure it is piping hot all the way through. Always follow the manufacturers instructions when cooking food in microwave ovens and **observe the standing time** to ensure food is cooked all the way through to the correct temperature.



Food for picnics and parties should not be prepared too far in advance. Keep cold foods, such as salads and cooked meats, in the fridge or in a cool box. If necessary, ask neighbours to keep some food in their fridge for you.

## IF YOU GET FOOD POISONING...

... you may feel sick and actually vomit, or have stomach pains and diarrhoea. This could happen 6–48 hours after eating "contaminated" food, or even sooner.

If you are mildly ill, rest and take plenty of fluids, especially water. If you're at all worried, contact your doctor.

If the symptoms are more severe, or the sufferer is elderly, already ill with something else, or a young child, contact your doctor as soon as possible.

If you think that a particular eating place or something you have just bought is the cause of your food poisoning, contact your local Environmental Health Department as quickly as possible.

... don't handle any more food, or prepare food for other people.

**For further information, contact the Environmental Health Department at your local Council.**



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P 03380

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

1: REVIEW OF ANIMAL HEALTH LEGISLATION  
(Minute of 27 February from Minister of Agriculture)

DECISIONS

1. The purpose of this item is to settle the terms of reference and timing of the review of compensation arrangements under the Animal Health Act 1981. The Minister of Agriculture proposes to announce the review in a Parliamentary Answer. His aim is policy clearance by June and instructions to Parliamentary Counsel by the summer recess. Neither he nor the other members of the Committee will be aware of your discussions with the Lord President about dropping the Bill from next Session's legislative programme.

BACKGROUND

2. The Committee agreed at its first meeting that while, under the law as it stood, it would be necessary for the Government to pay compensation to owners of egg-producing hens which were ordered to be slaughtered, a wide-ranging review should be established into compensation arrangements under the Animal Health Act 1981 with a view to shifting the financial liability for compensation from the taxpayer to the industry. It was also agreed that a Bill, which should at a minimum extinguish the Government's liability to pay compensation in respect of egg-producing flocks, should be introduced next Session and that it would be very desirable for that Bill also to be the vehicle for replacing the whole of the compensation arrangements under the 1981 Act.

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3. The Committee will not be aware of your discussion with the Lord President earlier today about the need to reduce the weight of next Session's legislative programme. A decision to defer this Bill may have a bearing on the timing of an announcement of the review as well as the timetable for its completion.

#### MAIN ISSUES

##### Scope of the Review

4. In his minute Mr MacGregor says that the review will need to take account of a wide range of issues, including the need to ensure that the public health effect of domestic arrangements is not undermined by imports: this is clearly a key point. Other issues include the impact of an industry-financed levy on the competitive position of domestic producers compared with overseas producers; the need to ensure that the new arrangements do not serve as a disincentive to farmers to report potentially infected animals; and any legal constraints on the room for manoeuvre in this area. The Agriculture Minister proposes that the review should encompass not only compensation arrangements under the Animal Health Act but should also deal with the possibility of making the industry responsible for the financing of testing for brucellosis and tuberculosis, on which MAFF have an outstanding PES commitment to review existing arrangements. It is not clear whether the terms of reference of the review have been cleared with the Treasury. You will wish to check that Treasury Ministers and other members of the Committee are content.

##### Form and timing of an announcement

5. The Agriculture Minister says that he sees no alternative to making a formal announcement about the establishment of the review since its existence is bound to become public knowledge. Farming interests will be extremely hostile to the review; and they may well seek to make common cause with pressure groups such as the London Food Commission (which was established and funded by the GLC) who are claiming that the Government's compensation for egg producers is

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inadequate and that this serves as a disincentive to farmers to report diseased animals. On the other hand, the introduction of industry-financed compensation arrangements would bring agriculture into line with the principle that obtains in virtually all other sectors.

6. Following your conversation with the Lord President today you will wish to make it clear to the group that it will not be possible to accommodate legislation on this topic in next Session's programme. There are a number of reasons for this conclusion, which will probably not be welcome to the Treasury:

- i. the legislative programme for next Session is very crowded;
- ii. this Review is a major and complex exercise which would have to be squeezed into a very tight timetable to enable drafting to take place;
- iii. the first priority for MAPP next Session will be the Food Bill which must clearly demonstrate the Government's confidence and competence on food safety.

In the light of this, there is rather more time in which to announce and carry out the review. You may wish to invite the Agriculture Minister's views on the timing of the announcement. Is there any welcome news for the farming industry in the pipeline which might help to soften the blow? If so, it might be possible to defer the announcement for a modest period to allow the two events to coincide.

7. The Agriculture Minister suggests a low-key announcement in the form set out in the draft reply attached to his minute. The reference to the timing of legislation will need to be amended. More generally you will wish to check that members of the Committee are content. The reference to competition with overseas producers in the last sentence is a little unclear: does it mean that practices overseas, in the Community and elsewhere, may be held to justify continued Government compensation for domestic producers?

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8. The Animal Health Act 1981 applies to England, Wales and Scotland but not to Northern Ireland. Nevertheless, it would seem sensible for the review to extend to Northern Ireland. You may wish to probe this with the Northern Ireland Secretary.

HANDLING

9. You will wish to invite the Agriculture Minister to speak to his minute. Depending on your discussion with the Lord President, you may then wish to indicate to the Committee that it will not be possible to fit a Bill into next Session's very crowded programme. The Chief Secretary and the Health Secretary may have points to make. The Northern Ireland Secretary will have views on whether the review should extend to Northern Ireland. The Lord President may wish to comment on the proposed reference in the draft reply to the timing of legislation.

RW

R T J WILSON  
Cabinet Office  
28 February 1989

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Ministry of Agriculture, Fisheries and Food  
Whitehall Place, London SW1A 2HH

From the Minister

RESTRICTED

PRIME MINISTER

REVIEW OF ANIMAL HEALTH LEGISLATION

It was agreed at the meeting of MISC 138 on 7 February that I would circulate proposed terms of reference for a review of the Compensation Arrangements under the Animal Health Act 1981.

I have set in hand straight away work on devising new legislation to provide alternative ways of funding compensation for compulsory slaughter. Because of the complexity of the legislation and the likely opposition to it, the timetable will be very tight if we are to achieve legislation in the 1989/90 session. I have given instructions that we should aim for policy clearance by June and instructions to Parliamentary Counsel by the summer recess.

The review will have to address questions such as:

- how to reflect in arrangements for industry funding the public health benefits of many animal health measures;
- how the new arrangements will cope with the wide diversity of diseases and their implications, and with the differences between species;
- how to cope with legal constraints on the kind of financial mechanisms that might be used;
- how to avoid putting burdens on British industries that weaken their international competitive position; and how to ensure that domestic arrangements are not undermined by imports;
- how to avoid introducing mechanisms that will act as a disincentive to farmers to participate fully in disease control programmes of general benefit;

- how to deal with the mechanics of funding in areas where suitable mechanisms do not at present exist;

- how to take account of the fact that future disease outbreaks might be the result of developments over which the agricultural and related industries have no control.

A point which we did not touch upon at MISC 138 was my Department's outstanding commitment to circulate a paper on the financing of testing for brucellosis and tuberculosis. It would make sense for this to be subsumed in the present review.

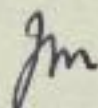
We shall have to make an announcement about the review. It is bound to become public knowledge that we are carrying it out. Discussions will in any case be necessary with outside bodies including, for example, veterinary organisations and insurance bodies. I am attaching the draft of a possible Question and Answer setting out the terms of reference.

There are serious presentational difficulties about coming forward with this announcement shortly after the statement on BSE and the publicity about food safety. There will be those who are only too ready to play on public opinion in its present volatile mood and suggest that we are showing a lack of concern to protect public health by being ready to weaken our controls on salmonella, tuberculosis, brucellosis and other animal diseases which are, or may be, communicable to humans. There will be undoubtedly intense interest and strong opposition from a number of interests concerned.

The situation is made no easier by the uncertainties over the types of control on animal disease which we shall be able to maintain after 1992. The farming interests fear that we may be more vulnerable to importing disease, the cost of controlling which could then fall on the industry.

For all these reasons, it will be extremely important to get the presentation of our review of policy right. We need to have an agreed line on the handling of the inevitable follow-up questions. I am, therefore, attaching a note setting out the line which we might take. You may wish to discuss this, and the timing of an announcement at MISC 138 in the light of the reaction to the statement on the Southwood Report.

I am copying this letter and the enclosure to the other members of MISC 138 and to Sir Robin Butler.



JOHN MACGREGOR

Ministry of Agriculture,  
Fisheries and Food

27 February 1989



DRAFT QUESTION

To ask the Minister of Agriculture, Fisheries and Food whether he is content with the financial implications of the Animal Health Act 1981, and if he will make a statement.

DRAFT REPLY

Together with the Secretaries of State for Scotland and Wales I shall be conducting a review of the financial provisions of the Animal Health Act 1981. The purpose of the review will be to consider possible arrangements for the transfer of financial responsibility from the Government to the industry, with a view to legislating at the earliest possible opportunity. The review will take account of circumstances in the European Community and of the competitive position of domestic producers vis-a-vis their overseas competitors.

## SUPPLEMENTARY ANSWERS

1. The Government will be examining the slaughter and compensation measures generally along with possible arrangements under which the financial responsibility for compensation payments could be transferred to industry. The arrangements appropriate for various types of disease may differ according to the particular circumstances.
2. The review will include consideration of future funding of the testing for brucellosis and tuberculosis.
3. No preconceived ideas on how funding may be organised. That will be one aspect of the review of present policy.
4. A primary concern in the review will be to ensure that the new arrangements continue the public health benefits of the present policies.
5. The Government's intention is to come forward with necessary amendments to the Animal Health Act 1981 as soon as possible.
6. The review will be carried out by the Agriculture Departments. Interested organisations will be consulted and given the opportunity to submit views, during the course of the review of policy.





CABINET OFFICE

70 Whitehall London SW1A 2AS Telephone 01-270

cc Baden  
Prime Minister  
still plans to keep  
food/water new to  
top of the agenda

AT  
24/2

CONFIDENTIAL AND PERSONAL

P 03377

MR TURNBULL

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

1. Following my minute to you of 17 February, I held a further informal meeting this morning with senior officials from the Treasury, the Department of Health (DOH) and the Ministry of Agriculture, Fisheries and Food (MAFF) to discuss the agenda for the next meeting of MISC 138 on Wednesday 1 March, and the issues on food safety which are thought likely to come to public attention in the next week or so.

Next Meeting of MISC 138

2. Discussion with Departments suggests that the following items, will be ready for the next meeting.

i. The text of the proposed leaflet on kitchen hygiene, and proposals for publishing a summary of the Government's arrangements for obtaining expert advice: a joint note by the Secretary of State for Health and the Minister of Agriculture to be circulated on Monday.

I understand that a note on the committees that already operate in the field of food safety may be circulated today. It will be relevant to this item.



ii. Irradiation: a note by the Minister of Agriculture in consultation with the Secretary of State for Health, to be circulated on Monday.

iii. food safety control overseas, with particular reference to the European Community: a note by the Minister of Agriculture in consultation with the Secretary of State for Health, to be circulated on Monday.

iv. I understand that the Minister of Agriculture will be circulating shortly proposals for the terms of reference for the review of compensation arrangements under the Animal Health Act 1981. If it does not prove possible to clear this in correspondence before the meeting, it might be included on the agenda.

v. I understand that the Minister of Agriculture and the Secretary of State for Health may wish to circulate a paper on possible further measures on eggs.

#### Issues Likely to come to Public Attention in the Near Future

3. Developments which Departments think can be expected over the next week or so include the following.

vi. The Minister of Agriculture will be minuting the Prime Minister and Cabinet colleagues today with a proposed statement for delivery on Monday on the Southwood Report on bovine spongiform encephalopathy (BSE). I understand that, subsequent to yesterday's Cabinet discussion, Sir Richard Southwood's latest advice indicates that any potential risk attaches only to the consumption of ruminant brains and spinal cord, not to liver or kidney.

vii. The Select Committee on Agriculture will be publishing on Wednesday 1 March its report on the Government's handling of salmonella and eggs. Media speculation based on apparent leaks



of the report suggests that the report will contain some criticism of the Government.

viii. There is to be a five hour debate in the House of Lords on Wednesday 1 March on food production, including quality and safety.

ix. The Secretary of State for Health will be laying regulations shortly to prescribe a maximum temperature of 5°C for the storage of pre-cooked chilled foods.

x. The organism cryptosporidia has been found in water supplies in the Thames Valley area. It appears that the organism is not killed by normal water purification processes. The Chief Medical Officer is considering whether to issue advice to the public.

xi. The Social Services Select Committee is due to begin an inquiry on Wednesday 8 March into pre-cooked chilled meals served in hospitals. The Government has removed Crown immunity from hospitals, and the Select Committee may question why Crown immunity has not also been removed from prisons and Ministry of Defence establishments.

xii. Finally, following the French protest about the linkage of brie and camembert with listeria, Belgium has recently banned two types of French camembert.

4. I am copying this minute to the Private Secretaries to members of MISC 138 and the Lord Privy Seal, to the Chief Medical Officer and the Chief Veterinary Officer, to Miss Sinclair (No 10 Policy Unit) and Mr Woolley (Cabinet Office), and to Mr Monck (Treasury), Mr Heppell (DoH) and Mr Capstick (MAPF).

*RJW*

R T J WILSON

24 February 1989

MISC 138



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01 210 3000

From the Secretary of State for ~~Social Services~~ Health

CCPS

*Prime Minister*

RESTRICTED

Andrew Turnbull Esq  
Policy Unit  
No 10 Downing Street  
London SW1

24 February 1989

*Dear Andrew*

MISC 138

I attach notes on

- the existing network of committees dealing with different aspects of food safety (Note 1).
- the role of the Chief Medical Officer (Note 2).

These are intended as background for the next meeting of the Ministerial Group.

2. In order to ensure the safety of food it is necessary to

monitor the microbiological, nutritional and chemical quality of food

evaluate this information to see if any risks to public health might occur.

take action where necessary to control such risk.

3. Note 1 explains how these activities are split between MAFF and DH. The activities are coordinated through well established departmental links and, as Note 1 shows, a network of committees in which both Departments are involved. With the addition of the new Committee on Microbiological Food Safety, we will have a committee structure covering all the main aspects of food safety.

4. The Chief Medical Officer's responsibilities are set out in Annex 2. In exercising them, his formal position in relation to different Departments varies for historical reasons. Whereas he is Chief Medical Officer to the Home Secretary and the Secretaries of State for Education, Health and Social Security, he does not have that formal position in relation to the other Government Departments that he advises.

5. I am copying this letter to the Private Secretaries to



E.R.

members of MISC 138, to the Chief Medical Officer and the Chief Veterinary Officer, to Sir Robin Butler, Mr Wilson (Cabinet Office), Miss Sinclair (No 10 Policy Unit), Mr Monck (Treasury), Mr Capstick (MAFF) and Mr Heppell (DH).

*Yours*

*Flora*

FLORA GOLDHILL



nd

## COMMITTEE STRUCTURE


1. The Ministry of Agriculture Fisheries and Food is responsible for food safety, surveillance and control of food contaminants including pesticides and veterinary residues. MAFF is also responsible for imposing hygiene standards in slaughter houses and controlling animals diseases which may be transmitted to humans via food. The Department of Health is responsible for microbiological food spoilage, any illness resulting from this and for identifying and tracking the cause where contamination incidents impose an immediate risk to health. In such cases it can institute food hazard procedures. The Department of Health also takes the policy lead on controls of imported food except for meat and meat products which fall to MAFF. It ensures medical fitness standards for all workers in the food industry and imposes hygiene standards in food handling areas except in slaughter houses.

2. The two Departments work closely together when contamination is discovered at such high levels as to warrant food hazard procedures under which food can be withdrawn from sale.

3. Since the Ministry of Agriculture Fisheries and Food takes the lead on chemical contaminants additives and residues in food, MAFF takes the lead on those Committees which advise on the controls for additives (FAC) approval of pesticides (ACP) the licensing of veterinary products (VPC) and also provides a comprehensive system of monitoring chemical contaminants through the activities of the Steering Group on food surveillance and its working parties.

4. In reaching conclusions on the safety in use of





contaminants additives and residues the Committees take advice from the appropriate DH expert advisory committees. Safety in use depends not only on the acceptable daily intake (a limit set to ensure that the chemical concerned can be taken on a regular daily basis with no harmful effect) but also on the consumption by various groups of food containing such contaminants to ensure that they are not exposed to risk. Information on food consumption in the home is provided through the national food survey. The growing tendency to eat outside the home is now however fully covered.

5. The annexes give the terms of reference of the relevant committees which are:

A - MAFF in lead

1. Food Advisory Committee
2. Veterinary Products Committee (joint licensing authority with DH)
3. Advisory Committee on Genetic Manipulation
4. - Sub-committee on Planned Release
5. Steering Group on Food Surveillance
6. Working Party on Chemical Contaminations from Food Contact Materials
7. Working Party on Food Additives
8. Working Party on the Monitoring of Foodstuffs for Heavy Metals and Inorganic Contaminants
9. Working Party on Naturally Occurring Toxicants in Food
10. Working Party on Nitrate and Related Compounds in Food
11. Working Party on Nutrients
12. Working Party on Organic Environmental Contaminants in Food
13. Working Party on Pesticide Residues

↓  
can this be linked with 16 survey



14. Working Party on Radionuclides in Food
15. Working Party on Veterinary Residues in Animal Products
16. Advisory Committee on Pesticides
17. Advisory Committee on Novel Foods and Processes (Joint)

B - DH in lead

1. Committee on Medical Aspects of Food Policy plus sub committees on -

- child nutrition
- nutritional surveillance
- diet and cardiovascular disease
- sugars in the diet
- recommended daily amounts
- nutritional aspects of novel foods

2. Committee on Carcinogenicity of Elements in Food, Consumer Products and the Environment

3. Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment

4. Committee on the Mutagenicity of Chemicals in Food, Consumer Products and the Environment



TERMS OF REFERENCE

"To advise the Minister of Agriculture, Fisheries and Food, the Secretary of State for Social Services, the Secretary of State for Wales, the Secretary of State for Scotland and the Head of the Department of Health and Social Services for Northern Ireland on matters referred to it by Ministers relating to:

- (i) the composition, labelling and advertising of food;
  
- (ii) additives, contaminants and other substances which are, or may be, present in food or used in its preparation; with particular reference to the exercise of powers conferred on Ministers by Sections 4, 5 and 7 of the Food Act 1984 and the corresponding provisions in enactments relating to Scotland and Northern Ireland".

## VETERINARY PRODUCTS COMMITTEE

## TERMS OF REFERENCE

1. To give advice with respect to safety, quality and efficacy in relation to the veterinary use of any substance or article (not being an instrument, apparatus or appliance) to which any provision of the Medicines Act 1968 is applicable.
2. To promote the collection and investigation of information relating to adverse reactions for the purpose of enabling such advice to be given.



ADVISORY COMMITTEE ON GENETIC MANIPULATION

The Committee's terms of reference shall be:

- a. TO ADVISE THE COMMISSION AND THE HEALTH AND SAFETY EXECUTIVE ("THE EXECUTIVE"), IN CONNECTION WITH THEIR RESPONSIBILITIES UNDER THE HEALTH AND SAFETY AT WORK ETC ACT 1974, ON
  - i. the general standards of safe working to be observed by those undertaking activities relating to genetic manipulation;
  - ii. the categorisation of experiments;
  - iii. exemptions from the Health and Safety (Genetic Manipulation) Regulations 1978;
  - iv. the assessment of risks and precautions (and in particular of any new methods of physical or biological containment) and of any newly developed techniques for genetic manipulation;
  - v. at the request of the Executive, the specific precautions necessary in individual cases of experimental work;
  - vi. at the request of the Executive, the biological aspects of individual cases of the non-experimental use of products of genetic manipulation;
  - vii. health monitoring and training of those undertaking genetic manipulation activities;
  - viii. the nature of any controls to be applied generally to laboratories and other workplaces engaged in genetic manipulation or the use of products of genetic manipulation by way of regulations, codes of practices and guidance;
  - ix. such other matters as may be referred to the Committee by the Commission or the Executive.
- b. TO ADVISE THE HEALTH, AGRICULTURE, ENVIRONMENT, INDUSTRY AND NORTHERN IRELAND MINISTERS on such other matters relating to genetic manipulation as may be referred to the Committee by those Ministers and to offer comment on the technical or scientific aspects of any new developments in genetic manipulation which may have implications for their Departments.

ACGM: PLANNED RELEASE SUB-COMMITTEE

TERMS OF REFERENCE AND MEMBERSHIP

Terms of Reference

- 1 At its fifth meeting ACGM agreed the guidelines on planned release that have now been issued. The committee also agreed to establish a standing Sub-Committee to replace the Working Group that had drafted the guidelines. This reflected the importance of the topic and the need to maintain a focus of informed expertise as release projects are notified and as the debate surrounding such work unfolds.
- 2 In setting up this standing Sub-Committee, ACGM had in mind that it would have two primary functions:
  - 2.1 to advise on individual proposals
  - 2.2 to review and revise the guidelines as necessary, for example, as experience and the results of research accumulate.
- 3 Members are invited to note and to comment on these terms of reference.

Membership

- 4 Annex 1 gives the membership of the Sub-Committee. Additions may be made as necessary eg to give greater cover to a particular area of expertise or for consideration of a particular proposal. Members are invited to identify any areas of expertise that are not represented.
- 5 Working procedures are discussed in more detail under Agenda item 2, but it should be said here that discussion of individual proposals need not be limited to the Sub-Committee ie members are encouraged to consult as they feel necessary, subject of course to any commercial-in-confidence considerations.

ACGM Secretariat

May 1986



STEERING GROUP ON FOOD SURVEILLANCE

Terms of Reference

To keep under review the possibilities of contamination of any part of the national food supply, to review where necessary the intake of individual additives and nutrients and to recommend to Ministers responsible for food quality and safety the programme of work necessary to ensure that the food intake of the population is both safe and nutritious. To appoint expert Working Parties, acting according to such instructions as the Steering Group may give, to carry out specialist parts of the programme of work.

To consider reports made by Working Parties and to decide what action, including consultation with the Government's advisory committees and other bodies having an interest in the subject matter or the implications of the reports, should be recommended.

To submit the findings of the Working Party reports, where appropriate, to the Ministers with appropriate recommendations as to publication.

WORKING PARTY ON CHEMICAL CONTAMINANTS FROM FOOD CONTACT MATERIALS

Chairman: Mr T J Coomes BSc, FIFST

Secretariat:

Scientific: Dr N Harrison BSc, PhD, CChem, MRSC  
Dr J F Kay BSc, PhD, CChem, MRSC  
Dr A E Smith PhD, CChem, MRSC

Administrative: Mrs R F Bott

Terms of Reference

- (a) To keep under review the possibility of contamination of any part of the UK food supply by chemicals arising from food contact materials and articles;
- (b) To determine the nature and amounts of such chemicals in food contact materials and/or in food and to report these findings to the Steering Group on Food Surveillance;
- (c) To identify specific areas of chemical contamination by food contact materials and undertake investigations into these, through the establishment of sub-groups should this be considered necessary;
- (d) To obtain the necessary fundamental information to enable the above objectives to be met; and
- (e) To publish, where appropriate, the results of work in the form of Food Surveillance papers after due consultation with those bodies defined as relevant by the Steering Group on Food Surveillance.



WORKING PARTY ON FOOD ADDITIVES

Chairman: Mr T J Coomes BSc, FIFST

Secretariat:

Scientific: Dr M A Briggs BSc, PhD

Administrative: Mrs R F Bott

Terms of Reference

- (a) To obtain information on the home production for UK markets and the importation into the UK of individual food additives;
- (b) To obtain information on the current levels of use of individual food additives;
- (c) To obtain detailed information on the levels of use of food additives currently used in specific foods;
- (d) To obtain detailed information on the consumption of specific processed and other foods by individuals;
- (e) Where appropriate, to obtain information on the intake of certain substances otherwise used as food additives, from natural sources;
- (f) To present the data in an appropriate manner to demonstrate:
  - (i) the average total additive intake,
  - (ii) the average intake of specific additives, and
  - (iii) the average intake, extreme intakes and variation in intake of additives by sex, age, place of residence, social class etc.; and
- (g) To submit a report to the Steering Group on Food Surveillance.

WORKING PARTY ON THE MONITORING OF FOODSTUFFS FOR HEAVY METALS AND OTHER INORGANIC CONTAMINANTS

Chairman: Dr D J McWeeny DSc, FIFST

Secretariat:

Scientific: Dr C E Fisher MA, DPhil  
Miss G A Smart MSc, MIIInfSc

Administrative: Mrs R F Bott

Terms of Reference

To determine the amounts of certain heavy metals and other inorganic substances in food in the United Kingdom and to make reports. The results of the surveys to be submitted to the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment and the Food Advisory Committee who would inform the Ministers if any hazard to health existed.



WORKING PARTY ON NATURALLY OCCURRING TOXICANTS IN FOOD

Chairman: Mr T J Coomes BSc, FIFST

Secretariat:

Scientific: Dr D H Watson BSc, PhD, CBiol, MIBiol  
 Miss S M Hones BSc  
 Dr D R Tennant BSc, PhD, MIEEnvSc  
 Mr P M Adamson BSc

Administrative: Mrs R F Bott

Terms of Reference

- (a) To consider all available evidence on the need for analytical surveys of food for chemical toxins of natural origin (including mycotoxins and bacterial toxins, the latter where these are pre-formed in food and for which chemical methods of analysis are appropriate);
- (b) To undertake analytical surveys of retail food products or of the materials used in their production with a view to establishing the likely exposure of the United Kingdom population - or groups at special risk - to the toxic substance;
- (c) To develop suitably sensitive and reproducible detection methods where this is necessary to meet the needs defined in paragraph (b);
- (d) To investigate as far as practicably possible effective scientific and technological methods of reducing human exposure in the United Kingdom to such hazard where this is judged prudent or necessary; and
- (e) To report at intervals to the Steering Group on Food Surveillance and to publish the results of work in the form of Food Surveillance papers after due consultation with those bodies defined as relevant by the Steering Group on Food Surveillance.

WORKING PARTY ON NITRATE AND RELATED COMPOUNDS IN FOOD

Chairman: Dr M E Knowles BPharm, PhD, CChem, FRSC, FIFST

Secretariat:

Scientific: Dr D H Watson BSc, PhD, CBiol, MIBiol  
Miss S M Hones BSc  
Dr D R Tennant BSc, PhD, MIEnvSc  
Mr P M Adamson BSc

Administrative: Mrs R F Bott

Terms of Reference

- (a) To consider the need for analytical surveys of food for nitrate, nitrite, nitrosamines and related compounds;
- (b) To undertake analytical surveys of foods or of the materials used in their production with a view to establishing the incidence, frequency and levels of these contaminants in the food chain in the United Kingdom. Priorities for the various aspects of this work will be carefully assessed;
- (c) To develop suitably sensitive and reproducible detection methods where this is necessary to meet the needs defined in paragraph (b);
- (d) To investigate, as far as practicable, possible scientific and technological methods of assessing human exposure and reducing this exposure where this is judged necessary;
- (e) To report at intervals to the Steering Group on Food Surveillance and, where appropriate, to request publication of the results in Food Surveillance papers; and
- (f) Where necessary to request the Steering Group to refer the results obtained from these investigations to the appropriate expert committees.



WORKING PARTY ON NUTRIENTS

Chairman: Dr W H B Denner BSc, PhD

Secretariat:

Scientific: Dr D H Buss BSc, PhD, FIFST  
Dr H A Tyler BSc, PhD, SRD

Administrative: Mrs R F Bott

Terms of Reference

- (a) To identify areas in which information on the content and availability of nutrients in foods is required to ensure that the nation's food supplies and diets can be adequately monitored, to review programmes for maintaining McCance and Widdowson's The Composition of Foods and the Ministry's nutrient databank, to assess priorities, and to propose means of obtaining the information;
- (b) To propose or, when requested, advise on the planning of dietary surveys for the Steering Group on Food Surveillance in order to determine normal and extreme intakes of dietary constituents in groups of the population, and to oversee the Total Diet Study; and
- (c) To advise other Committees and Departments as appropriate.

WORKING PARTY ON ORGANIC ENVIRONMENTAL CONTAMINANTS IN FOOD

Chairman: Mr T J Coomes BSc, FIFST

Secretariat:

Scientific: Dr J R Levey BSc, PhD, CChem, MRSC  
Mr M G de M Gem BA, MSc, MInfSc

Administrative: Mrs R F Bott

Terms of Reference

- (a) To consider the need for analytical surveys of components of the food chain for organic compounds that might pose a hazard to health, if present in food as a result of their contamination of the environment, other than naturally occurring toxicants;
- (b) To undertake analytical surveys of foods or of the materials used in food production with a view to establishing the incidence, frequency and levels of these contaminants in the food chain in the United Kingdom. Priorities for the various aspects of this work should be carefully assessed. The work should be carefully co-ordinated with that of other working parties of the Steering Group on Food Surveillance;
- (c) To develop suitably sensitive and reproducible detection methods where this is necessary to meet the needs defined in paragraph (b);
- (d) To investigate, as far as practicable, possible methods of reducing human exposure in the United Kingdom to these contaminants in food where this is judged necessary; and
- (e) To report at intervals to the Steering Group on Food Surveillance and, where appropriate, to request publication of the results in Food Surveillance papers.



WORKING PARTY ON PESTICIDE RESIDUESChairman: Dr P I Stanley

BSc, PhD

Secretariat:Scientific: Dr D H Watson

BSc, PhD, CBiol, MIBiol

Mr A R C Hill

Dr J R Levey

BSc PhD, CChem, MRSC

Mr S J Chamberlain

Mr M G de M Gem

BA, MSc, MIInfSc

Administrative: Miss A M Barnett

Mrs R F Bott

Terms of Reference

- (a) In consultation with the appropriate bodies:
- (i) to propose selective surveys to determine the residues of pesticides and/or their toxic derivatives in raw and processed foods and animal feeds from indigenous and foreign sources where pesticides have been applied in commercial practice or during supervised trials;
- (ii) to propose, arrange and direct studies of pesticide residues and/or their toxic derivatives in the total diet or in particular foodstuffs;
- (iii) to propose, arrange and direct surveys to determine the levels of pesticides and/or their toxic derivatives in human tissue, wildlife or in other aspects of the environment where appropriate to the consideration of the safety in use of particular pesticides; and
- (iv) to report to those bodies the results of such surveys or studies with recommendations;
- (b) To co-ordinate sampling activities and appropriate analytical work of those laboratories agreeing to undertake the surveys recommended under (a) (i), (ii) and (iii) above;
- (c) To draw the attention of the MAFF Committee for Analytical Methods for Residues of Pesticides in Foodstuffs (CAM) to any particular need for new or improved analytical methods;
- (d) To keep under review information relating to the levels of the active ingredients of pesticides and their metabolites of toxicological significance to man, domestic animals and the environment. To co-ordinate and with the agreement of the parent bodies to disseminate such information as appropriate;
- (e) To review and consider relevant residue data for particular pesticides when requested by the Advisory Committee on Pesticides or Government Departments; and
- (f) To review and consider relevant residue data on pesticides and/or their toxic derivatives for submission by the UK to international bodies such as the Codex Alimentarius Commission, FAO, EC and the Council of Europe.

WORKING PARTY ON RADIONUCLIDES IN FOOD

Chairman: Mr G F Meekings BSc, CPhys, MInstP

Secretariat:

Scientific: Mr C B Walters BSc, DipInfSc

Administrative: Mrs R F Bott

Terms of Reference

- (a) To keep under review the need for the establishment of analytical surveys of radioactivity in foodstuffs, and to develop appropriate methodology and quality assurance;
- (b) To advise on the design and development of surveys of radioactivity in the diet having especial regard to intakes by average and critical consumers;
- (c) To investigate, as far as is practicable, possible scientific and technological methods of reducing human exposure to radioactivity via food;
- (d) To report at intervals to the Steering Group and, where appropriate, to request publication of the results in Food Surveillance papers and in the scientific literature; and
- (e) Where necessary to request the Steering Group to refer the results obtained from the Working Party's investigations to the appropriate expert Committees.



WORKING PARTY ON VETERINARY RESIDUES IN ANIMAL PRODUCTS

Chairman: Mr T J Coomes BSc, FIFST

Secretariat:

Scientific: Miss S M Hones BSc  
Dr D R Tennant BSc, PhD, MIEEnvSc  
Mr P M Adamson BSc

Administrative: Mrs R F Bott

Terms of Reference

- (a) To collect data and report on the incidence and levels of residues of certain growth promoters and certain therapeutic substances in home produced and imported animal products;
- (b) To consider the need for further analytical surveys and advise the Steering Group on Food Surveillance on such organisation as is required;
- (c) To set up panels as and when necessary to consider and advise on, for example, analytical methods and sampling;
- (d) To liaise with existing bodies such as the Veterinary Products Committee and its Scientific Secretariat; and
- (e) To report at intervals to the Steering Group on Food Surveillance and to publish the results of surveys and monitoring activities in such form as is appropriate.

ADVISORY COMMITTEE ON PESTICIDES

TERMS OF REFERENCE

Under Section 16(7) of the Food and Environment Protection Act 1985, Ministers have established the Advisory Committee on Pesticides to give them advice, either when requested to do so or otherwise, on any matters relating to the control of pests in furthering the general purposes of Part III of the Act\*.

Under Section 16(9) Ministers are required to consult the Committee -

- (a) as to regulations which they contemplate making;
- (b) as to approvals (of pesticides) which they contemplate giving, revoking or suspending; and
- (c) as to conditions to which they contemplate making approvals subject.

\* The general purposes of Part III of the Food and Environment Protection Act are that the provisions of that Part of the Act shall have effect -

- (a) with a view to the continuous development of means;
  - (i) to protect the health of human beings, creatures and plants;
  - (ii) to safeguard the environment; and
  - (iii) to secure safe, effective and humane methods of controlling pests; and
- (b) with a view to making information about pesticides available to the public.

Secretariat

January 1988



TERMS OF REFERENCE OF ACNFP  
ADVISORY COMMITTEE ON NOVEL FOODS AND PROCESSES

"To advise Health and Agriculture Ministers of Great Britain and the Heads of the Departments of Health and Social Services and Agriculture for Northern Ireland on any matters relating to the irradiation of food or to the manufacture of novel foods or foods produced by novel processes, having regard where appropriate to the views of relevant expert bodies".

TERMS OF REFERENCE OF COMA  
COMMITTEE ON MEDICAL ASPECTS OF FOOD POLICY

"To consider and advise on:-

- a. The medical and scientific aspects of policy in relation to nutrition.
- b. At the request of, or in association with appropriate Advisory Committees, the medical and nutritional aspects of developments in the agricultural and food industries including the production and processing of food.
- c. At the request of the Department, matters falling within these terms of reference."



TERMS OF REFERENCES OF STANDING SUB-COMMITTEES OF COMA

1. Panel on Child Nutrition

"To consider such aspects of the nutrition of children and young persons as are referred to them by the Committee on Medical Aspects of Food Policy (COMA) or the Standing Medical Advisory Committee (SMAC)."

2. Sub-Committee on Nutritional Surveillance

"To advise COMA on the nutritional implications of changes in society, and of proposed changes in legislation or Governmental provisions, having due regard to the responsibilities of other Governmental Departments and COMA Panels, Sub-Committees and Working Groups and to advise and oversee nutritional, and anthropometric, biochemical and other studies recommended by COMA, and to collaborate with other Governmental Departments where appropriate."

3. Panel on the on-going Review Group on Diet and Cardiovascular Disease

"To review regularly new evidence relating nutrition to cardiovascular disease and to report annually to the Committee on Medical Aspects of Food Policy on the significance of any new developments in knowledge in this area."

TERMS OF REFERENCE OF AD HOC SUB-COMMITTEES OF COMA

1. Panel on Sugars in the Diet

"To examine the role of dietary sugars in human disease and to make recommendations."

2. Panel on Recommended Daily Amounts (RDA)

"To review the Recommended Daily Amounts (RDA) for food energy and nutrients for groups of people in the United Kingdom."

3. Panel on Novel Foods

"At the request of the Food Advisory Committee and in consultation with the Committee on Toxicity, to consider nutritional implications of the consumption of OLESTRA."



TERMS OF REFERENCE OF COC  
COMMITTEE ON CARCINOGENICITY OF CHEMICALS IN FOOD, CONSUMER  
PRODUCTS AND THE ENVIRONMENT

"To assess and advise on the carcinogenic risk to man of substances which are:

- a. used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice or in the distribution, storage, preparation, processing or packaging of food;
  - b. used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace;
  - c. used or proposed to be used as household goods or toilet goods and preparations;
  - d. used or proposed to be used as drugs, when advice is requested by the Medicines Commission, Section 4 Committees or the licensing Authority;
  - e. used or proposed to be used or disposed of in such a way as to result in pollution of the environment.
2. To advise on important general principles or new scientific discoveries in connection with carcinogenic risks, to co-ordinate with other bodies concerned with the assessment of carcinogenic risks and to present recommendations for carcinogenicity testing."

TERMS OF REFERENCE OF COT  
COMMITTEE ON TOXICITY OF CHEMICALS IN FOOD, CONSUMER PRODUCTS AND  
THE ENVIRONMENT

"To assess and advise on the toxic risk to man of substances which are:-

- a. used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice or in the distribution, storage, preparation, processing or packaging of food;
  - b. used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace.
  - c. used or proposed to be used as household goods or toilet goods and preparations.
  - d. used or proposed to be used as drugs, when advice is requested by the Medicines Commission, Section 4 Committees or the Licensing Authority.
  - e. used or proposed to be used or disposed of in such a way as to result in pollution of the environment.
2. To advise on important general principles or new scientific discoveries in connection with toxic risks, to co-ordinate with other bodies concerned with the assessment of toxic risks and to present recommendations for toxicity testing"



TERMS OF REFERENCE OF COM  
COMMITTEE ON THE MUTAGENICITY OF CHEMICALS IN FOOD, CONSUMER  
PRODUCTS AND THE ENVIRONMENT

"To assess and advise on the mutagenic risk to man of substances which are

- a. used or proposed to be used as food additives, or used in such a way that they might contaminate food through their use or natural occurrence in agriculture, including horticulture and veterinary practice or in the distribution, storage, preparation, processing or packaging of food;
  - b. used or proposed to be used or manufactured or produced in industry, agriculture, food storage or any other workplace;
  - c. used or proposed to be used as household goods or toilet goods and preparations;
  - d. used or proposed to be used as drugs, when advice is requested by the Medicines Commission, Section 4 Committees or the Licensing Authority.
  - e. used or proposed to be used or disposed of in such a way as to result in pollution of the environment.
2. To advise on important general principles or new scientific discoveries in connection with mutagenic risks, to co-ordinate with other bodies concerned with the assessment of mutagenic risks and to present recommendations for mutagenicity testing."

ROLE OF THE CHIEF MEDICAL OFFICER

The role of the Chief Medical Officer (CMO) is twofold

first to monitor the state of health of the nation and to advise the Government on measures to safeguard it e.g. by preventing the spread of communicable diseases, advising on the prevention of such diseases as coronary heart-disease and cancer, on the medical aspects of nutrition and on the health of children and other vulnerable groups.

second to advise on all medical aspects of the NHS.

2. Historically, the first function preceded the second by many years and is performed by equivalent officials in many other countries, like the US Surgeon General. It developed in the wake of the improvements in public health in the 19th century and continues to cover a wider range of Government activity than that of the Department of Health. For that reason, the CMO advises a number of Cabinet Ministers, and has long standing international links on health through WHO and the EC.

3. The second function is more specific to the UK and reflects the fact that health care is provided largely by the NHS.

4. The role that the CMO carries out in respect of English Departments is carried out in Scotland, Wales and Northern Ireland by their respective CMOs.





### Position of CMO within Government


5. The CMO is the professional head of the Department of Health medical staff and carries the rank of Second Permanent Secretary. His staff include medical and scientific experts in fields such as food safety and environmental toxicology, safety of medicines, and communicable diseases.

6. The CMO is chief medical adviser to the Secretary of State for Health on all aspects of the nation's health and health care provision. He is also the government's Senior Medical Officer and head of the Medical Civil Service. He is Chief Medical Officer also to the Department of Education and Science, and to the Home Office and Department of Social Security. He also provides medical advice particularly to the Secretary of State for the Environment and to the Minister for Agriculture, Fisheries and Food. In the past this latter advisory function has usually been effected via contacts with senior officials in the other Ministry and Departments rather than directly to the Ministers concerned.

7. According to the Report of the Royal Commission on the Civil Service 1929-30 (pp. 825-6 1930) the right of the Chief Medical Officer of direct access to the Minister was important because it ensured:

- \* that the Chief Medical Officer shall in no instance be placed in the position of carrying out a policy with which he may, from the professional standpoint, disagree without having had a full opportunity of urging his views both upon the Secretary of the Ministry and the Ministry himself; and

- \* that proposals initiated by the medical staff are



considered fully on their merits, and are put forward stage by stage in the Ministry with all due expedition up to whatever point the Chief Medical Officer in the exercise of his responsibility may consider that their importance warrants".

#### Principal public health tasks of CMO

##### a) Monitoring the Health of the Public

While the office of Chief Medical Officer carries responsibility for monitoring the nation's health, the Public Health in England Report (1988) found that there was a lack of specific focus at the centre with the capacity to monitor the health of the population and to feed the results of any analysis into the development of health policy, strategy and management. It recommended that a small unit should be established within DH which would bring together relevant disciplines and skills to monitor the health of the public. The primary object of this unit would be to provide, through the CMO, more effective support to the Secretary of State for Health in the discharge of his responsibilities to Parliament by monitoring the health of the people of England, principally by studying trends, as an adjunct to the formulation of policy. In addition, the unit should have a coordinating brief in respect of other government departments (eg on food and agricultural policy or on tobacco and alcohol). The unit is at present being set up within DH.

##### b) National Surveillance of Communicable Diseases including food poisoning

The Public Health Laboratory Service (PHLS) is responsible for the diagnosis, surveillance, and investigation of infections and communicable disease, including food and water borne poisoning in England and Wales. To help in this task





the PHLS operates the Central Public Health Laboratory (CPHL), the Communicable Disease Surveillance Centre (CDSC) which carries out epidemiological monitoring, the AIDS Coordinating Centre and PHLS Headquarters all sited at Colindale, London and a national network of 52 Area and Regional (Peripheral) Laboratories in England and Wales. The PHLS Board also manages the Centre for Applied Microbiology and Research (CAMR), Porton Down. The CMO has very close contacts with PHLS and CDSC.

COMMUNICATOR



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OF 231723Z FEBRUARY 89  
INFO IMMEDIATE UKREP, PARIS  
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*Prime Minister  
He-he!*

*AT  
29/2*

BELGIAN BAN ON TWO MAKES OF FRENCH CAMEMBERT

1. ON 22 FEBRUARY THE STATE SECRETARY FOR PUBLIC HEALTH, ROGER DELIZEE, ANNOUNCED A TEMPORARY BAN ON THE IMPORT AND SALE IN BELGIUM OF TWO MAKES OF FRENCH CAMEMBERT, 'LE RUSTIQUE' AND THE 'GRANDE RUSTIQUE', FOLLOWING THE DISCOVERY OF LISTERIA BACTERIA IN THESE TWO CHEESES.

2. THE FRENCH AUTHORITIES, THE EC COMMISSION AND THE FEDERATION OF DISTRIBUTORS HAVE BEEN NOTIFIED OF THE BAN.

PETRIE

YYYY

DISTRIBUTION 182

MAIN 181

FRAME AGRICULTURE ECD (I)

ADDITIONAL 1

FRAME

NNNN

*cc Mr. T. ...  
to ...  
to ...*

*[Signature]  
24/2*



dti

the department for Enterprise

NBY n

dt 24/2

~~celo~~

CONFIDENTIAL

The Rt. Hon. Tony Newton OBE, MP  
Chancellor of the Duchy of Lancaster and  
Minister of Trade and Industry

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON  
SW1A 2AA

Department of  
Trade and Industry

1-19 Victoria Street  
London SW1H 0ET

Switchboard  
01-215 7877

Telex 8811074/5 DTHQ G  
Fax 01-222 2629

Direct line  
Our ref  
Your ref  
Date

215 5147

24 February 1989

Dear Andrew,

#### FOOD SAFETY

The Chancellor of the Duchy of Lancaster has seen your letter of 14 February to Andy McKeon reporting on the meeting held earlier that day on food safety issues and David Crawley's letter of 17 February setting out his Secretary of State's responsibilities in this area and requesting Scottish Office representation among the observers or assessors to the Advisory Committee on Microbiological Safety in Food. He has also seen Flora Goldhill's letter to you of 20 February setting out proposals for the Chairmanship, terms of reference and composition of the Committee and your reply of 21 February indicating the Prime Minister's agreement to these proposals.

The Chancellor of the Duchy agrees with the comments made about the outside membership of this Committee. However, he very much hopes that it will be possible to include the Government Chemist among the Committee's observers or assessors.

ROSABY



the department for Enterprise

The Laboratory of the Government Chemist (LGC) has considerable expertise and experience in the microbiological analysis of food while the Government Chemist himself has formally defined functions under the 1984 Food Act as Referee Analyst when disputes arise about the composition of foodstuffs. In addition the LGC's involvement in the development of biotechnology brings it into close contact not only with the food industry but also with the innovators and users of technology that is designed to ensure food safety.

I am copying this letter to the recipients of yours.

*Yours*

*Linda Joyce*

LINDA JOYCE  
PRIVATE SECRETARY

ROSABY



Food - Safety Tax 89



Y SWYDIA GYMREIG  
GWYDYR HOUSE

WHITEHALL LONDON SW1A 2ER

Tel. 01-270 3000 (Switsfwrdd)  
01-270 (Linell Union)

Oddi wrth Ysgrifennydd Gwladol Cymru



NSM  
BF  
23/2

ce P.D.

WELSH OFFICE  
GWYDYR HOUSE

WHITEHALL LONDON SW1A 2ER

Tel. 01-270 3000 (Switchboard)  
01-270 (Direct Line)

From The Secretary of State for Wales

The Rt Hon Peter Walker MBE MP

CT/4135/89

22 February 1989

*Dear Secretary of State*

**INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD**

Ian Grist wrote to you on my behalf on 2 February to express an interest in the appointment of the Chairman and Members of the Committee on the Microbiological Safety of Food.

I feel it is important that there be at least one representative from Wales on the Committee and to ensure that you have a suitably qualified individual to consider I should like to nominate Dr S R Palmer.

Dr Palmer is Consultant Regional Epidemiologist of the Communicable Disease Surveillance Centre, based at the Cardiff Royal Infirmary. He is also Consultant Advisor in Epidemiology to my Department. In this role he has provided expert knowledge and sound judgement on a number of sensitive health matters. His professional expertise in the area of food related diseases and he has recently focused on new diseases arising from the food chain. I feel therefore that the combination of Dr Palmer's professional knowledge and his understanding of my Department's role in Health policy would make him a valuable member of the Committee. I hope you can accept this nomination.

I am copying this to the Prime Minister, members of H Committee, John MacGregor, Richard Luce and Sir Robin Butler.

*Yours sincerely*

*Keith Davies*

Approved by the Secretary of State  
and signed in his absence

The Rt Hon Kenneth Clarke QC MP  
Secretary of State for Health  
Richmond House  
79 Whitehall  
LONDON SW1A 2NS



Food Safety Jan 89

Jan 19 1989

NAM  
85  
22/2  
*[Signature]*

Mr P W Otley

From: Chief Medical Officer

Date: 20 February 1989

Copy: Mr McKeon  
Mrs Kirk  
Mr Davey  
Mr Heppell  
Miss Christopherson  
Miss Pease  
Dr Walford  
Dr Rubery  
Mr Jacob  
Mr Weir  
Mrs Attridge MAFF  
Dr Knowles MAFF  
Mr R Stewart DAFS  
Miss E M Jones WO  
Mr D Hamill DHSS NI  
Mr A Turnbull No 10

**LEAFLET "THE RECIPE FOR FOOD SAFETY"**

*? - will require if required.*  
I saw this leaflet for the first time today and it worries me greatly. If published in this form it will be widely criticised.

1. My first and most important point is that it suggests that it is possible to solve the problem of food poisoning by means of action in the kitchen alone. This is quite incorrect. Quite apart from the unequivocal fact that currently unfortunately some ready-to-eat food reaches the kitchen infected there is no chance at all bearing in mind the practicalities of dealing with the food poisoning problem unless action is taken at all points in the food chain not least where it is produced.

2. It is particularly unfortunate that the leaflet seems to give credence to the 100:1 ratio by mentioning that "perhaps as many as a million cases went unreported".

3. A lady who I know well who has brought up six children and has considerable practical experience adds the following points:-

i. For many people it is not practical in a small kitchen to have separated areas for cooked food and raw food and impossible to take precautions similar to the operating theatre when one is busy with small children etc. These precautions are necessary because the safety factor has been seriously reduced by the proportion of infected food on sale.



- ii. The advice about washing hands should be condensed. It is far too lengthy and involved and again sounds like an operating theatre!
- iii. It is easy to forget to clean out automatic defrosting fridges frequently enough and they do get wet inside.
- iv. "Store food carefully" and "use fridge and freezer correctly" could be combined. They are repetitive and overlap.
- v. The general design is unappealing and old-fashioned.

In summary, I doubt very much whether the housewife is going to appreciate appearing to be blamed for the whole of the food poisoning problem when the current debate indicates quite clearly that so much food is infected at the time the consumer purchases it.

*Edmond Acheson*

E D ACHESON

FOOD: Food safety Jan 29





like ECL  
cc BG

## 10 DOWNING STREET

LONDON SW1A 2AA

*From the Principal Private Secretary*

MR. WILSON  
Cabinet Office

## MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

The Prime Minister was grateful for the progress report on current food issues contained in your minute to me of 17 February. She wishes to talk to the Minister of Agriculture about the timing of the publication of the report on BSE. They will both be in Germany this evening and I have warned Mr. MacGregor's office of this.

The Prime Minister queried the reference to banning the sale of eggs at the farm gate. She will certainly want the case for this to be set out before any decision is taken.

She has noted that the terms of reference for the Advisory Committee on Microbiological Aspects of Food Safety need to be settled quickly. In particular it is important to establish the extent to which it works by responding to issues put to it by Departments and the extent to which it undertakes a longer term, wide-ranging study. The Prime Minister believes it should be possible for the Committee to do both; indeed it will need to produce advice quickly on some issues if it is to be of use in the preparation of the Food Bill.

BF |

It has now been agreed that there will be a meeting of MISC 138 on Wednesday 1 March at 10 am. You suggest that one of the items on the agenda should be the proposed leaflet on kitchen hygiene and the possibility of a glossy booklet on food safety. The Prime Minister is anxious that these should provide not only general advice but should also address the issues of current concern.

I am copying this minute to the Private Secretaries to members of MISC 138, to the Chief Medical Officer and the Chief Veterinary Officer, Miss Sinclair (No.10 Policy Unit), Mr. Woolley (Cabinet Office), Mr. Monck (Treasury), Mr. Heppell (Department of Health) and Mr. Capstick (Ministry of Agriculture, Fisheries and Food).

AT

ANDREW TURNBULL  
20 February 1989

MT



Prime Minister  
To note subject to  
specific questions at 3(b)  
and 4(i)?

CCPU

CABINET OFFICE

70 Whitehall London SW1A 2AS Telephone 01-270

CONFIDENTIAL AND PERSONAL

P 03369

MR TURNBULL

17 February 1989

MINISTERIAL GROUP ON FOOD SAFETY (MISC 138)

1. We spoke yesterday about the next meeting of MISC 138, planned for the week of 27 February.
2. As agreed, I have this morning held an informal meeting of senior officials from the Treasury, the Department of Health (DOH) and the Ministry of Agriculture, Fisheries and Food (MAFF) to establish what issues on food safety are thought likely to come to public attention in the next week or so and to consider a possible agenda for the meeting of MISC 138. For convenience the information below relates to England and Wales, but there will be a Scottish and Northern Ireland interest in various aspects.

Immediate Issues

3. Developments which Departments think can be expected over the next few days include the following.
  - a. A survey by the Public Health Laboratories Service, which found that 12% of pre-cooked chicken and 17% of pre-cooked chilled meals on sale to consumers were contaminated with

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CONFIDENTIAL

listeria, is being published in "The Lancet" today. The Chief Medical Officer's advice on listeria, which was issued on Friday 10 February, took account of those findings. The Secretary of State for Health is arranging for the Chief Medical Officer's advice to be placed on the Parliamentary record.

b. The Minister of Agriculture will be circulating to members of MISC 138 on Monday 20 February a draft statement together with briefing material on the report by Sir Richard Southwood's committee of experts on bovine spongiform encephalopathy (BSE). It is proposed that the report should be published next week. The Minister of Agriculture will be considering what timing would be best, taking account of Tuesday's debate (see e. below).

c. MAFF will be issuing a consultation document on untreated milk and cheese on Monday 20 February. The text of that document has already been seen by the Prime Minister and other interested Ministers.

d. The Select Committee on Agriculture have asked MAFF to provide by noon on Monday 20 February any departmental reports on salmonella which might have a material bearing on the Committee's inquiry, including in particular a report on the salmonella control programme in Sweden, with particular reference to poultry. The Committee is due to consider its report next week. Their Clerk has told the Department that "there would probably be renewed criticism if relevant and available material of this kind were to be withheld".

The Committee are also expected to ask the Department of Health to release to them the minutes, which have recently been leaked to the press, of meetings in June 1988 between Department of Health Officials, MAFF officials and egg industry representatives on salmonella and eggs. I understand that the Secretary of State for Health intends to resist this request.

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Agree better to get out early?

I will have a word with the two Ministers.

We are thinking this - a preliminary stage will do the trick - or more work to some extent.

Chick.



e. There is to be a full day's debate on Tuesday 21 February on an Opposition Motion entitled "The Government's failure to give proper care to the safety of food and water". The Secretary of State for Health is to open the debate and the Minister of Agriculture will wind up.

f. The Secretary of State for Health is expected to lay regulations within the next 10 days to prescribe a maximum temperature of 5°C for the storage of pre-cooked chilled foods, as mentioned in Cabinet yesterday.

g. The Secretary of State for Health may need to consult MISC 138 colleagues shortly on whether the Government should embark on the statutory consultation procedures for banning the sale of eggs at the farm gate and, if so, what the coverage of that ban should be.

h. The Social Services Select Committee is due to begin an inquiry on Wednesday 8 March into pre-cooked chilled meals served in hospitals.

Next Meeting of MISC 138 — Provisionally Wed. 1 March

4. As to the agenda for the next meeting of MISC 138, discussion with Departments indicates that the following papers could be circulated, either as substantive items or as background papers. The papers have all already been commissioned in MISC 138 or at the Prime Minister's meeting earlier this week.

i. The text of the proposed leaflet on kitchen hygiene, which will be circulated to housewives, schools, shops, etc, and a description of a possible glossy booklet on food safety, which would include a summary of the Government's arrangements for obtaining expert advice: a joint note by the Secretary of State for Health and the Minister of Agriculture.

Agree  
important  
that this  
reflects  
current  
concern  
and is not  
just general  
advice? . .

Y  
W



ii. Irradiation: a note by the Minister of Agriculture in consultation with the Secretary of State for Health.

iii. Food safety control overseas, with particular reference to the European Community: a note by the Minister of Agriculture, in consultation with the Secretary of State for Health.

iv. A note of the committees that already operate in the food safety area, including an account of their functions, to whom they report, the locus of the Chief Medical Officer, and the duties and procedures that are placed on Ministers by statute: a joint paper by the Secretary of State for Health and the Minister of Agriculture.

5. In addition, the Secretary of State for Health will probably be minuting MISC 138 members next week to seek their agreement to the chairman, composition and terms of reference of the advisory committee on microbiological aspects of food safety. The Minister of Agriculture will probably seek MISC 138 colleagues' agreement towards the end of next week to the proposed terms of reference for the comprehensive review on compensation arrangements under the Animal Health Act 1981. These matters could, if necessary, be added to the agenda for the next meeting of MISC 138.

6. I am copying this minute to the Private Secretaries to members of MISC 138, to the Chief Medical Officer and the Chief Veterinary Officer, to Miss Sinclair (No. 10 Policy Unit), to Mr Woolley (Cabinet Office), and to Mr Monck (Treasury), Mr Heppell (DOH) and Mr Capstick (MAFF).

*R.T.J.*

R T J WILSON

*This needs to be sorted out quickly. DoH still hankers for the wide ranging inquiry they originally proposed: others prefer it to respond to questions put to it so that answers can be generated in time for Food Bill. Can it not do both - set up hard & longer term study and give early advice on most pressing problems?*

*I agree.*



CONFIDENTIAL

P 03370

From: R T J Wilson  
17 February 1989

MR TURNBULL

FOOD SAFETY

1. I am sending you separately a note summarising the main points which emerged from my meeting with Departments this morning.
2. There are a number of aspects which left me a little uneasy. In particular:
  - i. bovine spongiform encephalopathy. MAFF received this report on Thursday of last week, 9 February. Mr MacGregor will be circulating it to colleagues on Monday, with a draft statement and briefing, but does not intend to publish it until later in the week, after Tuesday's debate. Quite apart from the danger of leaks, there must be some risk of the Opposition claiming during Tuesday's debate that there has been a 'cover-up' of the report; and then claiming, when the report is published, that this is only as a result of their pressure. We have therefore suggested to MAFF officials that Mr MacGregor might wish to consider publishing the report simultaneously with Tuesday's debate.
  - ii. Advisory Committee. The terms of reference of the new Advisory Committee have not yet been agreed, and it appears from this morning's discussion that there is still more than one point of view on what it should be asked to do. The Department of Health would like its first remit to be the sort of wide-ranging exercise which Mr Clarke proposed at



the outset. It seems important that this should be sorted out soon, to avoid the risk of conflicting public utterances and an impression of confusion.

iii. leaflet on hygiene. We got the strong impression this morning that the leaflet on hygiene which MAFF and DOH are preparing to issue in early March was drafted some time ago and will not take account of recent developments such as the advice which the CMO has issued. We have put it to Departments that it is highly desirable that the leaflet should be an up-to-date document which deals with current public concerns.

3. You may wish to take account of these points in any reply you send to my minute.

4. I am copying this minute to Carolyn Sinclair who was present at this morning's meeting and may also wish to comment.

RTJ

R T J WILSON



10 DOWNING STREET

~~Amanda.~~

Yread time for a MISC  
138 in the week after next.  
This can be achieved by  
Ding to "Nature" interview  
to 9.00 a on Wednesday,  
1 March (Terry is contact)  
and putting it on for 10.00am.  
Can you ask Cabinet Office to  
arrange?

~~Andrew~~

Fixed for 10.00am  
on Wednesday  
1st March.

AP

20/2





RECEIVED  
20 FEB 1989  
SECRETARY OF  
FOR HEALTH

cc. Ms Goldhill  
Mr Heppell  
Dr Walford  
Ms Pease.

FROM THE VICE-CHANCELLOR THE UNIVERSITY - MANCHESTER M13 9PL

Professor Sir Mark Richard  
Sc.D. F.R.S.  
Vice-Chancellor

Telephone: 061-2752010

MHR/JD

*Sir Mark is content  
for his name to go forward  
but hopes the word "possible"  
can be included in line 1 of  
the terms of reference*

17th February 1988

Dear Donald,

Thank you for your letter of 16th February which reached me by fax yesterday.

I would greatly prefer paragraph 2 of the terms of reference to read as follows:-

'The first remit would be to advise on the possible reasons for the ~~apparent~~ increasing incidence of microbiological illnesses of food borne origin particularly from salmonella, listeria and campylobacter and to establish whether this is linked to changes in agriculture and food production, food technology and distribution, retailing, catering and food handling in the home and to recommend action where appropriate, to reduce risk and increase safety margins'.

Would you/the Ministers be able to agree ?

The ambiguity in the use of the word 'apparent' is intentional.

I have now talked to my Chairman of Council in Manchester and I can agree to my name going forward. He (and I) would, however, like to register the fact that I am actually a full-time employee of the University of Manchester and that in the event of acute events here needing immediate attention they would have to take precedence.

I would also like my commitment to be of limited duration. Say, two years from the date of appointment in the first instance. Ministers might well be eager to make a change by then anyway !

Sir Donald Acheson,  
Chief Medical Officer,  
Dept. of Health and  
Social Security,  
Richmond House,  
79 Whitehall,  
London,  
SW1A 2NS

*Jan*  
*Mark*



RECEIVED  
20 FEB 1989  
SECRETARY OF  
HEALTH

cc. Ms Goldhill  
Mr Meppell  
Dr Walford  
Ms Pease.

FROM THE VICE-CHANCELLOR THE UNIVERSITY MANCHESTER M13 9

Professor Sir Mark Richmond  
Sc.D., FRS  
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Telephone: 061-275 20

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Sir Donald Acheson,  
Chief Medical Officer,  
Dept. of Health and  
Social Security,  
Richmond House,  
79 Whitehall,  
London,  
SW1A 2NS

*Jan*  
*Mark*





ccfa  
NDAM 17/2  
SCOTTISH OFFICE  
WHITEHALL, LONDON SW1A 2AU

**CONFIDENTIAL**

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON  
SW1A 2AA

17 February 1989

Dear Andrew,

**FOOD SAFETY**

My Secretary of State has seen your letter of 14 February following the meeting which the Prime Minister called earlier that day to consider food safety issues.

With regard to the expert Advisory Committee on Microbiological Safety in Food which is to be set up, Mr Rifkind would want the Committee to take into account his responsibilities under the Food and Drugs (Scotland) Act 1956 for food safety in Scotland. It will therefore be important that the Committee makes its formal report to him as well as to the Secretary of State for Health and the Minister of Agriculture, Fisheries and Food. We would certainly want to avoid creating any suggestion that the committee's programme of work or its advice applied only to England and Wales.

Details of the remit and of outside membership are yet to be settled. On outside membership, individual expertise and experience must be the paramount consideration. We would however like to have the Scottish Office represented on the Committee among the observers or assessors.

I am copying this letter to the recipients of yours.

Yours sincerely,  
David

DAVID CRAWLEY  
Private Secretary



NAIN  
or  
NIN ~~ccr~~

SCOTTISH OFFICE  
WHITEHALL LONDON SW1A 2AH

**CONFIDENTIAL**

Mrs Shirley Stagg  
Private Secretary to the  
Minister for Agriculture  
Ministry of Agriculture, Fisheries and Food  
Whitehall Place West  
LONDON

17 February 1989

*Dear Shirley,*

**UNTREATED MILK**

Thank you for copying to me your letter of 15 February to Andrew Turnbull covering the draft of a consultation document which MAFF propose to circulate at the beginning of next week.

My Secretary of State is content with the proposals in the consultation paper. He has noted, however, that the paper does not make a firm proposal to ban the sale of untreated cream, simply stating that Ministers are "considering" introducing a requirement that all cream (including cream used for farmhouse catering sales) should be heat treated. As the paper points out, the risks associated with untreated cream are similar to those arising from untreated milk and sales of cream are already banned in Scotland. Scottish Ministers have taken a very firm line on this in the face of some strong opposition, and the ban in Scotland covers all sales of raw cream, including cream used in farmhouse catering. My Secretary of State is concerned that any weakening of the Government's stance in England would undermine the position which has been built up in Scotland.

On other issues in the paper, my Secretary of State is content to look at the possibility of taking powers over goat and sheep milk in the context of the new Food Bill. He supports the paper's line on the use of unpasteurised milk in cheese and the open-ended approach to dealing with this question.

I am copying this letter to Andrew Turnbull, Flora Goldhill, Mike Maxwell, Stephen Williams and Trevor Woolley.

*Yours ever,*  
*David*

**DAVID CRAWLEY**  
Private Secretary





## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~SECRET~~ Health

CONFIDENTIAL

NAM

Mrs Shirley Stagg  
 Private Secretary to the  
 Minister of Agriculture,  
 Fisheries and Food  
 Whitehall Place  
 LONDON  
 SW1A 2HH

16 February 1989

*Dear Shirley*

## UNTREATED MILK

The Secretary of State and the Chief Medical Officer have seen your letter of 15 February and they were generally content with the draft consultation document. The Chief Medical Officer has also asked me to let you know that while he has no objection in principle to consulting about cream and cheese, on the basis of recent experience, the case for a ban is considerably weaker.

I am copying this letter to Andrew Turnbull (No 10), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Stephen Williams (Welsh Office) and Trevor Woolley (Cabinet Office).

*Yours*

*Flora*

FLORA GOLDHILL  
 Private Secretary

Food : Sateen . Jan 89.

Jan 10 1989



PERSONAL AND  
PRIVATE



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 61-210 3000

From the Chief Medical Officer

Sir Donald Acheson KBE DM DSc FRCP FRCM FFOM

Sir Mark Richmond  
c/o CVCP

16 February 1989

Dear Mark

I was sorry, not as I had planned and hoped, to have a covering letter for the amended and corrected terms of reference. However, I have seen a copy of the version of which you were given and I am sure this is satisfactory and does reflect what Ministers have in mind.

We agreed in our provisional talk this morning that Ministers did not in any way have an inquisitorial type of "enquiry" in mind to apportion blame, but rather an enquiry into the scientific basis in the food chain of the problems which have recently emerged in terms of microbiological safety of food. We also agreed that it was not intended that the members of the Committee should be representative or factional but a small committee of experts, with perhaps one or two people who were informed consumers on it. Reports would be published and it was hoped the first report dealing with the most urgent issues would come out this year, hopefully in the Autumn. There would be a Secretariat, including a Scientific Secretary.

I explained that I was not able to commit Ministers at this point and that this was a preliminary discussion to clear the ground so that you could make up your mind whether you wished me to inform Ministers tomorrow that you were interested in the Chairmanship.

Yours

Sincerely

Donald Acheson



PERSONAL AND  
PRIVATE



DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 61-210 3000

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Sir Mark Richmond  
c/o CVCP

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Yours

Sincerely

Donald Acheson



CONFIDENTIAL



FILE ECL/80.

10 DOWNING STREET  
LONDON SW1A 2AA

*From the Principal Private Secretary*

16 February 1989

*Dea Shirley*

UNTREATED MILK

The Prime Minister has seen your letter to me of 15 February. She was content with the draft of the consultation document which was attached to it. She thinks it important to make sure, in any publicity related to this document, that the propositions being consulted upon in relation to cheese are quite different from those relating to milk and cream, in particular that there is no proposal to prohibit use of untreated milk for cheese making.

I am copying this letter to Flora Goldhill (Department of Health), David Crawley (Scottish Office), Mike Maxwell (Northern Ireland Office), Stephen Williams (Welsh Office) and Trevor Woolley (Cabinet Office).

*Your sincerely*

*Andrew Turnbull*

(ANDREW TURNBULL)

Mrs. Shirley Stagg,  
Ministry of Agriculture, Fisheries and Food.

CONFIDENTIAL



Ministry of Agriculture, Fisheries and Food  
Whitehall Place London SW1A 2HH

cc pu

From the Minister's Private Office

CONFIDENTIAL

Mr Andrew Turnbull  
Principal Private Secretary to the  
Prime Minister  
No 10 Downing Street  
London

Prime Minister

This makes clear that  
(i) it applies to milk for  
liquid consumption  
(ii) no ban is proposed for  
cheese, though there  
could be other measures  
of labelling.

15 February 1989

Content?

Dear Andrew

Yours  
AT  
15/2

UNTREATED MILK

In view of the Prime Minister's interest in the untreated milk issue, my Minister thought that you would wish to see the consultation document which we are proposing to circulate at the beginning of next week.

My Minister feels that the proposed ban on untreated milk and cream will be a matter of some political sensitivity, particularly in areas such as the North of England where there is an established doorstep trade in green top milk, and the South West where there will be concern about farmhouse catering (including cream teas). A number of critical PQs have already been put down. Nevertheless, in the light of the scientific advice from the CMO he believes it is important to proceed with the consultation exercise - though you will note that paragraph 8 on cream is drafted slightly more tentatively than the preceding paragraphs on untreated milk since he feels that this is the most difficult issue.

I should be grateful for any comments from you and copy recipients by close tomorrow.

I am copying this letter to Flora Goldhill (PS/Secretary of State for Health), David Crawley (PS/Secretary of State for Scotland), Mike Maxwell (PS/Secretary of State for Northern Ireland) and Stephen Williams (PS/Secretary of State for Wales) and Trevor Woolley (PS/Cabinet Secretary).

Shirley Stagg

Shirley Stagg (Mrs)



Consultation Document on Untreated Milk and Cheese To Be Sent to Interested Parties (Including all Holders of Untreated Milk Licences)

Introduction

1. The Minister of Agriculture, Fisheries and Food announced on 3 February that he and the Secretary of State for Wales would be consulting interested parties with a view to prohibiting the sale of untreated milk for liquid consumption (see MAFF News Release 38/89 at Annex A). The present position in England and Wales is that untreated milk sold for liquid consumption has to be labelled as such and can only be sold from the farm or by licensed distributors or by farmhouse caterers. This contrasts with the position in Scotland where all sales are banned.

2. The proposal reflects the fact that consumption of untreated milk poses a health risk since even in the best run herds, clinical infections can be present in the milk even though no symptoms are shown by the cows. Effective heat treatment is the only way to minimise the risk of transmitting milk borne diseases such as salmonellosis and campylobacter infections to the consumer.

Timing

3. Ministers recognise that untreated licence holders will need time to adjust their business arrangements and that consumers will need time to identify alternative sources of supply. It is therefore proposed that sales should be allowed to continue for a period of a year after the original announcement - i.e. until the end of January 1990.

Implementation of proposed ban

4. The Milk and Dairies (Special Designation) Regulations 1988, which lay down the conditions under which untreated milk (and heat treated milk) may be sold for liquid consumption would be revoked and the replacement regulations would only provide for milk to be sold under the designations "pasteurised" "sterilised"

or "UHT" - i.e. all such milk would have to be heat treated. The new regulations would apply to all sales including farm shop and farm catering sales and sales through untreated milk distributors. They would not apply to the consumption of untreated milk by farmers and their families or to milk provided free to farm workers.

#### Testing of untreated milk

5. The recent scrutiny report recommended amending the Milk (Special Designation) Regulations to prescribe new tests (a total plate count test and a coliform test) in place of the existing methylene blue test. Minister's preliminary view is that, if sales are banned within a year, the introduction of a new testing regime for a few months would not be justifiable. Local authorities already have powers to require the heat treatment of milk which represents a threat to health.

#### Consent holders

6. Comments are invited on the position of consent holders. These are producers (currently numbering around 50) who have the Minister's consent under Section 42 of the Food Act to sell untreated milk outside the Special Designation system to named consumers in order to ensure that a milk supply is available in remote areas. Consents are normally issued for a period of one year. It is proposed that in future, when existing consents expire, a further consent would be issued only very exceptionally and on condition that an appropriate health warning is given to the customer. New consents would be issued very sparingly and subject to the same condition. It should be noted that in Scotland (where the remote area problem is obviously greater than in England and Wales) only one consent is still extant.



7. The argument in paragraph 5 that it is not sensible to introduce new tests for a few months will not apply in the case of consents which remain in force and it may be appropriate to attach conditions to such consents requiring the holder to provide regular evidence that his milk satisfies prescribed microbiological tests.

#### Untreated Cream

8. The risks associated with untreated cream are similar to those arising from untreated milk and sales are banned in Scotland. Ministers are therefore considering introducing a requirement that all cream (including cream used for farmhouse catering sales) should be heat treated in accordance with the Milk and Dairies (Heat Treatment of Cream) Regulations 1983 as amended.

#### Goat and Sheep Milk

9. The Food Act does not enable Ministers to ban sales of untreated goat and sheep milk. Consultations on a new Food Bill have suggested that powers should be taken to enable Ministers to regulate the production of these milks. Meanwhile, the Ministry has issued a Code of Practice on the hygienic production of goats milk, and a code on sheeps milk is being prepared,

## Cheese

10. Most cheeses, including imported cheeses, are made from pasteurised milk. Pasteurisation destroys pathogens in the milk before the cheesemaking process begins and this helps to ensure that the final product is safe. On the other hand, some producers (especially in the farmhouse sector) and consumers consider that pasteurisation adversely affects the final product. Moreover, the cheesemaking process itself provides some safeguards against milk-borne pathogens. Ministers do not therefore propose to introduce any prohibition on the use of unpasteurised milk in the manufacture of cheese. They will however be ready to consider suggestions for any necessary action on cheese, including views on whether more detailed and clearer labelling requirements should be laid down. Any such requirements would have to be notified to, and cleared with, the European Community.

## Other milk products

11. There are no proposals to make any changes to the requirements for the manufacture of butter or of yoghurt (for which there is an industry code of practice).

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Closing date for comments

12. Comments on all these issues are invited by 22 May 1989.

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MILK MARKETING & POTATOES DIVISION  
MINISTRY OF AGRICULTURE, FISHERIES & FOOD  
FEBRUARY 1989

## PASTEURISED/UNPASTEURISED MILK

The position in England and Wales is that sales of both pasteurised and unpasteurised milk are permitted. Sales of unpasteurised are, however, subject to various licence conditions. In particular:

- (a) the milk must be labelled "raw unpasteurised milk"
- (b) the milk may not be sold in shops or to establishments such as hotels, schools, etc: it may, however, be sold in farm shops and used for farmhouse catering;
- (c) the milk must satisfy the prescribed methylene blue test.

Sales of untreated milk and cream are banned in Scotland. They are permitted in Northern Ireland, but sales there are negligible.

There are no restrictions on the use of unpasteurised milk for cheesemaking. There is no labelling requirement when unpasteurised milk is used, but such a requirement could be imposed by amending the Cheese Regulations 1970.

The CMO's advice on listeria in soft cheese is distinct from the pasteurised/unpasteurised issue. This reflects the fact that, although pasteurisation will destroy listeria in the raw milk,



the subsequent manufacturing and ripening process may result in contamination in cheese made from either pasteurised or unpasteurised milk.

The Scots have not banned the use of unpasteurised milk for cheesemaking. *Code of Practice on hygienic procedures for cheesemaking includes a recommendation in favour of using pasteurised milk.*

Following the 3 February press notice (Annex A) a consultation document is in draft and will deal with cheese as well as milk. It will be cleared with Department of Health and Welsh Office. We aim to issue it within the next week.



# News Release

38/89

3 February 1989

## CONSULTATIONS ON PROPOSAL TO BAN SALE OF UNTREATED MILK

Consultations are to take place with interested parties with a view to banning the sale of untreated milk. the Rt Hon John MacGregor MP, Minister of Agriculture, Fisheries and Food, announced today.

In a written reply to a Parliamentary Question from Mr Richard Alexander MP (Newark), Mr MacGregor said:

"My Rt Hon Friend the Secretary of State for Wales and I have recently been reviewing our arrangements for the sale of untreated milk, which represents 2 to 3 per cent of milk sales in England and Wales. Effective heat treatment is the only way to minimise the risks of transmitting milk-borne diseases to the consumer. My Rt Hon Friend and I propose therefore to consult the interested parties with a view to prohibiting the sale of untreated milk from the earliest possible date. We shall consult also on what arrangements should be applied to sales of untreated milk in the interim period.

"A consultation document will be issued shortly inviting comments on this proposal and on the detailed arrangements for its implementation."



Acheson	DoH
McKeon	
Andrews	MAFF
Crawley	S.O.

## COMMITTEE TO INVESTIGATE FOOD SAFETY

An expert committee is to be established on micro-biological safety in food. It will report to the Secretary of State for Health and the Minister of Agriculture, but it will have an independent Chairman. Its members will <sup>include</sup> ~~be~~ outside experts, e.g., scientists or those with practical experience in the production, processing, retailing or preparation of food in the home or in catering. It will investigate ~~the~~ issues referred to it by Departments, but it will also be able to initiate its own investigations. Its reports will be published.

## SALE OF UNPASTURISED MILK: ADVICE ON CONSUMPTION OF CHEESE

The position is that in Scotland there is already a ban on sales of unpasturised liquid milk and cream to the general public. Unpasturised milk may still be used for cheese-making though there is a Code of Practice on good hygienic procedure. The Ministry of Agriculture is considering whether unpasturised liquid milk and cream for sale to the general public should also be banned in England and Wales, and a consultation document will be issued shortly. A Code of Practice for major manufacturers of soft cheeses has already been issued; one for smaller cheese-makers is in draft.

On listeriosis, the Chief Medical Officer's advice <sup>is</sup> ~~was~~ that pregnant women and certain other categories of people should not eat certain types of soft cheeses. That advice applies irrespective of the type of milk from which they were made.

The Chief Medical Officer also gave advice that these people should fully reheat cooked chill meals and ready to eat poultry.



response }

material - Karrod letter

12



10 DOWNING STREET

Labelling of cheese made from unpasteurised milk

I have checked back on this point. I am now advised that the legal position under our Cheese Regulations is no clear as to whether cheese made from unpasteurised milk has to be labelled as such. The third paragraph of the briefing note, therefore, needs to be amended to reflect this.

I apologise about the error over this point.

Mr Turnbull

DHAWans

14.2.88





10 DOWNING STREET

LONDON SW1A 2AA

*From the Principal Private Secretary*

14 February 1989

SUBJECT CC MASTER

*Dear Andy,*

## FOOD SAFETY

The Prime Minister held a meeting this morning with your Secretary of State and the Secretary of State for Scotland to consider current food safety issues. Mr. D. H. Andrews (MAFF), Sir Donald Acheson (Chief Medical Officer) and Mr. R. T. Wilson and Mr. A. J. Langdon (Cabinet Office) were also present.

The Chief Medical Officer explained that salmonella enteridis phage type 4 in eggs was a relatively recent public health problem that had become increasingly manifest during 1988. He had issued a written warning to the public as soon as the evidence was sufficiently firm, in August, and that had been followed up by further advice, including a television appearance, in November. The warnings that he had given applied just as much to free-range eggs as to battery produced eggs, though as yet there was insufficient evidence to demonstrate that free-range eggs were the greater hazard.

The meeting then considered the sale of unpasteurised milk, on which the Minister of Agriculture had given a written answer to a Parliamentary question on 3 February; and the Chief Medical Officer's advice to the public on listeria, which had been issued as a press release by the Department of Health on 10 February. The Secretary of State for Scotland explained that the position in Scotland was that there was already a ban on sales of unpasteurised liquid milk and cream to the general public. Unpasteurised milk might still be used for cheese-making in Scotland, though there was a code of practice on hygienic procedure in cheese-making which recommended against the use of unpasteurised milk. Some specialist cheese manufacturers did, however, use unpasteurised milk in cheese-making. It had been consciously decided in 1983, when the prohibition had been imposed on sales of unpasteurised liquid milk, that the health hazards of unpasteurised milk in cheese-making were not so great as to justify the prohibition of the practice.



The Chief Medical Officer said that he was in full agreement with the position on unpasteurised milk that obtained in Scotland, both as regards sales of liquid milk to the general public and as regards the use of unpasteurised milk in cheese-making. The consumption of unpasteurised liquid milk led to outbreaks of food poisoning every year, and in January he had expressed his concern to the Ministry of Agriculture, Fisheries and Food and asked them to reconsider the question of prohibiting direct sales of untreated milk to the public. The use of unpasteurised milk in cheese-making did not constitute such a public health risk and he did not believe that it should be stopped. There were a number of unpasteurised cheeses that were regarded as a delicacy and he did not suggest that they should be prohibited, wherever they came from. Soft cheese was, however, one of the foodstuffs in which the organism *listeria monocytogenes* was most able to multiply at temperatures likely to be found in refrigerators. *Listeria* caused the disease listeriosis, which was a particular threat to pregnant women since it could damage the foetus and cause miscarriages and stillbirths. The disease could also affect certain other vulnerable groups of people. In view of an article in 'The Lancet' he had issued general advice to the public on 10 February warning pregnant women and the other vulnerable groups not to eat soft cheese and to observe certain precautions in the preparation of cook chill meals and pre-cooked poultry, which could similarly harbour *listeria*. That advice was quite separate from the question of pasteurisation of milk. Soft cheese made from pasteurised milk was no less likely to harbour *listeria* than was cheese of a similar type made from unpasteurised milk, and this view was supported by a WHO report on *listeria* published last year.

Mr. Andrews said that his Minister had explained in a written answer on 3 February that he proposed to prohibit the sale of unpasteurised milk to the general public from the earliest possible date, and was about to embark on the consultation with the interested parties that was prescribed under the Food Act. A consultation document would shortly be issued. The position on soft cheese in England and Wales was similar to that in Scotland, in that there was already a code of practice for major manufacturers, and a code of practice for small manufacturers was in draft. In view of the enhanced interest in soft cheese, however, his Minister had indicated that, in addition to consulting on unpasteurised liquid milk itself he would also consult on whether some action was necessary on cheese made from unpasteurised milk. While a general ban was not in prospect action might take the form of labelling requirements.

The meeting then considered other food safety measures. The Chief Medical Officer said that the technique of irradiation could be helpful in reducing bacteria in foodstuff and the Advisory Committee on Radiated and Novel Foods had concluded that it presented no health hazard, if properly carried out. That conclusion had been announced in February 1988, and a joint working group of officials was considering the control system that would be needed for irradiation to be developed. Your Secretary of State said that the position on



the control of refrigerator temperatures in retail outlets was further advanced. He hoped that a decision might be taken by the experts today and that he would be able to make the necessary amendments to the Food Hygiene Regulations early next week. This could be very important for the proper control of food in, for example, supermarkets.

Your Secretary of State said that he hoped that it would now be possible to move quickly to establish the advisory committee that had been agreed in principle by the ministerial Group on Food Safety (MISC 138) the previous week. He had in mind a distinguished name for the possible chairman, and he hoped that the terms of reference could be on the lines that he had originally suggested. In his view, the Committee would need to involve experts from his Department and the Ministry of Agriculture, Fisheries and Food, as well as people from the academic world and a mix of other people with a relevant practical background. The committee should not, however, include members in a representative capacity, whether on behalf of consumers or any other interest.

The Prime Minister, summing up the discussion, said that the pasteurisation of liquid milk and the prevention of listeria infection were separate issues. The linkage of these two matters had caused confusion, and the issues should be disentangled. The position obtaining in Scotland, where unpasteurised liquid milk and cream could not be sold to the general public though they were available for specialist cheese-making, was the broad model towards which England and Wales should aim, though the meeting did not have sufficient information about the present requirements on the labelling of cheese to enable it to take a view on that point. More generally, it was essential that departments contemplating action based on public health considerations should clear their lines with the Chief Medical Officer. A full statement of the position on listeria, based on the Chief Medical Officer's advice in the press release of 10 February, should be put out in the form of a written answer to a Parliamentary Question as soon as possible.

The Government should confirm the intention of establishing an expert advisory committee on microbiological safety in food. The committee would report to your Secretary of State and the Minister of Agriculture, Fisheries and Food but it would have an independent chairman. Its members would include outside experts such as scientists or those with practical experience in the production, processing, retailing or preparation of food in the home or in catering. The Chief Medical Officer and Chief Veterinary Officer and their officials should be associated with the committee as observers or assessors. The committee would investigate issues referred to it by departments, but it should also be able to initiate its own investigations. It should also be made clear that the committee's reports would be published. Once these decisions were made known, nothing further should be said about the establishment of the committee until its chairman and terms of reference had been settled and the picture on its membership was clearer. Your Secretary of State and the Minister of

Agriculture, Fisheries and Food should bring forward proposals on these matters as soon as possible. It would also be helpful if they would prepare a note setting out the committees that already operated in the food safety area, including an account of their functions, to whom they reported, the locus of the Chief Medical Officer, and the relevant duties and procedures that were placed on Ministers by statute. Your Secretary of State, in consultation with the Minister of Agriculture, Fisheries and Food should also circulate a note on irradiation, as requested at MISC 138 last week.

I am sending copies of this letter to the Private Secretaries to the Secretary of State for Scotland and other members of MISC 138, the Chief Medical Officer, Mr. D. H. Andrews and Sir Robin Butler.


*Yours sincerely*

*Andrew*

(ANDREW TURNBULL)

Andrew McKeon, Esq.,  
Department of Health.





K02107

CONFIDENTIAL

MR TURNBULL

FOOD SAFETY

I attach a draft note of this morning's meeting in the form of a letter for you to send to Mr McKeon.

ALL

A J LANGDON

14 February 1989

**FOOD SAFETY**

The Prime Minister held a meeting this morning with your Secretary of State and the Secretary of State for Scotland to consider current food safety issues. Mr D H Andrews (MAFF), Sir Donald Acheson (Chief Medical Officer) and Mr R T Wilson and Mr A J Langdon (Cabinet Office) were also present.

The Chief Medical Officer explained that salmonella enteridis phage type 4 in eggs was a relatively recent public health problem that had become increasingly manifest during 1988. He had issued a written warning to the public as soon as the evidence was sufficiently firm, in August, and that had been followed up by further advice, including a television appearance, in November. The warnings that he had given applied just as much to free-range eggs as to battery produced eggs, though as yet there was insufficient evidence to demonstrate that free-range eggs were the greater hazard.

The meeting then considered the sale of unpasteurised milk, on which the Minister of Agriculture had given a written answer to a Parliamentary question on 3 February; and the Chief Medical Officer's advice to the public on listeria, which had been issued as a press release by the Department of Health on 10 February. The Secretary of State for Scotland explained that the position in Scotland was that there was already a ban on sales of unpasteurised liquid milk and cream to the general public. Unpasteurised milk might still be used for cheese-making in Scotland, though there was a code of practice on hygienic procedure in cheese-making which



CONFIDENTIAL

recommended against the use of unpasteurised milk. Some specialist cheese manufacturers did, however, use unpasteurised milk in cheese-making. It had been consciously decided in 1983, when the prohibition had been imposed on sales of unpasteurised liquid milk, that the health hazards of unpasteurised milk in cheese-making were not so great as to justify the prohibition of the practice. <sup>P</sup>The Chief Medical Officer said that he was in full agreement with the position on unpasteurised milk that obtained in Scotland, both as regards sales of liquid milk to the general public and as regards the use of unpasteurised milk in cheese-making. The consumption of unpasteurised liquid milk led to outbreaks of food poisoning every year, and in January he had expressed his concern to the Ministry of Agriculture, Fisheries and Food and asked them to reconsider the question of prohibiting direct sales of untreated milk to the public. The use of unpasteurised milk in cheese-making did not constitute such a public health risk and he did not believe that it should be stopped. There were a number of unpasteurised cheeses that were regarded as a ~~great~~ delicacy and he did not suggest that they should be prohibited, wherever they came from. Soft cheese was, however, one of the foodstuffs in which the organism listeria monocytogenes was most able to multiply at temperatures likely to be found in refrigerators. Listeria caused the disease listeriosis, which was a particular threat to pregnant women since it could damage the foetus and cause miscarriages and stillbirths. The disease could also affect certain other vulnerable groups of people. In view of an article in 'The Lancet' he had issued general



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advice to the public on 10 February warning pregnant women and the other vulnerable groups not to eat soft cheese and to observe certain precautions in the preparation of cook chill meals and pre-cooked poultry, which could similarly harbour listeria. That advice was quite separate from the question of pasteurisation of milk. Soft cheese made from pasteurised milk was no less likely to harbour listeria than was cheese of a similar type made from unpasteurised milk, and this view was supported by a WHO report on listeria published last year.

Mr Andrews said that his Minister had explained in a written answer on 3 February that he proposed to prohibit the sale of unpasteurised milk to the general public from the earliest possible date, and was about to embark on the consultation with the interested parties that was prescribed under the Food Act. A consultation document would shortly be issued. The position on soft cheese in England and Wales was similar to that in Scotland, in that there was already a code of practice for major manufacturers, and a code of practice for small manufacturers was in draft. In view of the enhanced interest in soft cheese, however, his Minister had indicated that, in addition to consulting on unpasteurised liquid milk itself he would also consult on whether <sup>some</sup> action was necessary on cheese made from unpasteurised milk. <sup>While a general ban was not in prospect</sup> Such action might ~~be~~ ~~take the form of~~ labelling requirements.



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The meeting then considered other food safety measures. The Chief Medical Officer said that the technique of irradiation could be helpful in reducing bacteria in foodstuff and the Advisory Committee on Radiated and Novel Foods had concluded that it presented no health hazard, if properly carried out. That conclusion had been announced in February 1987, and a joint working group of officials was considering the control system that would be needed for irradiation to be developed. Your Secretary of State said that the position on the control of refrigerator temperatures in retail outlets was further advanced. He hoped that a decision might be taken by the experts today and that he would be able to make the necessary amendments to the Food Hygiene Regulations early next week. This could be very important for the proper control of food in, for example, supermarkets.

Your Secretary of State said that he hoped that it would now be possible to move quickly to establish the advisory committee that had been agreed in principle by the Ministerial Group on Food Safety (MISC 138) the previous week. He had in mind a distinguished name for the possible chairman, and he hoped that the terms of reference could be on the lines that he had originally suggested. In his view, the Committee would need to involve experts from his Department and the Ministry of Agriculture, Fisheries and Food, as well as people from the academic world and a mix of other people with a relevant practical background. The committee should not, however, include members in a representative capacity, whether on behalf of consumers or any other interest.



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The Prime Minister, summing up the discussion, said that the pasteurisation of liquid milk and the prevention of listeria infection were separate issues. The linkage of these two matters ~~by the Ministry of Agriculture, Fisheries and Food~~ had caused confusion, and the issues should be disentangled. The position obtaining in Scotland, where unpasteurised liquid milk and cream could not be sold to the general public though they were available for specialist cheese-making, was the broad model towards which England and Wales should aim, though the meeting did not have sufficient information about the present requirements on the labelling of cheese to enable it to take a view on that point. More generally, it was essential that departments contemplating action based on public health considerations should clear their lines with the Chief Medical Officer. A full statement of the position on listeria, based on the Chief Medical Officer's advice in the press release of 10 February, should be put out in the form of a written answer to a Parliamentary Question as soon as possible.

The Government should confirm the intention of establishing an expert advisory committee on microbiological safety in food. The committee would report to your Secretary of State and the Minister of Agriculture, Fisheries and Food but it would have an independent chairman. Its members would include outside experts such as scientists or those with practical experience in the production, processing, retailing or preparation of food in the home or in catering. The Chief Medical Officer and Chief Veterinary Officer <sup>and their officials</sup> should be

^



CONFIDENTIAL

associated with the committee as observers or assessors. The committee would investigate issues referred to it by departments, but ~~it could not now be confined to that role~~ and it should also be able to initiate its own investigations. It should also be made clear that the committee's reports would be published. Once these decisions were made known, nothing further should be said about the establishment of the committee until its chairman and terms of reference had been settled and the picture on its membership was clearer. Your Secretary of State ~~for Health~~ and the Minister of Agriculture, Fisheries and Food should bring forward proposals on these matters as soon as possible. It would also be helpful if they would prepare a note setting out the committees that already operated in the food safety area, including an account of their functions, to whom they reported, the locus of the Chief Medical Officer, and the relevant duties and procedures that were placed on Ministers by statute. Your Secretary of State, in consultation with the Minister of Agriculture, Fisheries and Food should also circulate a note on irradiation, as requested at MISC 138 last week.

I am sending copies of this letter to the Private Secretaries to the Secretary of State for Scotland and other members of MISC 138, the Chief Medical Officer, Mr D H Andrews and Sir Robin Butler.





## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Services~~ Health

The Rt Hon John MacGregor MP  
 Minister for Agriculture, Fisheries and Food  
 Whitehall Place  
 London  
 SW1A 2HH

Prime Minister  
 If you still want  
 a tutorial after  
 reading these papers  
 this can be arranged just  
 before lunch

13 FEB 1989

HT 13/2

No

M.I.

Dear John.

Having seen the press coverage of the last few days I am sure you will agree that it is a pity that we have had two apparently contradictory lines on cheese. I think that we must stick to the advice the Chief Medical Officer gave on Friday that pregnant women and those with weak immune systems should avoid eating certain types of soft cheeses such as brie, camembert and blue vein types. Pasteurisation is an entirely separate issue and I am glad to see that you have put out a clarifying statement that there is no proposal to ban unpasteurised soft cheese and that we are to consult about a proposal to ban unpasteurised milk. This is a topic I hope to raise with you at our meeting tomorrow afternoon.

I am sending a copy of this letter to other members of MISC 138 and to Sir Robin Butler.

KENNETH CLARKE





DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Services~~ Health

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON SW1A

13 February 1989

*Dear Andrew*

I attach, as requested, the text of the letter which is to appear in the Lancet on 17 February reporting the results of the PHLIS survey on listeria. A background note and line to take are also attached.

I am copying this letter to the private secretaries to other members of MISC 138 and Trevor Woolley.

*Yours ever*

*Flora*

FLORA GOLDHILL  
Private Secretary

LINE TO TAKE: The findings on pre-cooked chilled foods retailed for sale, particularly on those to be eaten without further cooking are a cause for concern. The Government is taking steps with the food industry and trade to investigate and review food preparation and storage practices to ensure that *Listeria monocytogenes* is not present in cooked foods. The Chief Medical Officer has given advice to pregnant women and those with underlying illness which results in impaired resistance to infection to reheat such food until it is piping hot. These results were taken into account in the advice to the public issued last Friday and were reported verbally to the Press at the Press conference on that day.

The results on food prepared according to the DH cook-chill catering guidelines demonstrate that most cook-chill catering units are performing satisfactorily, although some attention needs to be paid to controls on prepared foods brought into these units.

The updating of DH guidelines for cook-chill catering, are nearing completion.



LISTERIA MONOCYTOGENES AND CHILLED FOODS

Letter to Lancet from Gilbert and Roberts of PHLS, Colindale

1. This letter reports the results of a survey (carried out between mid November 1988 and mid January 1989) of the incidence of *Listeria monocytogenes* in certain chilled foods.
2. The survey was carried out by PHLS via 43 regional laboratories following a request from the Department of Health in November 1988.
3. The survey examined:-
  - i. pre-cooked ready-to-eat poultry and chilled meals purchased from retail premises;
  - ii. cook-chill catering meals, mainly from hospitals, prepared in accordance with the DH guidelines and sampled before re-heating.

*Retail* | Results: The study found 12% of pre-cooked ready-to-eat poultry and 17.6% of chilled meals contained *Listeria monocytogenes*.

*Catering* | It found 1.6% of main course items sampled before final reheating and 0% (of 73) desserts contained *Listeria monocytogenes*.

Interpretation: There should not be any contamination of cooked food that is ready-to-eat without further cooking.

The results for pre-cooked ready-to-eat poultry and chilled meals formed the basis of the CMO's advice to pregnant women and those with illnesses which reduce their resistance to infection to reheat these foods until they are piping hot before consumption.

The results on the food from cook-chill catering units gives less cause for concern since only 1.6% were contaminated and since all items contaminated would be re-heated before consumption.

Action: Talks between DH, MAFF and the manufacturers, retailers and caterers are already underway to improve the situation by developing Codes of Practice and improving standard procedures.

DH is considering what modifications to the DH guidelines for cook-chill catering are necessary to reduce even further the level of contamination of the catering meals.

The Food Hygiene Regulations are being revised to ensure better temperature controls in retail refrigerated units.







DRAFT

Chubey

LISTERIA MONOCYTOGENES AND CHILLED FOODS

for D Thomson  
cc 17/10/89  
for W...  
to the Lancet by  
Dr Gilbert  
Gpi  
572

Sir,

Following publicity concerning the presence of Listeria monocytogenes in cooked poultry and cook-chill meals<sup>1</sup> and the implication of these in cases of human listeriosis<sup>2,3</sup>, the Public Health Laboratory Service (PHLS) has undertaken a survey to determine the incidence of this organism in certain chilled foods. <sup>The</sup> Three groups of product have been examined were:

- (i) pre-cooked ready-to-eat poultry <sup>and</sup> chilled meals from retail premises;
- (ii) cook-chill meals, mainly from hospitals, prepared in accordance with the DHSS Guidelines<sup>4</sup> and sampled before <sup>reheating</sup> consumption.

Between mid November 1988 and mid January 1989, 43 PHLS laboratories examined 1301 samples of cooked poultry and chilled meals, a summary of the results of the survey are given in the table. A full report will appear elsewhere.

Earlier studies<sup>5</sup> have shown that raw chicken is frequently contaminated (60%) with L.monocytogenes. This organism is not particularly heat resistant and should be killed by proper cooking, thus the <sup>frequency</sup> level of contamination of ~~the~~ cooked ready-to-eat chicken (12.0%) is disturbingly ~~high~~. However, in 7 positive samples studied quantitatively the level of L.monocytogenes was <sup>very low ie</sup> less than 100 per g. Contamination of such a product is almost certainly linked to either, <sup>to</sup> inadequate cooking or to recontamination after cooking.

The retail chilled meals also showed a high <sup>frequency</sup> rate of contamination (17.6%) considering that these products had gone through a cooking process. They all carried instructions to reheat before consumption and if this was



NP

carried out correctly ~~the~~ L.monocytogenes should be eliminated. A small proportion (10/627, 1.6%) ~~Of~~ <sup>Of</sup> main course items from cook-chill catering units contained L.monocytogenes. Of the 10 positive items 7 were bought in "ready-cooked" for use without further ~~heating~~ <sup>cooking</sup> before the final ~~regeneration stage~~ <sup>-heating which is done in steel trays immediately before the final regeneration stage</sup>. This practice indicates a potential problem, previously unrecognized, of L.monocytogenes contamination entering the kitchen, especially from cooked poultry and vegetables. However, the strict control of the temperature and the time of storage laid down in the DHSS Guidelines do not permit significant multiplication.

The findings on cooked foods, particularly those to be eaten without further cooking are a cause for concern. The food industry and trade should, as they indeed are, investigate and review food preparation and storage practices to ensure that L.monocytogenes is not present in cooked foods.

PHLS Food Hygiene Laboratory  
Central Public Health Laboratory  
London NW9 5HT

R.J. Gilbert  
Karen L. Miller  
Diane Roberts

1. Kerr K, Dealler SF, Lacey RW. Listeria in cook-chill food. Lancet 1988; 11; 37-39.
2. Schwartz B, Ciesielski CA, Broome CV, et al. Association of sporadic listeriosis with consumption of uncooked hot dogs and undercooked chicken. Lancet 1988; 11; 779-82.

3. Kerr K, Dealler SF, Lacey RW. Materno-fetal listeriosis from cook-chill and refrigerated food. Lancet 1988; 11; 1133.
4. Department of Health and Social Security. Guidelines on precooked chilled foods. London; HM Stationery Office, 1980.
5. Pini PN, Gilbert RJ. The occurrence in the UK of Listeria monocytogenes in raw chicken and soft cheese. Int J Food Microbiol 1988; 6; 317-26.



Rev. Mr. [unclear]

Committee on [unclear]

Letter to [unclear] [unclear]

Report to [unclear] office

to

Adm. Com. on [unclear]

[unclear]

LISTERIA MONOCYTOGENES IN COOKED POULTRY AND CHILLED MEALS

Product	No. samples examined	<u>L.monocytogenes</u> detected in 25g
From retail premises		
Precooked ready-to-eat poultry	527	63 (12.0%)
Chilled meals*, mainly poultry	74	13 (17.6%)
From cook-chill catering units		
Main course items†	627	10 (1.6%)
Desserts	73	0

\* With instructions to reheat before consumption

† Sampled before final reheating



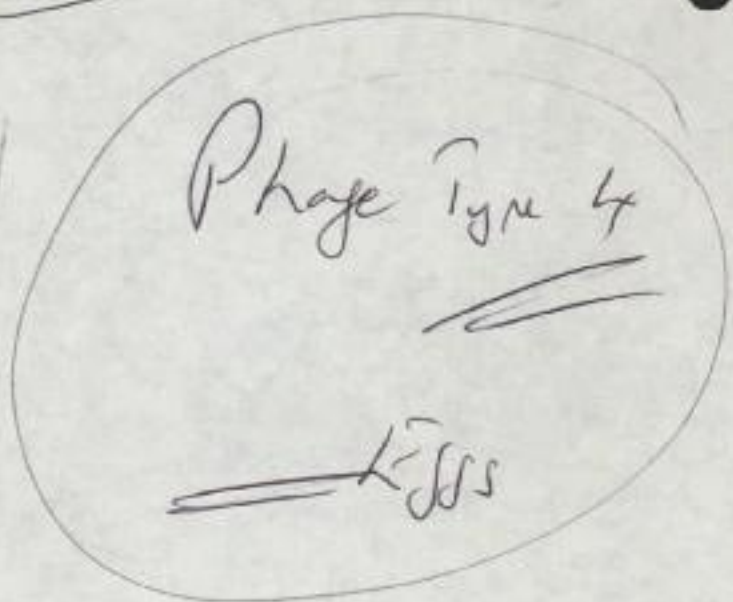
eggs



Salmonella - L. Enteritidis

being used 1

1987



Worked in 1988

June 1988

July N. J. S. - Advice on eggs

Aug. First written warning to pillar

Nov Warning about cooked eggs

Warning given just as much  
to free-range eggs as to battery structure



Ministry of Agriculture, Fisheries and Food  
Whitehall Place London SW1A 2HH

From the Minister's Private Office

Mr Andrew Turnbull  
Principal Private Secretary to the  
Prime Minister  
No 10 Downing Street

13 February 1989

Dear Andrew

**UNTREATED MILK AND CHEESE MADE FROM UNTREATED MILK**

~~You asked earlier today for an explanatory note on the above subject.~~ The attached note sets out the position and has been agreed with the Department of Health.

As requested I am copying this letter and attachment to Private Secretaries of the members of MISC 138.

Sincerely  
Shirley

Shirley Stagg (Mrs)



Mr. Powell  
Food & Agriculture  
Board of Health  
Food & Agriculture  
copy

UNTREATED MILK AND CHEESE MADE FROM UNTREATED MILK

LINE TO TAKE

UNTREATED MILK

As my Rt Hon Friend announced on 3 February we are about to consult interested parties with a view to banning untreated milk. (Consultation is mandatory under the 1984 Food Act.)

Recognise there may be concern about restricting consumer choice, but sales of untreated milk undoubtedly constitute an avoidable health risk. It is already banned in Scotland.

[ If asked about goat and sheep milk: We are considering drawing up precise powers in relation to these milks in the context of a new Food Bill. ]

CHEESE MADE FROM UNTREATED MILK

The issues on cheese are more complex because the risks vary according to the type of cheese. We shall be consulting interested parties and shall take full account of our international obligations. We shall be considering alternatives to a ban on cheese made from unpasteurised milk, such as a detailed labelling requirement.

[ If asked about recent CMO advice: The Chief Medical Officer was advising on specific risk of contamination by listeria. My Rt Hon Friend was concerned about wider microbiological problems arising on cheese. ]



## UNTREATED MILK AND CHEESE MADE FROM UNTREATED MILK

### BACKGROUND NOTE

#### UNTREATED MILK

The Minister of Agriculture announced on 3 February that consultations were to take place with a view to banning the sale of untreated milk (see Annex A). The proposal reflects the fact that consumption of untreated milk poses a health risk since even in the best run herds, clinical infections can be present in the milk even though no symptoms are shown by the cows.

Effective heat-treatment is the only way to minimise the risk of transmitting milk borne diseases to the consumer.

The consultation document will be issued very shortly.

Preliminary indications are that producer interests are reconciled to the prospect of a ban, but Ministers will face criticism from those who prefer untreated milk and those who argue that consumer's freedom of choice is being removed.

Conversely, Ministers may be criticised for not going further and banning the sale of untreated milk from goats and sheep.

Lawyers have expressed considerable doubt as to whether existing legislation would allow such a ban, but this is expected to be remedied by the proposed Food Bill. However, a ban on untreated goat and sheep milk will be much more difficult to introduce because of the large number of very small producers who would find it very difficult and costly to organise pasteurisation.



## CHEESE MADE FROM UNTREATED MILK

The Minister of Agriculture announced on 11 February that he would be consulting interested parties about cheese made from untreated milk. This reflects concern about a range of food poisoning bacteria, which are dealt with by pasteurisation. The warning by the CMO on 10 February was concerned with listeria which is a hazard in some soft cheese whether made from pasteurised or unpasteurised milk.

The issues on cheese are less straightforward than in the case of untreated milk itself, partly because of the trade implications and partly because the risk varies according to the process used. In the case of hard cheese the process of manufacture and maturing discourages the growth of bacteria. In the case of soft cheese the process of mould growth causes acid levels to fall and this allows bacteria to multiply. These factors will evidently need to be taken into account before final decisions are taken. The Minister has stated that the answer on cheese might be a requirement for more explicit labelling setting out the risks and leaving consumers to choose.



# News Release

38/89

3 February 1989

## CONSULTATIONS ON PROPOSAL TO BAN SALE OF UNTREATED MILK

Consultations are to take place with interested parties with a view to banning the sale of untreated milk. the Rt Hon John MacGregor MP, Minister of Agriculture, Fisheries and Food, announced today.

In a written reply to a Parliamentary Question from Mr Richard Alexander MP (Newark), Mr MacGregor said:

"My Rt Hon Friend the Secretary of State for Wales and I have recently been reviewing our arrangements for the sale of untreated milk, which represents 2 to 3 per cent of milk sales in England and Wales. Effective heat treatment is the only way to minimise the risks of transmitting milk-borne diseases to the consumer. My Rt Hon Friend and I propose therefore to consult the interested parties with a view to prohibiting the sale of untreated milk from the earliest possible date. We shall consult also on what arrangements should be applied to sales of untreated milk in the interim period.

"A consultation document will be issued shortly inviting comments on this proposal and on the detailed arrangements for its implementation."



1. MR R T J. WILSON ✓

2. MR GRAY *Recd 16/2*

→ *Mr. [Signature]*  
PRIME MINISTER



FOOD - PRESENTATION

I discussed presentation of the food issue with Jim Coe (MAFF), Romola Christopherson (Health) and a Treasury representative this morning. The following points secured a broad measure of agreement.

Media

The Government is at present being led by the nose by the media. We must break out of this. We must decide on our policy, stick to it and implement it at a sensible pace and not as dictated by press, radio and television. We urgently need to take the fever out of the issue.

Advice to Government

The first requirement is to demand that all official peripheral bodies and advisers to Departments do their Secretary of State the courtesy of informing him first, and not the media, of any advice or comments they may have on the situation. Similar disciplines need to be enforced within Departments. Co-ordination needs to be tightened up.

It is recognised that this is likely to bring charges of "gagging" officials and cover up. We should not be deterred by charges which will be made sooner or later in any case and which are unfounded.

### Intelligence

The second requirement is to institute an early warning system involving MAFF, Health, conceivably Environment, Cabinet Office and No 10 so that effective co-ordination can be achieved. For example, we now know that in the pipeline this week or very shortly are (i) the EC Agriculture Council (talks with French on soft cheeses); (ii) John MacGregor's address to the NFU followed by media interviews; (iii) CMO's advisory letter to doctors on food poisoning; (iv) Lancet report on listeria (Friday); (v) BSE report (which I urged MAFF to take at a slower pace when I discovered they might publish its findings tomorrow); (vi) chairmanship, outside members and terms of reference of the microbiological inquiry.

### Announcements/Initiatives

If we are to take the heat out of the issue we need, if at all possible, to reduce the amount of newsmaking. Every initiative, every interview and every comment or briefing at present fuels media hysteria. This means that every action needs to be weighed both substantively and presentationally. The need at the moment is not to demonstrate activity; it is to convince the public that the Government is approaching the issue and dealing with it deliberately and systematically. Action for the sake of action is bad.

In these circumstances, it would be valuable if at tomorrow's Questions you could make the following points:

- (i) the Government has taken the necessary action as justified by the facts;
- (ii) the advisory committee will establish the facts and provide a sound basis for future Government action;
- (iii) we do not intend to be rushed into ill-considered action;
- (iv) while the Government is taking the problem of food contamination seriously, the position needs to be kept in perspective and media hysteria in check.

It would be helpful if the Whips could mobilise some Backbench opinion to make the above points both in the House and in the media.



Research

The Government would be assisted in getting the British position in perspective if there were comparative material in Europe, and, for example, the developed countries.

Agree to try to take the heat out of the situation by adopting a more deliberate approach which is not media driven?

AAW  
B' BERNARD INGHAM  
February 13, 1989



## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~HEALTH~~ Health

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON SW1A

10 February 1989

Dear Andrew

My Secretary of State has asked me to let you have a copy of the Department's press notice today on listeria and food, together with a background note and a short Q and A brief.

I am sending a copy of this letter and attachments to the private secretaries to other members of MISC 138 and Sir Robin Butler.

Yours ever

Flora

FLORA GOLDHILL  
Private Secretary

Prime Minister

The CMO confirmed at his Press Conference that an enquiry on food safety was being set up - see para 7 of the background note. He used the phrase "independent chairman" rather than "outside chairman" - not strictly accurate. Mr Clarke and Mr Macgregor will put together precise terms of reference and suggest a chairman on Monday or Tuesday, as required by MISC 138.

We are still being driven by events. Richard Wilson is talking to depts to get an action plan put together

AT

10/2



**PRESS  
RELEASE**

Richmond House  
79 Whitehall  
London SW1A 2NS

Telephone 01-210 5963

89/60

10 February 1989

ADVICE TO THE PUBLIC ON LISTERIA AND FOOD

Sir Donald Acheson, Chief Medical Officer at the Department of Health, today issued general advice to the public about Listeria in food. He also gave specific advice to pregnant women and to some patients, who are particularly vulnerable because of their illness or treatment, to avoid eating certain cheeses.

Sir Donald said:

"Public attention has recently been drawn to findings of the presence of Listeria monocytogenes in a number of different food products. It must be remembered that Listeria is widely distributed in the environment and some exposure to this organism is unavoidable. Indeed at any one time a number of us, perhaps as many as 1 in 20, carry this bacteria in our gut without any ill-effects.

"The disease, listeriosis, caused by infection with this organism is fortunately still quite rare. Last year 287 cases were reported, although it is certain that there were some other unreported cases. When it occurs it can give rise to a mild 'flu-like illness, although more serious cases may develop meningitis and septicaemia. Of considerable concern is the fact that in pregnant women it may also infect the developing baby and lead to miscarriage, stillbirth or severe illness in the newborn baby.

"Unlike most of the bacteria causing food-related illness that we have been used to dealing with in the past, Listeria has the unusual property of being able to multiply at the sort of temperatures which may be found in refrigerators. Fortunately in most foods where it is present, it occurs at very low levels and is killed by adequate cooking.

(MORE)



"However, for some soft cheeses, the situation is different because the method of preparation and the time they may be kept before eating allows Listeria to multiply. High numbers of Listeria have been found in several varieties of soft cheeses, and a number of cases of listeriosis - both in this country and abroad - have been associated with eating heavily contaminated soft cheese.

"Because of this, having taken the best possible expert advice, I would advise that pregnant women should avoid eating certain types of soft cheeses. It is not possible to specify precisely the cheeses in which Listeria is likely to grow, but on the basis of current information these are likely to be soft ripened cheeses such as the brie, camembert, and blue vein types. On the other hand, hard cheeses such as the cheddar and cheshire types, processed cheeses, cottage cheeses and cheese spreads have not given cause for concern.

"The levels of Listeria that have been found in other foods such as cooked-chilled meals and ready-to-eat poultry have usually been very low. Given the particular risks to the developing fetus I feel, however, that it would be prudent for pregnant women to re-heat these types of food until they are piping hot rather than to eat them cold.

"Otherwise, all that is necessary is for pregnant women to follow the normal, general hygiene precautions summarised overleaf and to take care that they maintain a well-balanced diet during their pregnancy.

"Other people who appear to be at special risk and should therefore follow this advice are those with underlying illness which results in impaired resistance to infection, such as patients who have had transplants, those on particular drugs which depress the immune system, and those with leukaemia or cancers of the lymphatic tissues.

"I am sure that the rest of us have become worried about reports of Listeria contamination of a variety of foods, including salads and some of the cooked-chilled ready-to-eat foods on sale. The evidence so far is that the amount of Listeria in these foods is generally very low, and provided that the good hygiene practices I recommend overleaf are followed there is no need for us to change the type of food we regularly eat and enjoy".

( ENDS )



GENERAL ADVICE TO THE PUBLIC

Listeria monocytogenes is widely distributed in the environment, for example, it has been found in vegetation, water, soil and the faeces of man and animals and therefore some exposure to this organism is unavoidable. For the average healthy member of the public the risk of becoming ill with listeriosis from eating food is very small indeed. Nevertheless there are a number of simple precautions which the public can take which will reduce their exposures to Listeria and other pathogenic bacteria:

- i. Keep foods for as short a time as possible, follow the storage instructions carefully and observe the 'best-by' and 'eat-by' dates on the label;
- ii. Do not eat under-cooked poultry or meat products. Make sure you re-heat cooked chilled meals thoroughly and according to the instructions on the label. Wash salads, fruit and vegetables that will be eaten raw;
- iii. Make sure your refrigerator is working properly and is keeping the food stored in it really cold;
- iv. Store cooked foods in the refrigerator away from raw foods and cheeses;
- v. When re-heating food make sure it is heated until piping hot all the way through and do not re-heat more than once;
- vi. When using a microwave oven to cook or re-heat food observe the standing times recommended by the oven manufacturer to ensure that the food attains an even temperature before it is eaten;
- vii. Throw away left-over re-heated food. Cooked food which is not to be eaten straight away should be cooled as rapidly as possible and then stored in the refrigerator.



## BACKGROUND BRIEF

What is Listeria monocytogenes?

1. Listeria is a type of bacterium. Only one species of Listeria, called Listeria monocytogenes (Lm) can cause listeriosis in humans.

1.1 It is widely distributed in the environment and is present in vegetation, water, soil, unpasteurised milk, raw and ready-to-eat meat and poultry, and vegetable salads.

1.2 The bacterium is found in much higher concentrations in certain types of soft cheese than in any other food. Counts of between 10,000 and 100,000 have been found in several samples by a number of different workers and have been regarded as "quite unacceptable in a ready-to-eat food which is normally stored at a temperature at which the organism grows readily".\*

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Cooked and chilled retail foods

5. The Public Health Laboratory Service has just completed a study in which it examined a large number of samples of pre-cooked, ready-to-eat poultry and partially cooked and chilled meals requiring re-heating before consumption, purchased from retail premises. The results, which will be published shortly, show that Lm was found in 12% of samples of pre-cooked, ready-to-eat poultry and 18% of cooked and chilled meals from retail premises. Fortunately the evidence so far suggests that the level of Lm in these samples was very low. The results of this survey are expected to be published in the Lancet next week.

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- we propose to increase the levels of monitoring for listeria in soft cheeses at Ports of Entry.

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- research is underway by PHLS, the Food Research Institutes and other bodies on effective temperature, storing and cooking conditions for these types of food.

iii. General measures

- we have given advice to Environmental Health Officers on the steps to take if listeria is detected in foods on sale.

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A. It is always safer to cook any food thoroughly. But as far as listeria is concerned, we have no reason to believe that people need worry how their steak is cooked.





## DEPARTMENT OF HEALTH AND SOCIAL SECURITY

Richmond House, 79 Whitehall, London SW1A 2NS

Telephone 01-210 3000

From the Secretary of State for ~~Social Services~~ Health

Andrew Turnbull Esq  
Principal Private Secretary  
10 Downing Street  
LONDON SW1A

10 February 1989

Dear Andrew

My Secretary of State has asked me to let you have a copy of the Department's press notice today on listeria and food, together with a background note and a short Q and A brief.

I am sending a copy of this letter and attachments to the private secretaries to other members of MISC 138 and Sir Robin Butler.

Yours ever

Flora

FLORA GOLDHILL  
Private Secretary

Prime Minister

The CMO confirmed at his Press Conference that an enquiry on food safety was being set up - see para 7 of the background note. The use of the phrase "independent chairman" rather than "outside chairman" is not strictly accurate. Mr Clarke and Mr Macgregor will put together precise terms of reference and suggest a chairman on Monday or Tuesday, as required by MISC 138.

We are still being driven by events. Richard Wilson is talking to depts to get an action plan put together

AG  
10/2

**PRESS  
RELEASE**

Richmond House  
79 Whitehall  
London SW1A 2NS

Telephone 01-210 5963

89/60

10 February 1989

ADVICE TO THE PUBLIC ON LISTERIA AND FOOD

Sir Donald Acheson, Chief Medical Officer at the Department of Health, today issued general advice to the public about Listeria in food. He also gave specific advice to pregnant women and to some patients, who are particularly vulnerable because of their illness or treatment, to avoid eating certain cheeses.

Sir Donald said:

"Public attention has recently been drawn to findings of the presence of Listeria monocytogenes in a number of different food products. It must be remembered that Listeria is widely distributed in the environment and some exposure to this organism is unavoidable. Indeed at any one time a number of us, perhaps as many as 1 in 20, carry this bacteria in our gut without any ill-effects.

"The disease, listeriosis, caused by infection with this organism is fortunately still quite rare. Last year 287 cases were reported, although it is certain that there were some other unreported cases. When it occurs it can give rise to a mild 'flu-like illness, although more serious cases may develop meningitis and septicaemia. Of considerable concern is the fact that in pregnant women it may also infect the developing baby and lead to miscarriage, stillbirth or severe illness in the newborn baby.

"Unlike most of the bacteria causing food-related illness that we have been used to deal with in the past, Listeria has the unusual property of being able to multiply at the sort of temperatures which may be found in refrigerators. Fortunately in most foods where it is present, it occurs at very low levels and is killed by adequate cooking.

(MORE)



"However, for some soft cheeses, the situation is different because the method of preparation and the time they may be kept before eating allows Listeria to multiply. High numbers of Listeria have been found in several varieties of soft cheeses, and a number of cases of listeriosis - both in this country and abroad - have been associated with eating heavily contaminated soft cheese.

"Because of this, having taken the best possible expert advice, I would advise that pregnant women should avoid eating certain types of soft cheeses. It is not possible to specify precisely the cheeses in which Listeria is likely to grow, but on the basis of current information these are likely to be soft ripened cheeses such as the brie, camembert, and blue vein types. On the other hand, hard cheeses such as the cheddar and cheshire types, processed cheeses, cottage cheeses and cheese spreads have not given cause for concern.

"The levels of Listeria that have been found in other foods such as cooked-chilled meals and ready-to-eat poultry have usually been very low. Given the particular risks to the development of the fetus I feel, however, that it would be prudent for pregnant women to re-heat these types of food until they are piping hot rather than to eat them cold.

"Otherwise, all that is necessary is for pregnant women to follow the normal, general hygiene precautions summarised overleaf and to take care that they maintain a well-balanced diet during their pregnancy.

"Other people who appear to be at special risk and should therefore follow this advice are those with underlying illness which results in impaired resistance to infection, such as patients who have had transplants, those on particular drugs which depress the immune system, and those with leukaemia or cancers of the lymphatic tissues.

"I am sure that the rest of us have become worried about reports of Listeria contamination of a variety of foods, including salads and some of the cooked-chilled ready-to-eat foods on sale. The evidence so far is that the amount of Listeria in these foods is generally very low, and provided that the good hygiene practices I recommend overleaf are followed there is no need for us to change the type of food we regularly eat and enjoy".

GENERAL ADVICE TO THE PUBLIC

Listeria monocytogenes is widely distributed in the environment, for example, it has been found in vegetation, water, soil and the faeces of man and animals and therefore some exposure to this organism is unavoidable. For the average healthy member of the public the risk of becoming ill with listeriosis from eating food is very small indeed. Nevertheless there are a number of simple precautions which the public can take which will reduce their exposures to Listeria and other pathogenic bacteria:

- i. Keep foods for as short a time as possible, follow the storage instructions carefully and observe the 'best-by' and 'eat-by' dates on the label;
- ii. Do not eat under-cooked poultry or meat products. Make sure you re-heat cooked chilled meals thoroughly and according to the instructions on the label. Wash salads, fruit and vegetables that will be eaten raw;
- iii. Make sure your refrigerator is working properly and is keeping the food stored in it really cold;
- iv. Store cooked foods in the refrigerator away from raw foods and cheeses;
- v. When re-heating food make sure it is heated until piping hot all the way through and do not re-heat more than once;
- vi. When using a microwave oven to cook or re-heat food observe the standing times recommended by the oven manufacturer to ensure that the food attains an even temperature before it is eaten;
- vii. Throw away left-over re-heated food. Cooked food which is not to be eaten straight away should be cooled as rapidly as possible and then stored in the refrigerator.



## BACKGROUND BRIEF

What is Listeria monocytogenes?

1. Listeria is a type of bacterium. Only one species of Listeria, called Listeria monocytogenes (Lm) can cause listeriosis in humans.

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# FOODBORNE LISTERIOSIS

Report of a WHO Informal Working Group  
Geneva, 15-19 February 1988





REPORT OF THE WHO INFORMAL WORKING GROUP ON FOODBORNE LISTERIOSIS  
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Annex 1 List of participants

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## Introduction

Dr W. Kreisel, Director, Division of Environmental Health, World Health Organization welcomed the participants to this meeting on foodborne listeriosis on behalf of the Director-General, WHO. He emphasized the fact that although this urgent meeting appeared timely in relation to the recent decisions made by several European public health authorities to protect consumers against Listeria in various samples of cheeses and the reactions of the food industry and consumer organizations, it had been planned by WHO long before foodborne listeriosis reached the media as a new threat to public health.

He reminded the participants that the threats to public health stemming from contaminated food are manifold. The toxic oil syndrome in Spain, the adulterated wine problems in several European countries, radionuclides in food following a major nuclear accident and now contamination of various foods with Listeria are only a few of the better known of these problems. Consumers, particularly in industrialized countries are concerned about the potential risk associated with food additives, environmental chemicals and pesticide residues in food and with new processes such as food irradiation. The public health sector is attempting to assess the nature and the magnitude of these risks and to communicate this assessment to the public. The role of WHO is to facilitate a consensus among scientists and to inform senior public health officials in Member States, consumers, and consumer organizations, where the real dangers in the food supply lie. The message from WHO should be clear enough to inform individuals, families and communities as to what they can and must do, in addition to measures taken by governments and the food industry, to protect themselves from foodborne disease.

This meeting provides an opportunity to review and to evaluate available data on the occurrence of Listeria in foodstuffs and to assess the risk to individual and public health associated with such contamination. Experience has taught that a no-risk approach is probably not feasible in matters of this sort, particularly in view of the widespread occurrence of Listeria in the environment. Most response should be taken into consideration in order to identify risk groups in the population and to develop specific protective measures. Not all the facts about the epidemiology of human listeriosis are known and additional research is needed. However, this lack of knowledge should not justify unwarranted and hasty conclusions which may cause unnecessary upheavals.

Dr Kreisel anticipated that by the end of the meeting the Working Group would be able to make recommendations to public health authorities, the food industry and to consumers, which address in perspective, the problem of foodborne listeriosis.

On Dr Kiferstein's proposal (secretary of the Working Group), the Working Group agreed that Professor E.H. Kampelmacher should act as chairman and Dr D. Roberts as rapporteur. Professor Kampelmacher, in turn, invited Dr C. Broome to act as vice-chairperson. This was also accepted by the Working Group.



## 1. THE NATURE AND EXTENT OF THE PROBLEM

### 1.1 Epidemiology of foodborne listeriosis - current state

#### 1.1.1 Introduction

Recent advances in understanding of the epidemiology of human listerial infection, particularly of the potential for common source foodborne outbreaks, and an increased and increasing awareness of the human toll exacted by this organism, have created an atmosphere of uncertainty among the health professions, governments, the food industries and the general population. Though an uncommon cause of human disease, the case fatality rate is high: approximately one third of outbreak cases have resulted in deaths or stillbirths.

This anxiety is heightened, and a sense of urgency created by the knowledge that some part at least of this human toll is preventable by presently available methods. It remains to refine our knowledge so that preventive strategies can be implemented both efficiently and with maximum benefit.

#### 1.1.2 Background

Of all *Listeria* species, only *Listeria monocytogenes* (L.m.) has been regularly implicated as being pathogenic to humans and animals. Most other recognised species are harmless, though it is possible that *L. ivanovii* is responsible for occasional human disease.

Listeriosis is recognized and studied to any extent mainly in industrialized countries. While sporadic cases and occasional outbreaks of human listeriosis and examples of food contamination are detected in other countries, reported prevalences in Africa, Asia and South America are non-existent or low. Whether this is a result of different consumption patterns and dietary habits or represents a lack of available reference facilities (whether because of their absence or because of their dedication to other public health priorities) is not known. Listeriosis remains a world wide problem and with increasing urbanization, social evolution and changes in dietary habit, may assume greater significance in developing countries.

The Working Group reviewed recent data on human listeriosis and concluded that foodborne listeriosis is predominantly transmitted by non-zoonotic means. Nor can it be categorically stated to be a soilborne disease, though soil may often be the origin of the organism. Transmission of foodborne listeriosis to man is primarily the result of environmental contamination and the ease of transmission from the environment to animals and food contact surfaces.

Listeria monocytogenes is perhaps best considered as an environmental contaminant whose primary means of transmission to humans is through foodstuffs contaminated during production and processing. However, this should by no means be considered a complete or exclusive definition.

The basic epidemiological pattern of human listeriosis as seen in industrialized countries would seem to be that of an endemic "background" of sporadic disease, on which may be superimposed outbreaks of disease. This is the picture seen in those countries which practise surveillance for listerial infection; these are on the whole laboratory based and passive (e.g. United Kingdom) or "semi-active" (e.g. France). A special active surveillance project in the United States has given much useful information. The more sensitive the surveillance system, the more effectively it can distinguish outbreak phenomena from background sporadic cases; however, since outbreaks result in overall disease rates of 10 to 50 cases per million, they may still be difficult to detect even with good surveillance.



Four major outbreaks of listeriosis have been well described in the literature (Nova Scotia, 1981<sup>1</sup>; Boston 1983<sup>2</sup>; Los Angeles, 1985<sup>3</sup>; Canton of Vaud, Switzerland, 1983-87<sup>4</sup>). In Nova Scotia, Los Angeles and Vaud an epidemiological link with supporting microbiological evidence was established with a particular foodstuff (coleslaw, Mexican-style soft cheese, Vacherin soft cheese). In Boston epidemiological evidence suggested whole milk, but there was no microbiological confirmation. These outbreaks have demonstrated clearly the association of human listeriosis with a number of foodstuffs and a variety of mechanisms of contamination. It is clear that not all possible causative foodstuffs, nor all possible mechanisms whereby these foodstuffs may become contaminated, have yet been satisfactorily elucidated.

As well as these few documented outbreaks, other outbreak phenomena have been observed in many countries in which epidemiology and/or microbiology could not establish common sources (e.g. Denmark 1986<sup>5</sup>, Philadelphia, USA 1987<sup>6</sup>). These remain, however, highly probable examples of foodborne outbreaks.

An implication that can be drawn from all these observed outbreaks is that if listeriosis is caused by foodborne transmission in epidemic situations, it may also be caused by such transmission in part (even the larger part) in sporadic cases. This conclusion is supported by anecdotal case reports in the literature associating listeriosis with isolation of the same phage type from an ingested foodstuff.

No single strain has been repeatedly found to be associated with different outbreaks. Outbreaks observed to date have been associated with a range of serovars and lysovars.

Apparent increases in the incidence of listeriosis have also been noted, occurring particularly after publicity about the disease. These are, perhaps, due more to increased awareness, with subsequent increased diagnosis and compliance with reporting systems, than to real increases in incidence. The establishment of stable monitoring systems is crucial to the ability to assess such changes over time.

There has been evidence from some countries (e.g., United Kingdom) of an increase in the incidence of human listeriosis over recent years. Even when the factors mentioned in the previous paragraph are taken into account, it would seem that some if not all of this increase reflects the real situation.

<sup>1</sup> Schlech, W.F., Lavigne, P.M., Bortolussi, R.A. et al. (1983) Epidemic listeriosis - evidence for transmission by food. New England Journal of Medicine 308, 203-206

<sup>2</sup> Fleming, D.W. Cochi, S.L., MacDonald, K.L. et al. (1985) Pasteurized milk as a vehicle of infection in an outbreak of listeriosis. New England Journal of Medicine 312, 404-407.

<sup>3</sup> James, S.M., Fannin, S.L., Agee, B.A. et al. (1985) Listeriosis outbreak associated with Mexican style cheese - California. Morbidity and Mortality Weekly Report Report 34, 357-359.

<sup>4</sup> Bille, J. and Glauser, M.-P. (1988) Listériose en Suisse. Bulletin des Bundesanstalten für Gesundheitswesen. No. 3 28-29.

<sup>5</sup> Broome, C.V. personal communication.

<sup>6</sup> Frederiksen, W. personal communication



Again, even allowing for differences in reporting systems and effectiveness of surveillance, the range of reported incidences in countries with surveillance systems is worthy of note. For instance, reported incidences from Scandinavian countries, France, the United Kingdom and the United States range from less than 2 to 11.3 per million. Whether this reflects different dietary habits, consumption patterns, diagnostic routines or surveillance methods remains speculative.

Available evidence from France and the United Kingdom has led to an impression that the distribution of serovars and lysovars isolated from foodstuffs and from humans are different. Whether this is the result of a sampling bias or reflects a real phenomenon is as yet undetermined and warrants further investigation.

### 1.1.3. Natural History

Risk Groups. Pregnant women and their foetuses or newborn children are at particularly high risk; in the United States active surveillance project, 120 sporadic cases occurred per million births. Other broad and inclusive groups at increased risk of listerial infection are well characterized; they include those whose immune system is compromised or incompetent by virtue of a wide variety of reasons, and narcotic addicts whose resistance to infection is diminished. The role of gastric acid defences against infection or colonization remains unclear.

There is as well an ever present proportion of cases amongst those who have been previously healthy; in whom, at least, no predisposing cause could be found. An intriguing question exists about the role of intercurrent infection in changing the carrier state to one of clinical illness, by decreasing resistance or through some other mechanism. This needs further exploration, as does also the question of differential dietary factors and therefore different exposures in different risk groups.

It must be recognized that the proportions of immunocompromised and elderly persons in many populations are rising, increasing the numbers of those at risk from listerial disease.

Infectious Dose. Virtually nothing is known about the infectious dose of *L. m.* in man, nor is there good quantitative information relating to the amount of contaminated foodstuff ingested with the risk of acquiring disease. It is likely that infectious dose may be related to host susceptibility. Another possible influence worthy of investigation may be related to the food substrate.

Incubation Period. Evidence from both Switzerland and the United States, in those instances where both data on ingestion of the contaminated foodstuff and on onset of illness could be reliably determined, suggests an incubation period in adult disease of one to several weeks. This again raises the possibility of clinical illness being triggered in a carrier by some factor such as intercurrent viral infection. From this it is obvious that much has still to be learned concerning the incubation period.

Clinical Spectrum. Septic abortion, newborn and adult septicaemia, meningitis or meningo-encephalitis are the major clinical manifestations of listerial infection. There is conflicting and inconclusive evidence of the differing expression of clinical disease among the different risk groups. Clinical expression on the whole does not seem to be different in outbreak situations from that in sporadic cases; this, perhaps, further lends support to the speculation that many sporadic cases are associated with foodborne transmission. No association has yet been demonstrated between particular sero- or lysovars and particular clinical illnesses.

Carriage. The existence of a carrier state, and its relationship with disease, has long been the subject of speculation.



The question of immunity to listerial infection is poorly understood; a major reason for this is the continuing lack of definitive serology for Listeria and the possibility that cell-mediated immunity may be more important. The ratio of clinical to subclinical cases is not known also because of the lack of availability of specific serological techniques.

There has been speculation that carriage of the organism may be related to foodborne transmission, and that carriage may perhaps be triggered into illness.

#### 1.1.4. Surveillance

In order to monitor the occurrence of human listeriosis, and to detect outbreaks, it is crucial that countries establish a surveillance system. The two major factors which define an outbreak are an increase in the number of cases over that expected and the detection of a common strain amongst isolates from the majority of such cases. Detection of the former requires a sensitive and stable system for monitoring listerial infection; and the latter efficient access to effective laboratory facilities for subtyping by some method - phagotyping, isoenzyme typing or gene restriction methods.

For both these requirements, there is a fundamental need for strong networks of reference laboratories at local, national and international levels.

The method of identification of a specific strain chosen will vary with the purposes of typing. If the purpose is the detection of a common (epidemic) strain different from other strains in the area, any method capable of effectively performing such discrimination is adequate. If the purpose is that of testing associations of virulence of particular strains, then the method must be amenable to international standardization. Similarly, evaluations of efficacy of different methods require international standards.

Effective surveillance exists to detect and identify outbreaks and changes in background pattern of disease; surveillance is of no use if the information it generates is not acted upon. Resources must therefore be made available for the rapid investigation particularly of outbreak phenomena but also of other changes in disease pattern.

The strategy plans of the United States, Switzerland, France and the United Kingdom include establishing and improving surveillance systems, and providing resources for investigation of outbreaks which include the collection and finer identification of isolates.

#### 1.1.5. Conclusion

The most potent epidemiological tool available is the effective surveillance system; to be effective, however, the ability to investigate outbreaks rapidly is necessary. Here, the most helpful epidemiological tool is the case-control study. More than one such study may be necessary in a particular investigation. In conjunction with this, reference laboratories with the ability to rapidly and effectively sero- and phagotype isolates are indispensable to the control of listerial infection.

Sufficient evidence exists to be able to state that many cases of epidemic human listeriosis are due to foodborne transmission of L.m., and that this may also be the case with many sporadic ("non-epidemic") cases. However, the full range of foodstuffs thus implicated, and of the mechanisms of contamination of these foodstuffs, has by no means been totally described.



Cheeses, especially certain types of soft cheeses, have received much attention as vehicles of transmission; and rightly so, as they are foodstuffs which can have long shelf or refrigerator storage and which undergo no further listericidal treatment\* before ingestion. In such a situation, in which the organism may have the conditions and time favourable for multiplication, there can be no such thing as a level of contamination which can be said with any confidence not to lead to a risk of infection.

Many other foodstuffs meet the above criteria as well as cheeses. Available evidence strongly suggests that other food products may well be vehicles for transmission (e.g. coleslaw has been proven to be a vehicle of infection). This Working Group urges that due attention in outbreak investigation be paid to the potential role of a wide variety of foodstuffs in the transmission of L.m. to humans.

## 1.2 The presence (qualitative and quantitative) of L. monocytogenes in foods

### 1.2.1 Preamble

Although much information has accumulated in the past three years on the qualitative and quantitative presence of L.m. in foods, the data are difficult to interpret and compare. Some of the difficulties involved in assessing the degree of contamination of the food supply are not unique to L.m., but some are. The areas of difficulty can be divided into 1) sampling/analysis and 2) other variables.

In the area of sampling/analysis, specific contributors to confusion include 1) lack of information on sampling design or inadequate sample size, 2) lack of information on where in the food chain the sample was collected (e.g. at time of processing, at retail, when during product shelf life), 3) lack of information on how the sample was collected (e.g. aseptically or not, conditions of storage prior to analysis), 4) lack of standardized analytical methodology and effect of method on outcome (e.g. method contraselective to specific serotype) and 5) lack of uniform reporting of data (e.g. whether quantitation was done, serotype(s) isolated). Some of these shortcomings were unavoidable, given the relative newness of the Listeria problem. While qualitative data on the presence of L.m. in foods is useful, reliable, quantitative data using valid sampling/analysis procedures are urgently needed.

In the area of "other variables", comparisons between countries is made difficult by 1) possible differences in the geographic distribution of L.m., 2) variation in animal husbandry practices and food processing, 3) variations in sanitary standards and practices between nations and between industries, 4) the only too recent awareness of the problem and 5) the inadequacy of refrigeration as a control mechanism.

All data on the qualitative and quantitative presence of L.m. must be interpreted cautiously and with the above provisos in mind.

### 1.2.2 Isolations from Dairy products

milk | L.m. has been isolated from raw milk. In some surveys up to 5% of samples contained the organism, at levels of  $\leq 10$  cells per ml. The origin of L.m. in milk is mainly from faecal contamination. Several studies have confirmed a link between faecal excretion of L.m. and the condition of silage fed to the cows.

\*Describes any process which will kill Listeria



Infected cows, suffering from an L.m. mastitis, have been reported as shedding L.m. in numbers of approximately  $10^3$  per ml in their milk. However, reports of such cows are infrequent. L.m. may occur intracellularly and this may be difficult to detect.

Raw goat and ewe milk are frequently used for cheese production but there are only limited data on the occurrence of L.m. in these milks.

*chlist*

The reported incidence of L.m. contamination of cheeses varies greatly between different surveys. Of all foods, cheeses have been found to be frequently contaminated with Listeria and associated with human disease. Soft-ripened cheeses (especially white mould and red smeared surface ripened) appear to be most suitable both to contamination and growth of L.m. This may be due to the higher pH of these cheeses in the later stages of ripening. Incidence figures from surveys vary from 1% of product being contaminated to 5-10%. When contaminated, certain cheeses are capable of supporting outgrowth of L.m. to populations of  $10^6 - 10^7$  L.m. per gram. Knowledge of sampling time is critical in interpreting these numbers. Variations in manufacturing practices result in opportunities for post-process contamination. In theory, cheeses manufactured from L.m. contaminated raw milk would be more likely to be ultimately contaminated, but only a low percentage of contaminated raw milk has been reported. Surveys in Germany, Switzerland and France strongly suggest that cheeses made from pasteurized milk are as frequently contaminated with L.m. as cheeses made from unpasteurized milk due to contamination during manufacturing processes and handling.

Other dairy products vary in their risk of contamination with L.m. due to many factors. Acidified dairy products (e.g. cottage cheese) are, in principle, free of L.m. Some instances of ice cream contamination have been attributed to post-process contamination. Quantitative data are limited, but suggest contamination levels of from less than 1 to 15 L.m. per gram. The incidence data from surveys varies from zero to approximately 5.5% of products tested.

### 1.2.3 Meat and meat products

To interpret the data on incidence and numbers of L.m. in meats and meat products, the previously mentioned variables must be reemphasized.

In raw, ready to eat meat products, up to 30% have been reported to contain L.m. In sausages, receiving technologically a listericidal heat treatment, post processing manipulations, such as slicing, appear to be processing steps which are responsible for L.m. contamination of the product.

Quantitative studies on these products are lacking although in prospective studies on cooked poultry, an inoculum of 50 L.m. yielded populations of  $10^7$  L.m. within 2 weeks at 4.4°C storage temperature.

Not surprisingly, given the faecal carriage of L.m. by many mammals and birds and opportunity for contamination in the abattoir environment, numerous isolations from raw meats and poultry have been reported. L.m. has been isolated from raw beef and pork, lamb, ground and/or minced meat, and various poultry. Up to 30% (15-20% is the norm) of minced meat has yielded L.m. in some surveys with reported numbers of L.m. ranging from  $< 20$  to  $10^3$  L.m. per gram. From 15-80% of retail poultry has been reported to be contaminated, depending on the sampling method (i.e. surface, whole carcass wash, swab). The numbers of L.m. in refrigerated, retail poultry have been observed to increase during product storage by up to 2 logs<sub>10</sub> in 10 days. Freezing appears to have no detrimental effect on L.m.



uncooked  
hot dogs

Fermented sausage products have also been surveyed and the contamination incidence varies greatly and may be up to 20%. When quantitative studies have been conducted on these products, numbers of L.m. have generally been lower than numbers found in non-fermented ready-to-eat cooked meats. When L.m. is present in cooked, ready to eat meats, surveys conducted thus far strongly suggest recontamination after cooking.

#### 1.2.4 Other foods of animal origin

Although the data are limited, recent surveys suggest that cooked fish and other seafoods may also be contaminated with L.m. From 4-8% of cooked crabmeat and 3-4% of shrimp may yield L.m. on analysis. One enumeration study on frozen, butterfly shrimp conducted using a genetic probe suggested 200 L.m. per gram may be present. It is likely that game animals may be contaminated, but survey data are lacking. Neither internal nor external contamination of eggs has been reported.

#### 1.2.5 Non-animal foods

Salad vegetables have been surveyed and found to be contaminated with L.m. Pre-cut, packaged salad vegetables have been reported to be contaminated. Certain vegetables, once cut, support the growth of L.m. Numbers of samples, at present, are too small to determine the incidence of contamination. Fruits have thus far been free of L.m. contamination.

#### 1.2.6 Conclusions

Other foods may be added to the list of L.m. positives in the near future. Any food subject to contamination from bird or mammalian excreta, decomposing vegetation, or contaminated soil or water may ultimately be reported as contaminated with L.m. This underscores the importance of gathering information about the ability of various foods to support the growth of L.m., as well as obtaining quantitative data. It is important to note that of proven cases of foodborne listeriosis, the foods responsible, chopped cabbage (as a component of coleslaw) and cheeses, are foods capable of supporting the growth of L.m.

Although not necessarily indicative of a potential health problem, data on the presence of other Listeria species, particularly L. innocua, may be useful nonetheless. L. innocua has frequently been found in foods contaminated with L.m. and sometimes in greater numbers. In processed foods, the presence of L. innocua or other Listeria species may be a useful indicator of post-process contamination and requires further investigation.

### 1.3 The heat resistance of L. monocytogenes in food with particular reference to the pasteurization of milk

Many studies have been carried out to evaluate the effect of heat treatment on inactivation of L.m. in milk and conflicting results have often been reported. Differences in results generally can be explained by differences in experimental procedures used to assess thermal resistance. Early studies made with L.m. in milk contained in test tubes which were only partially submerged in a water bath during the heat treatment indicated that L.m. could survive a pasteurization treatment of 61.7°C for 35 min. Studies by others comparing this experimental approach with heat treatment of L.m. in milk held in sealed containers which were totally submerged in a water bath revealed that the organism was readily inactivated at 62°C with the sealed container method ( $D_{62°C} = 0.1$  to  $0.4$  min) but not with the partially submerged container method in which excessive tailing of survivor curves occurred. It was concluded that the partially submerged container method is an inaccurate means of measuring rates of thermal inactivation.



Later studies with L.m. added to milk and heated in sealed tubes at 71.7°C for 15 seconds revealed D-values of 0.9 sec. These results indicate High Temperature Short Time (HTST) pasteurization (71.7°C, 15 sec) would be sufficient to kill  $10^{15}$  L.m. per ml of milk. However, this study did not address the intracellular nature of L.m., i.e., the organism may be present within leucocytes of milk from cows with a Listeria infection. This point was addressed by a study in which milk from cows inoculated with L.m. was heated in a commercial-type HTST pasteurizer at 72°C (minimum) for 15 sec. Surviving L.m. was occasionally detected by extensive testing of heat-treated milk using enrichment procedures. However, consideration must be given to the fact that an unusually large number of intracellular L.m. ( $10^3$  to  $10^4$  cells/ml) was present in the milk. This is an extreme condition since recent studies of raw milk supplies revealed that only a small percentage (< 5% of raw milk) is contaminated with L.m. and the number of listeriae present is  $\leq 10$  cells per ml.

Recent studies using sealed tubes or slug-flow heat exchange methods in conjunction with more sensitive recovery procedures for detecting heat-injured Listeria revealed a D<sub>71.7°C</sub> of 2.75 to 3.1 sec for L.m. added to milk and 4.1 sec for L.m. within bovine leucocytes. Other studies with milk from Listeria-infected cows did not detect surviving L.m. Furthermore, milk before pasteurization is often homogenized which disrupts leucocytes and puts L.m. in a freely suspended state.

Based on this information, the Working Group concluded that pasteurization\* is a safe process which reduces the number of L.m. occurring in raw milk to levels that do not pose an appreciable risk to human health. It was also the consensus of the group that further research on the pasteurization of milk is not necessary, but additional studies are needed to determine the heat resistance of L.m. in other foods such as meat products. It is generally felt that dairy products may be recontaminated by L.m. after pasteurization through environmental sources. This not only applies to dairy products but is true for most food products.

#### 1.4 Methods for the detection of L. monocytogenes in foods

A careful review of the many existing methodologies for detecting L.m. in foods readily convinced the Working Group that while many were inadequate, some held promise and several appeared to be quite effective. Direct plating procedures that require selective formulations to recover low numbers have generally proved quite unsuccessful. Single step enrichments that employ low temperatures with or without inhibitory constituents are now inordinately time-consuming for routine work and may fail to resuscitate sub-lethally injured cells. The working group believes that serial enrichment procedures employing a less selective primary medium followed by a selective secondary enrichment and a differential isolation agar are currently more promising than either of the above methodologies for isolating foodborne L.m..

A primary less selective enrichment medium is advantageous for the recovery of thermally stressed cells present in heat-processed foods and also to support the growth of very low numbers of Listeria admixed with a dense population of competitive indigenous flora. The primary medium is also essential to overcome adverse fluctuations in pH resulting from the nature and size of the food inoculum and the growth of indigenous competitive flora. The second selective enrichment medium is crucial to the success of serial enrichment. Its constituents must be determined by the growth potential of L.m. and competitive strains comprising the primary mixed culture. The working group felt that efforts to improve enrichment methods should focus upon optimizing the performance of the selective enrichment medium taking into consideration the need to recover as many of the serotypes in the sample as possible. Furthermore, it is desirable that improved methods be applicable to a broad range of food groups.

\*As defined in Codex Code of Hygienic Practice for Dried Milk (CAC/RCP31-1983).



The Working Group strongly recommends that investigators who have developed improved detection procedures submit them to evaluation by rigorous collaborative studies conducted according to the guidelines promulgated by such international validating bodies as the International Dairy Federation (IDF), International Standardization Organization (ISO), Association of Official Analytical Chemists (AOAC) and the International Commission on Microbiological Specifications for Foods (ICMSF).

Sampling procedures, size and microbiological limits can only be given when a satisfactory method has been approved. To this end the guidelines laid down in the general principles for the establishment and application of microbiological criteria for foods should be strictly followed\*.

To provide screening techniques appropriate to the monitoring of *Listeria* spp. in processed products and in-line samples the development of rapid yet sensitive techniques is envisaged. Promising developments include an ELISA using monoclonal antibody to flagellar antigens and gene probes for haemolysins, delayed hypersensitivity factor or other markers. Confirmation of isolates from rapid screening procedures must be efficiently abridged. Examination of the exaggerated number of verification tests now proposed or in use for L.m. has convinced the Working Group that many are unnecessary. Only the minimum number of reactions consistent with species identification should be used.

There is an urgent need for more *Listeria* Reference Laboratories to provide mainly sero- and phage typing for confirmatory and epidemiological useages. The World Health Organization should encourage the establishment of new laboratories and the continuation of existing ones.

## 2. FACTORS RESPONSIBLE FOR THE CONTAMINATION OF FOOD WITH LISTERIA MONOCYTOGENES

### 2.1 Presence of the organism in foods

Due to its widespread occurrence in nature L.m. has become part of the microbial ecosystem of food production and processing environments and is established on surfaces that come into contact with food and/or man.

The presence of L.m. in raw and transformed raw foods may be unavoidable.\* The use of raw fertilizers in vegetable production is a contributing factor for contamination. The presence of L.m. in processed foods and packaged processed foods which have had a listericidal process indicates post-processing contamination from the environment. Control of L.m. within the food processing and preparation environments is essential.

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\*Microbiological criteria for foods - summary of recommendations of FAO/WHO Expert Consultations and Working Groups 1975-1981. WHO/VPH/83.54.



## 2.2. Survival, Growth and Transmission of L.m.

The critical issues for L.m. are to control its survival and growth, and to minimize the recontamination of processed foods from the environment. Survival and growth of L.m. are determined by the food substrate (including pH, water activity and salt concentration), the time temperature relationship of a heating process and effectiveness of other listericidal processes. Cut vegetables and soft cheese are suitable substrates for L.m., due to their favourable combination of conditions including pH, moisture, salt concentration, and nutrients. The surfaces of meats also are suitable substrates to support growth of L.m. after contamination from the environment. Contrary to most foodborne pathogens, growth of L.m. is not completely inhibited at refrigeration temperatures (4-6°C). Hence extended storage time should be discouraged.

Suitable sources and vectors for contamination within the process environment include drains, conveyor belts and other equipment, water supplies, condensates, aerosols, humans, insects and rodents. Suitable sources for contamination within food distribution channels, retail food establishments, and home environments include cutting surfaces and knives, water supplies, humans, insects, rodents and drip from contaminated exposed products onto other foods.

## 2.3 Control measures

### 2.3.1 Process plant environment

Appropriate control measures include (a) separating non-contaminated foods from contaminated foods, (b) limiting the potential for growth by elimination of unnecessary use of water and by application of adequate sanitation principles and, (c) limiting suitable vectors for L.m. transmission. General guidance on Good Manufacturing Practices (GMPs) and hygienic principles can be found in: Recommended International Code of Practice - General Principles of Food Hygiene, Codex Alimentarius Commission, 1979. Codes of practice for some specific commodities are also available as part of the Codex Alimentarius. A systematic approach to the assessment and control of hazards within the processing environment is termed the "Hazard Analysis Critical Control Point" system (HACCP). General guidance on GMPs and HACCP are contained within a number of documents produced by ICMSF and WHO<sup>1-3</sup>.

<sup>1</sup> ICMSF (1986) Microorganisms in Foods, 2. Sampling for microbiological analysis: Principles and specific applications. 2nd edition. pp 92-107. Toronto: University of Toronto Press.

(A further book on HACCP by the ICMSF is expected to be published in 1988)

<sup>2</sup> WHO (1983) Guidelines on Prevention and Control of Salmonellosis. WHO/VPH/83.42.

<sup>3</sup> WHO (1986) Prevention and Control of Foodborne Salmonellosis through the application of the Hazard Analysis Critical Control Point System, Report of an International Commission on Microbiological Specifications for Foods (ICMSF) ad hoc Committee, WHO/CDS/VPH/86.65.

\*for definition of food categories please refer to para. 4.2.2



### 2.3.2 Retail food establishments and home environments

Similar control principles apply for retail food establishments and home environments as for food processing environments. Cross contamination should be eliminated from the environment through suitable design of equipment and appropriate sanitation procedures, and contamination from contact surfaces should be minimized. Raw and cooked products must be kept separate to avoid cross contamination by food handlers, contact surfaces and other transmission vectors.

Listericidal processes (e.g. pasteurization, cooking procedures), applied correctly, rid food of L.m., and prevention of recontamination is achievable if adherence to good hygienic practices is maintained. This applies to food manufacturing establishments, retail establishments and the home setting.

## 3. RESEARCH NEEDS

Although considerable research has been done to assess the association of L.m. with cases of illness and the role of food in the transmission of the organism, several unresolved questions requiring future research remain. These include:

### 3.1 Epidemiology

(i) Determination of the true incidence of human disease which will require increased efforts to diagnose listeriosis, especially in cases of stillbirth or miscarriage.

(ii) Improved surveillance systems for listeriosis, including reporting systems, to determine the accurate incidence of sporadic cases of listeriosis and to increase the recognition of outbreaks. This will include collection of information about the cases, particularly risk factors and demographic data, possible sources of infection, details of illness and sero- and phage type of the isolates.

(iii) Development of better serological procedures for use in surveillance studies. More specific serological methods may be useful in assessing the immune status and susceptibility of women to L.m. before pregnancy, and also to more specifically characterize case-related isolates.

(iv) Further investigations on the role of intercurrent infections and other factors in changing the carrier state to one of clinical illness by decreasing resistance or through other mechanisms.

(v) Development of alternatives to phage typing of L.m. such as isoenzyme typing and gene restriction methods.

### 3.2 Virulence/Pathogenicity

(i) Further definition of the mechanism of pathogenesis.

(ii) Determination of minimum infectious doses especially in specific cases of listeriosis when the actual number of L.m. in the food incriminated can be detected.

(iii) Study of genetics of virulence factors, including the expression of virulence under different storage and growth conditions.

(iv) Development of alternative (non-animal) tests for assessment of virulence, e.g. egg testing.

### 3.3 Methodology

Development of:

(i) improved isolation procedures including serial enrichment procedures and differential isolation media;

(ii) quantitative methods to enumerate L.m. in foods;

The improved methods should be applicable to a broad range of food groups and subsequently submitted to evaluation by rigorous collaborative studies to become officially acceptable as reference methods. More simple and rapid methods should be derived, for example from the reference methods, to enable food processors to monitor their process and food processing environment.

### 3.4 Contamination of raw and processed foods

Establishment of:

(i) contamination cycles of L.m. including the role of human and animal excreta, the environmental spread of L.m. in sewage and surface water and the role of vermin in the dissemination of L.m. to slaughter animals, food processing plants and finally food products;

(ii) sources of L.m. and point(s) of entry into the food chain;

(iii) measures for the prevention of contamination of food processing plants and post-processing recontamination.

### 3.5 Effects of processing

Apart from the pasteurization of cows milk there is no systematic knowledge of the effects of different processes on the survival and growth of L.m. Research is needed on:

(i) the effects of heat treatment on L.m. in foods other than cows milk such as meat products.

(ii) the application of food irradiation to eliminate L.m. from certain types of soft cheeses without adverse effects on the organoleptic quality.

(iii) the development of procedures which will eliminate L.m. from 'ready-to-eat' foods using the latest available findings.

(iv) the development of processing equipment to further the advance of more hygienic procedures in food production.

### 3.6 Effects of extrinsic and intrinsic factors

Growth of L.m. in food is affected by factors such as pH,  $a_w$ , microbial flora and food additives. Studies should be made of the effects of these factors (singly or in combination) in foods, especially those which are subjected to long distribution periods.

### 3.7 Other Listeria species

The presence of L. innocua or other Listeria spp in processed foods may be a useful indicator of post process contamination. A study is required of the role of these organisms.



#### 4. CONCLUSIONS AND RECOMMENDATIONS

##### 4.1 Conclusions

1 } Listeria monocytogenes is a widely distributed environmental contaminant, whose primary means of transmission to humans is through contamination of foodstuffs at any point in the food chain, from source to kitchen. The total elimination of L.m. from all food is impractical and may be impossible.

2 } Several major food commodities are implicated: milk and dairy products, meat, especially raw meat products, poultry and its products, vegetables and salads, seafoods. Contrary to most other foodborne pathogens, L.m. is able to multiply at refrigeration temperature (4-6°C). The critical issue, therefore, is not how to prevent the presence of L.m. in food, but how to control its survival in order to minimize the levels in food.

3 } Data available at present suggest that foodborne listeriosis has a relatively low morbidity but is significant, for its relatively high case fatality. The occurrence of listeriosis can be expected to vary greatly throughout the world due to the tremendous variation in dietary practices and food consumption (e.g., consumption of raw meat in some countries).

4 } Several groups of the population have been identified as at risk: pregnant women and the unborn child, patients receiving treatment which alters the natural immunity, alcoholics, drug abusers, diabetics, AIDS patients and the elderly. However, cases of listeriosis have been reported in those who have been previously healthy.

5 } It is crucial that countries establish surveillance systems to monitor the occurrence of human listeriosis and to detect outbreaks. The ability to investigate outbreaks rapidly is necessary. Surveillance systems require strong supporting networks of reference laboratories for sero-, phage and other forms of typing at local, national and international levels.

It should be remembered that a wide variety of foodstuffs can be involved in the transmission of L.m. to humans thus it is important to gather information on the ability of various foods to support growth of L.m. as well as to obtain quantitative data. Information on the presence of other Listeria spp., e.g., L. innocuus, may be useful as an indicator of post-processing contamination and requires further investigation.

Pasteurization is a safe process which reduces the number of L.m. occurring in raw milk to levels that do not pose an appreciable risk to human health. Further research on the pasteurization of milk is not necessary but additional studies are needed to determine the heat resistance of L.m. in other foods such as meat products.

6 } Listericidal processes (e.g., pasteurization, irradiation, cooking) applied correctly will rid foods of L.m., but recontamination can occur during further manipulation of the products, particularly with those foods which are not aseptically packaged immediately after the listericidal treatment. The risk of recontamination can be reduced by adherence to good hygiene practices in food manufacturing establishments, retail establishments and the home environment.

7 } There has been considerable research on methods for the detection of L.m. in foods which indicates that serial enrichment procedures employing a less selective primary medium followed by a selective secondary enrichment and differential isolation media are the most promising. Improved isolation methods should be applicable to a broad range of food groups, should be able to recover as many serotypes in the sample as possible and should be evaluated by rigorous collaborative studies. There is a need for simpler, rapid methods to be developed from reference methods to enable food processors to monitor their processes and food processing environments.



4.2 Recommendations to national public health authorities on how to ensure safeguarding the consumer

4.2.1 Statement of purpose.

1. To reduce the incidence of foodborne listeriosis.
2. To limit, or eliminate, where technologically feasible, the burden of L.m. in the food supply.
3. To enhance consumer confidence in the safety of the food supply.

4.2.2 Definitions of food categories

1. Raw foods (e.g. raw vegetables, raw meats).
2. Transformed raw foods (e.g. raw foods mixed with other ingredients (cole slaw), fermented sausage, raw milk cheeses).
3. Processed foods (listericidal\* process applied) with subsequent handling (e.g. certain types of cheeses, commercially processed meats sliced or altered in retail establishments).
4. Processed foods (listericidal process applied) in intact packages (e.g. pasteurized milk, dairy products, cooked meats in sealed containers). Such foods receive the listericidal process in their packages or they are aseptically packaged immediately after the listericidal process is applied.

4.2.3 Specific recommendations to Public Health Authorities

The Working Group made the following recommendations that Public Health Authorities should:

1. Actively promote research to determine ways in which (a) L.m. can be reduced or eliminated from the raw food supply and, (b) the contamination of processed food with L.m. in areas of greatest public health impact (e.g. delicatessens, caterers, restaurants) can be lessened.
- ~~2.~~ Commence or continue public education programmes to help consumers to protect themselves from L.m. in food categories 1 to 3 (raw foods, transformed raw foods and processed foods which are subsequently handled).
3. Ensure that consumers are not given a false sense of security about the safety of food categories 1 to 3.
- ~~4.~~ Ensure that foods in intact packages which have received a listericidal process at any point in their production (food category 4) are free of L.m. during the product's normal shelf life and as long as the packaging integrity remains.
5. Encourage the use of ionizing radiation for the elimination of L.m., particularly for foods which are highly susceptible to L.m. contamination and growth and for any packaged food, processed or raw.

\*Describes any process which will kill Listeria.

*if pasteurization  
cooking carried out  
correctly  
irradiation*



- \*6. Consider the removal from the market of foods of category 4 found to be contaminated with L.m.
- \*7. Withdraw from the market foods in any category which are demonstrated to be causally associated with human cases of listeriosis.
8. Fully consider, when withdrawal of food products from the market is indicated, all the ramifications and possible consequences prior to withdrawal. Such decisions should be based on the best available scientific information and made only after careful risk analysis, with the goal of maintaining consumer confidence in the food supply which cannot be made totally Listeria-free.
9. Work co-operatively with affected, or possibly affected, segments of the food industry to prevent, limit and, where possible, eliminate the presence of L.m. in foods.
10. Cooperate with the food industry, universities and research institutes to coordinate essential research on L.m.
11. Implement and maintain surveillance systems for all forms of human listeriosis to detect outbreaks, and to monitor progress towards its reduction and provide epidemiological and microbiological resources for energetic investigation of outbreaks.
12. When contributing to the WHO Surveillance Programme for Foodborne Infections and Intoxications in Europe, exchange data concerning foodborne listeriosis through the WHO Collaborating Centre coordinating the programme.
13. Educate all health professionals about the relatively new problem of foodborne listeriosis so that they can make appropriate recommendations to patients at high risk for the disease on the relative risks of foodborne listeriosis versus the benefit of consuming foods of categories 1 to 3.

WHO should act as a point of information exchange regarding foodborne listeriosis research and should facilitate the establishment of reference laboratories for L.m.

#### 4.3 Recommendations to the Food Industry

The general recommendations made by the WHO Consultation on Prevention and Control of Listeriosis, Berlin (West), 1986\* are still valid in principle. The Group considers, however, that certain points should be re-emphasized in the light of experience.

The measures to be taken to reduce levels or limit growth of L.m. on food contact surfaces in the environment of food factories have been shown from experience to be exactly the same as those for other pathogens. The fact that L.m. can grow at chill temperatures makes the reduction of their numbers or their elimination all the more important. It has been shown that schemes applied in the past for Salmonella spp in areas such as meat processing are also effective against L.m. if they are applied with great attention to detail (adequate washing, rinsing, sanitizer concentrations and contact time). It should be emphasized that L.m. is particularly common in wet environments in food factories and that maintenance of a dry environment wherever feasible is one of the best ways of limiting growth of this organism.

The HACCP approach has been recommended as the best way to assure safety and quality of foods, however, this approach is not uniform in all sectors of industry. These recommendations are made taking these factors into account.

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\*WHO (1986) Report of the WHO Consultation on Prevention and Control of Listeriosis  
WHO/CDS/VPH/87.69.

#### 4.3.1 Statement of objectives

1. Short-term:
  - (a) To assure food safety.
  - (b) To reduce or eliminate where technologically feasible the burden of L.m. in foods of category 3.
  - (c) To promptly enhance education, training and awareness in the food industry.
2. Medium-term:
  - (a) To continuously re-evaluate or verify HACCP procedures to assure the safety of processed foods.
3. Long-term:
  - (a) To overcome the problem of L.m. in foodstuffs which do not undergo listericidal treatments (e.g., in category 2) but which previously have been accepted as safe.
  - (b) To expand education and training to more segments of the food industry.

#### 4.3.2 Specific recommendations to the Food Industry

The Working Group made the following recommendations to the Food Industry and/or Commodity Organizations that they should:

1. Promote the HACCP approach and assure the safety of food products, by education and motivation of all those working in the food industry.
2. Apply the HACCP approach in order to:
  - (i) identify pathogens associated with production environments and raw materials;
  - (ii) identify critical sources of contamination and eliminate them where possible;
  - (iii) identify vehicles of contamination and eliminate them;
  - (iv) identify opportunities for survival and growth of undesirable microorganisms in the factory, environment and product.
3. Concerning 2(iv), assure:
  - infrared* (i) that bactericidal treatments (heat, irradiation, etc.), are adequate and result in the killing of L.m.;
  - (ii) that sanitizer concentrations and sanitization regimes are adequate for killing L.m..
4. Carry out or promote research to seek new ways of eliminating or limiting the growth of L.m. in foods using natural or synthetic inhibitors.
5. Cooperate with regulatory agencies regarding the presence of L.m. in manufactured products and industry's efforts to eliminate the organism.



6. Collaborate closely with food processing equipment manufacturers to improve hygienic design.
7. Collaborate closely with regulatory/public health authorities to elaborate codes of hygienic practice for different sectors of food production.
8. Collaborate with international (e.g. WHO) and national organizations and universities to devise model food microbiology curricula which include the HACCP approach.
9. Research into new technological solutions to the problem of L.m. in products which do not undergo listericidal treatments before consumption, but which have traditionally been regarded as safe (e.g. foods of category 2).

## WHO INFORMAL WORKING GROUP ON FOODBORNE LISTERIOSIS,

Geneva, 15-19 February 1988

## LIST OF PARTICIPANTS

- <sup>1</sup>ADAMS, C.E. Food Safety and Inspection Service, US Department of Agriculture, Office of the Administrator, Rm 335-E Administration Building, Washington, D.C. 20250, USA
- ARCHER, D. Division of Microbiology, Center for Food Safety and Applied Nutrition, Food and Drug Administration, Washington, D.C., 20204, USA
- <sup>2</sup>BILLE, J. Laboratoire de bacteriologie medicale, Hopital Cantonal Universitaire de Vaud, Lausanne, Switzerland
- <sup>2</sup>BILLO, N. Medical Epidemiology, Federal Office of Public Health, Bollwerk 27, CH-3001 Bern, Switzerland
- BIND, J.L. Laboratoire Vétérinaire Départemental, 46 Avenue Gustave Eiffel, 37023 Tours Cedex, France
- <sup>3</sup>BREER, C. Institute for Clinical Microbiology and Immunology, Frobergstrasse 3, CH-9000 St. Gallen, Switzerland
- BROOME, C.V.  
(Vice-chairperson) Meningitis and Special Pathogen Branch, Division of Bacterial Diseases, Center for Infectious Diseases, Centers for Disease Control, Atlanta, Ga 30333, USA
- <sup>4</sup>COX, L.J. Microbiology, Central Quality Assurance Laboratory, Nestec Ltd., CH-1800 Vevey, Switzerland
- <sup>5</sup>CROFTS, N. Central Public Health Laboratory Service, Communicable Disease Surveillance Centre, 61 Colindale Avenue, London NW9 5EQ, UK
- <sup>6</sup>DOYLE, M.P. Food Research Institute, University of Wisconsin, Madison, Wisconsin 53706, USA
- <sup>1</sup>ENGEL, R.E. Food Safety and Inspection Service, US Department of Agriculture, 300 12th Street, S.W., Washington, D.C. 20250, USA
- <sup>7</sup>FRANCIOLI, P. Division of Hospital Preventive Medicine, Centre Hospitalier Universitaire Vaudois, Lausanne, Switzerland
- <sup>8</sup>FREDERIKSEN, W. Department of Diagnostic Bacteriology, State Serum Institute, Amager Boulevard 80, Copenhagen S, Denmark
- <sup>6</sup>HOPPER, P.F. General Foods, White Plains, N.Y., U.S.A. (Committee of Food Microbiology) International Life Science Institute
- KAMPELMACHER, E.H.  
(Chairman) National Institute of Public Health and Environmental Hygiene, P.O. Box 1, 3720 BA Bilthoven, The Netherlands.
- ROBERTS, D.  
(Rapporteur) Food Hygiene Laboratory, Central Public Health Laboratory, 61 Colindale Avenue, London NW9 5HT, UK



- <sup>9</sup>SEELIGER, H. Institute for Hygiene and Microbiology, University  
Würzburg, Josef Schneider Str. 2, Bau 17, D-8700  
Würzburg, Federal Republic of Germany
- TEUFEL, P. Bundesgesundheitsamt, Thielallee 88-92, Postfach 330013,  
D-1000 Berlin 33
- TERPLAN, G. Chair for Hygiene and Technology of Milk, University of  
Munich, D-8000 München 40, Schellingstrasse 10/III,  
Federal Republic of Germany
- <sup>10</sup>TWEDT, R.M. Division of Microbiology, Center for Food Safety and  
Applied Nutrition, Food and Drug Administration,  
Washington, D.C., 20204, USA
- VUJICIC, I.F. Faculty of Agriculture, Livestock Research Institute,  
21000 Novi Sad, Veljka Vlahovica 2, Yugoslavia
- <sup>11</sup>YNDESTAD, M. Dept. of Food Hygiene, Norwegian College of Veterinary  
Medicine, Post Box 8146, DEP, Oslo 1, Norway

OBSERVERS

- DAELMAN, W. Direction Générale de l'Agriculture, Commission des  
Communautés Européennes, 200 rue de la Loi, B-1049  
Bruxelles, Belgium
- RALOVICH, B.S. University Medical School of Pécs, Szigeti st. 12. H-7643  
Pécs, Hungary

SECRETARIAT

- BECKERS H.J. National Institute of Public Health and Environmental  
(WHO Temporary Adviser) Hygiene, PO Box 1, 3720 BA Bilthoven, The Netherlands
- FUJIKURA, T. Veterinary and Public Health Unit, Division of  
Communicable Diseases
- KAFERSTEIN, F.K. Manager, Food Safety Unit, Division of Environmental  
(Secretary) Health
- PROST, A. Division of Environmental Health
- REY, M. Division of Communicable Diseases

- 
- <sup>1</sup> Sponsored by US Department of Agriculture
- <sup>2</sup> Sponsored by Swiss Public Health Service
- <sup>3</sup> Sponsored by Institute of Clinical Microbiology and Immunology,  
St. Gallen, Switzerland
- <sup>4</sup> Sponsored by Nestec Ltd., Switzerland
- <sup>5</sup> Sponsored by Public Health Laboratory Service, London, UK
- <sup>6</sup> Sponsored by International Life Science Institute
- <sup>7</sup> Sponsored by the Departement de l'Intérieur et de la Santé Publique,  
Canton de Vaud, Switzerland
- <sup>8</sup> Sponsored by the Danish Ministry of Public Health
- <sup>9</sup> Sponsored by University Würzburg, Federal Republic of Germany
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ITEM 3: THE GROUP'S FUTURE WORK PROGRAMME  
(MISC 138(89) 2)

OBJECTIVES AND DECISIONS

1. The purpose of this item is to provide the Group with an opportunity to discuss issues which may come to prominence in the near future; and to enable the Group to have a preliminary discussion about their future work.

2. You may wish to begin by looking through the immediate issues listed in paragraph 4 of the paper. The Ministers concerned could be invited, as necessary, to comment on how they propose to handle them and what arrangements have been made for co-ordination.

3. You may then wish to turn to the more general issues indicated in paragraphs 5 and 6. There are no decisions as such, other than to commission further papers. These might include papers by Departments on topics listed in paragraph 6, plus factual papers on the following:

i. experience overseas including the requirements imposed by the European Community, at least some of which may have the effect of limiting the United Kingdom's freedom of action;

ii. the arrangements for monitoring and enforcing food safety standards, and the distribution of departmental responsibilities in this field. This is not intended to open up Machinery of Government issues, but merely to clarify existing arrangements. The paper would need to cover, inter alia, ~~the powers available~~ to the Government if local authorities failed to enforce standards with sufficient vigour;

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- iii. the proposed contents of the Food Bill which MAFF hope to bring forward next Session. One major issue for the Group is how this Bill could be used to spearhead a convincing drive to tackle current issues on food safety.
4. The Cabinet Office might also be commissioned to prepare an overall paper for the Group's next meeting on the main issues in the area of food safety.
5. You will wish to confirm that the Group are content to commission those papers, and to check whether there are any further issues on which members of the Group wish to have papers brought forward at this stage.

#### MAIN ISSUES

##### Immediate issues

6. There are a number of issues which are known to be likely to come to public attention over the next few days or weeks.

(a) Listeria. A survey by the Public Health Laboratories Service (PHLS), which found that 12% of cooked chicken and 17% of chook-chill meals available in the shops were infected with listeria, is to be published in the "Lancet" on Friday but may have become public knowledge by the time of Mr MacGregor's and Mr Clarke's appearance before the Agriculture Select Committee on Wednesday afternoon. The Department of Health are considering whether to issue advice to the public about listeria. This advice would obviously need to be brought forward very quickly if the PHLS survey arouses serious public concern.

We understand that very little is known about listeria at the present and that the Chief Medical Officer is anxious to obtain outside expert advice. You may wish to invite the Chief Medical Officer to comment on this. (We had been informed on Friday that a brand of German cambanzola cheese had been found to be infected with listeria and would be withdrawn from the market. We now understand that this cheese is no longer thought to be unsafe and that the source

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of infection has been traced back to a single retail outlet.)

(b) Bovine Spongiform Encephalopathy (BSE). A report by outside experts on BSE is to be submitted to Ministers in the next few weeks, though its contents may become public knowledge before then. We understand that MAFF are confident that they have taken all reasonable steps to seek to curb the spread of this disease, but you will no doubt wish to probe this with the Minister of Agriculture.

(c) Food Hygiene Education Campaign. It has already been announced that a food hygiene education campaign is to be launched within the next few weeks. This could become a key part of the Government's strategy on food safety, and it is obviously important that it should be effective and well received. You may wish to confirm that both the Health Secretary and the Minister of Agriculture are content that the campaign is being properly co-ordinated. You may also wish to invite them to circulate details to the Group and proposals on timing.

HANDLING

6. You may wish to open the meeting by running through the issues which are known to be likely to come to public attention in the immediate future, and to invite the Health Secretary and the Minister of Agriculture to speak to these, as appropriate.

7. You may then wish to check that the Group are content to commission the papers proposed in the Note by the Cabinet Office.

AW.

6 February 1989

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PRIME MINISTER

6 February 1989

FOOD SAFETY - MEETING ON 7 FEBRUARY

There are three issues on the Agenda.

Item 1 - Compensation for Owners of Infected Poultry Flocks

Under pressure from you, MAFF have issued notices under the Zoonoses Order 1975 to prohibit sales of raw eggs from flocks known to be, or suspected of being, infected with salmonella. The issue for decision is whether the owners of these flocks should be compensated; and if so, by whom.

A paper by MAFF - MISC 138(3) - identifies five options, but these can be boiled down to three:

- i. no compensation - option (i) in MISC 138(3);
- ii. Government financed compensation - option (ii) in MISC 138(3);
- iii. industry-financed compensation - option (iii) in MISC 138(3).

Options (iv) and (v) in the MAFF paper are variants of (ii) and (iii).

No Compensation

Arguments for:

- The issue at stake is much more important than the sums of money - perhaps £1.5 - £2m pa - would suggest. Before

Christmas the Government was criticised for introducing emergency compensation schemes to help stabilise the egg market.

- No other industry would be compensated for faults, or bad luck, in the production process. Why should agriculture always be a special case?
- It is extremely difficult to eradicate salmonella. Other diseases affecting human food supply may prove equally difficult to tackle. It is time to challenge the assumption that agriculture cannot be expected to cope with its own problems. Otherwise the Government will always be writing blank cheques, and the industry will have little incentive (a) to improve its own standards of hygiene (b) to make its own arrangements eg for insurance.

Arguments against:

- It would be embarrassing for the Government to lose the case at judicial review (the Attorney General has said that there is 'serious risk of successful challenge' if the Government does not arrange for compensation for slaughtered birds).
- If the Government is taken to court and loses, there may be a period in which it is powerless to prevent the sale of raw eggs from infected farms.
- If the principle of compensation for compulsory slaughter is abandoned, farmers will have a much greater incentive to try to sell infected food at a time when public consciousness about health hazards in food is at a high point.



- It is inconsistent to offer compensation to egg farmers generally before Christmas, but not in this specific case.

Comment

John Major favours giving no compensation. He is right. It is time to break the mould of special treatment for agriculture. This could be the opportunity.

The risk of judicial review is real. Thames Valley Eggs are large enough to take the Government to Court. But even if the Government lost, it would have a great deal of public sympathy.

The risk of infected eggs being sold in the event that the Government lost is exaggerated. As the MAFF paper says, a slaughter and compensation order could be ready drafted for immediate signature.

Farmers may try to dispose of infected food. But this would be against their market interest. Rumours of infected supplies could lead to a drastic slump in demand in particular sectors. Various statutory measures which are being introduced will involve regular monitoring, and make it difficult for producers with infection to escape detection.

There is a difference between this case and the emergency measures taken before Christmas. At that time the whole egg market appeared seriously threatened as the result of something said by a Government Minister. In this case certain egg producers have a risky product. The parallel is with the manufacturer of a toy which is found to be dangerous.



Recommendation

The issue is very finely balanced. Political considerations, and the need to treat agriculture like any other industry, point to resisting compensation. But no government relishes being found to have acted unreasonably in the Courts. To avoid the risk involves conceding compensation - options (iii) or (v), which transfer the funding to the industry, would be the least bad options though the need for urgent legislation this session is unwelcome.

On balance I would come down against compensation.

Item 2 - Committee of Inquiry into the Microbiological Safety of Food

Kenneth Clarke has proposed setting up a Committee of Inquiry, headed by an eminent microbiologist or biologist, to look at the possible links between food poisoning (which is increasing) and changes in food production and preparation. John MacGregor initially supported him; but now he has backtracked.

John Major has argued against a Committee headed by an outside scientist. You have expressed some doubts. Kenneth Clarke continues to argue the case.

Comment

The Government can get the benefit of outside expert advice whenever it wants to, so the issue is essentially one of public presentation. Will it help or hinder the handling of food safety issues to be able to say that a quasi-independent Committee of Inquiry is looking at the matter?



Kenneth Clarke argues that a committee need not appear reactive: on the contrary, it would demonstrate that the Government had an overall strategy for dealing with food safety as new issues arise. He sees parallels in the privately chaired committees looking into bovine spongiform encephalopathy, and future projections of AIDS numbers.

Points to make

- John MacGregor's latest letter points out how well the ground is being covered already. The Government need never lack for outside advice. So the advantage of the proposed Committee of Inquiry is essentially presentational.
- What happens if we have a new and unforeseen food safety problem while the Committee is deliberating? Would the government refer to the Committee before acting? Would the Committee be pressed to give an instant view?
- How would we cope with embarrassing or expensive recommendations?

Recommendation

The decision is essentially political. Kenneth Clarke's latest arguments do not answer all the questions which you raised, and are not convincing.

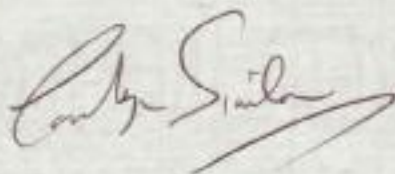
Item 3 - Future Work Programme for MISC 138

The Cabinet Office note - MISC 138 (2) - summarises the food safety issues which are likely to hit the headlines in the next few weeks, and suggests a programme of work for the group.

The existence of the group is likely to become public knowledge (though not its deliberations). This is another argument against Kenneth Clarke's Committee of Inquiry. The Government will be seen to be setting up arrangements to deal with future food safety problems.

Recommendation

The Cabinet Office proposals look sensible, but the work needs to be given on order of priority. Listeria and bovine spongiform encephalopathy are the first topics for early reports to the group. The proposed Food Bill should also be well up the list.



CAROLYN SINCLAIR





Ministry of Agriculture, Fisheries and Food  
Whitehall Place London SW1A 2HH

CCB/pt

From the Minister's Private Office

**CONFIDENTIAL**

Andrew Turnbull Esq  
Principal Private Secretary to the  
Prime Minister  
10 Downing Street  
London  
SW1A 2AA

6 February 1989

Dear Andrew,

**FOOD SAFETY**

My Minister has seen your letter of 1 February 1989 to Andy McKeon. He shares the view that changes in the way food is produced, processed, distributed and handled in the home have been raising a number of new and difficult issues. However, he believes that the existing framework of Committees established by the Government, which include distinguished outside experts, are already undertaking the sort of work envisaged by the Secretary of State for Health in his suggested Enquiry. For example, we now have a Committee on Novel Foods under the Chairmanship of Professor Derek Burke, which addresses some of the issues raised by possible new developments in food technology. The Advisory Committee on Pesticides addresses safety issues on pesticides and the Veterinary Products Committee performs a similar function for animal medicines. New Committees to deal with specific technical problems can, of course, continue to be set up as the need arises but it is important to avoid duplication.

My Minister also feels that the conclusions reached by an Enquiry of outside experts of the sort envisaged by the Secretary of State for Health could have consequences for the Food Bill a year hence, just at the time when that Bill could be passing through its crucial Committee stage. Although we would hope that the Bill will provide enabling powers, which would be drawn on by regulation subsequently, it could be difficult for the Government if new elements appeared at a late stage.

My Minister believes that we have a great deal of expertise in Government, and in the existing Committees of outside experts, which is relevant to the current problems. The question is whether there is a gap in terms of the expert advice specifically on microbiological aspects.

I am copying this letter to Private Secretaries to Members of H and MISC 138 Committees and to Trevor Woolley (Cabinet Office).

*Yours sincerely,*

*Stephen.*

STEPHEN LAMBERT  
Private Secretary



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P 03358

PRIME MINISTER

MINISTERIAL GROUP ON FOOD SAFETY  
STEERING BRIEF

1. Following your decision to establish this Group last week, this first meeting has had to be arranged quickly in order to take an urgent decision on compensation to egg producers. An early decision is also needed on Mr Clarke's proposal for a Committee of Inquiry. More generally, the meeting provides an opportunity to have a first discussion about the Group's work: the Cabinet Office paper is designed to provide a basis for this.

2. You may wish to begin by saying that your objective in setting up the group is to gain the initiative on food safety problems and to establish a public perception that the Government is dealing with them effectively. You may then wish to turn to the three items on the agenda.

ITEM 1: SALMONELLA IN EGGS: SLAUGHTER AND COMPENSATION

3. The first item is focused on compensation policy rather than food safety as such. The Treasury are using the occasion of salmonella and eggs to open up the general question of compensation policy in respect of farmers, which is likely to be an important continuing theme of the exercise.

4. The Ministry of Agriculture has issued notices under the Zoonoses Order 1975 prohibiting the sale of raw eggs from poultry flocks known to be, or suspected of being, infected with certain strains of salmonella. These notices will expire next Friday 10 February. You will wish the Group to reach decisions on three main points:

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i. compensation. First, there is the question whether compensation should be paid to flock owners. If so, the existing legal machinery is contained in the Animal Health Act 1981 which provides for slaughter - and-compensation schemes;

ii. financing of compensation. The second question is how any compensation should be financed: that is, whether it should be financed by the Government or whether a Bill should be introduced this Session to provide for the costs to be met by the industry. You will wish to ask the business managers about the prospects for a small Bill this Session. If the compensation is to be funded by Government, there is also the question whether the MAFF should be required to meet the cost from within their existing PES provision;

iii. a wider review of Government policy on compensation. Whatever is decided on this case, there is the question whether there should be a wider review of Government policy on compensation for food producers. You may wish to confirm that there should be such a review and discuss the timetable and scope of it.

5. More generally, you may wish to use this first item to probe some of the concepts and problems that the group will need to address in its later work. In particular, you may wish to ask the Chief Medical Officer and the Chief Veterinary Officer whether salmonella in poultry and eggs is illustrative of a newly emerging kind of problem, and whether similar questions of detection and control are posed by other diseases that the group will need to consider. This discussion will doubtless also help you to form an idea of the degree of co-operation that exists between these two professional services.

ITEM 2: AN INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD

6. Mr Clarke is still pressing for an independent Committee of Inquiry of the kind that he put forward in his minute of 30 January. But Mr MacGregor now believes that a further committee in addition to the Ministerial Group would not be useful.

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7. Mr Clarke's argument is that the Government would be making sure that it had an authoritative assessment of the implications for food safety of the latest developments in food production, food technology and food health. He says that the Committee would be operating primarily within Government, but that the necessary scientific input could not all be found from within Government. You will wish to consider whether Mr Clarke's proposal is the best way to proceed. It is common ground that the Government needs to draw on the best advice available, whether outside or inside Government: but is this Committee the most effective way of doing so? Would it be seen as a gimmick or a sign that the Government could not get its own act together? Would the Government have to be inactive while the Committee did its work? Would it be right for the Government to put its responsibilities into commission with an inquiry of this kind?

ITEM 3: THE GROUP'S FUTURE WORK PROGRAMME

8. The Cabinet Office note under this item is a quick summary of the most evident current issues in food safety, and is intended as the basis for a preliminary discussion. It deals with immediate issues which may become a matter of public concern in the near future, and then with more general issues which the Group may wish to address.

9. As a first step, we propose that factual papers should be commissioned immediately on three basic aspects of food safety, which the Group might find it helpful to have as background:

- i. experience overseas including requirements of the European Community;
- ii. the present arrangements for monitoring and enforcing food safety standards;
- iii. the contents of the major Food Bill which MAFF are proposing for the 1989-90 Session.

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You may wish to ask for these to be prepared.

9. We have also provided a list of topics which the Group may wish to consider at future meetings: see paragraph 6 of the paper. You may wish to consider whether papers on any of them should be commissioned immediately. In addition it might be helpful to the Group to commission an overall analysis of the policy issues and a suggested programme by which the group can work its way through this complex area. It will be important that this should reflect a proper balance between the points of view of the two departments mainly involved. If you agree, the remit might be given to the Cabinet Office to work up a paper on these lines, to be considered by the Group at its next meeting in, perhaps, about 2 weeks' time.

OTHER MATTERS

10. Both Mr Clarke and Mr MacGregor are giving evidence to the Select Committee on Agriculture on Wednesday 8 February. You may wish to ask them on what subjects they are likely to be questioned, and check that there are none (eg on the co-ordination of departmental responsibilities) on which a line needs to be agreed in advance by this Group.

R.T.J.

R T J WILSON

6 February 1989

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✓  
CCFO  
COB/OP.

Prime Minister

INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD

I see the value of the proposed committee on the microbiological safety of food as twofold.

First, it will provide the authoritative advice we need to get on top of present difficulties in this field.

Second, it will enable the Government to regain the public initiative.

Background

2. In setting up such an inquiry the Government would not be reacting to events but making sure that in setting the agenda for the future, it had an authoritative assessment of the implications for food safety of the latest developments in food production, food technology and public health.

3. In the Chief Medical Officer's view, recent years have seen profound changes in every step of the food chain between production and consumption of food. Over the same period there has been an unparalleled increase in the numbers of reported cases of microbiological food-borne illness. There is good reason to suppose that the increase in food-borne illness can be attributed to combinations of changes in farming, food processing, storage, distribution and handling techniques. Even the advent of microwave ovens is likely to have influenced in some measure the increase in food borne illness.

4. It is not surprising that changes in food technology, for example, should have resulted in problems for the public health. It is hard now to remember the enormous problems which arose with canned foods in the early years. There were problems about sterility, lead leaking from the lining of the tins, and even botulism. Now, by contrast, canned food is considered to be perhaps the safest food that can be eaten. Similarly, when frozen food first became popular, there were many food poisoning incidents from mishandling of the foods and failure to thaw frozen food properly. More recently, changes in animal feeding stuffs may have given rise to new hazards. This practice may, also, have contributed to the recent increase in salmonella enteritidis infection in poultry.

5. Whilst we do know, in a general way, that all these factors and more are related to the increase in food-borne illness, a great deal remains to be learnt about the precise relationship or combination of relationships and how these adverse factors can be controlled. The aim of the inquiry would be to assemble for us the relevant body of knowledge and assess it authoritatively.

6. Whilst there is considerable knowledge of those matters within Government, the Chief Medical Officer's advice is that all the scientific input which is required could not be found solely from within Government.

#### Scope of inquiry

7. I see this committee as operating primarily within Government. It would not be in the style of a Royal Commission seeking public evidence or having public hearings. Rather it would be in the style of the recent inquiry on future projections of AIDS numbers chaired by Sir David Cox and that on bovine spongiform encephalopathy chaired by Sir Richard Southwood. We have published the report on the first: the second inquiry is about to report. In each case, the Government announced the inquiry but the committee operated privately, drawing on the best available advice.



8. The value of announcing publicly that we are setting up such an inquiry is that it will reassure the public that besides taking all necessary immediate steps, we are ensuring that the Government is making full use of the best available expert advice.

9. A committee with close and continuing working links with my Department and the Ministry of Agriculture, Fisheries and Food will give a very valuable extra resource in responding to current issues, as the Chief Secretary has in mind. It will also enable the Government to reflect the interim conclusions in preparing the Food Bill proposed for next session. While much of the work of the committee will impinge on regulations which would be made under the Bill they may also identify areas where enabling powers in the Bill itself would be helpful. If as I envisage the committee makes a preliminary report on the most urgent issues by September, we would be able to take account of any legislative points in the Bill.

#### Current Government action

10. We already have a vigorous programme of action in response to current problems. As you know, John MacGregor is introducing orders under the Zoonoses Order to control salmonella in poultry and eggs. We shall be updating time/temperatures on pasteurised eggs. A joint MAFF/DH/HEA food hygiene education campaign is planned for later this spring. We are actively engaged in discussion on codes of good practice with producers, manufacturers, distributors and retailers to reduce listeria contamination. We shall doubtless be discussing these in more detail in MISC 138.

11. The work of the committee will complement and reinforce all the other initiatives we are taking. It should also reassure the public that the Government are not simply reacting to immediate problems but are looking much further ahead. I fully accept, however, that it will be important to spell out publicly all that we are doing so that we get proper credit for doing what needs to be done now as well as preparing for the future.

Conclusions

12. I believe that the setting up of the committee would be a valuable ingredient in our overall strategy. It would help to regain and keep the initiative. While it may identify difficult problems of which we are not now aware, it is important that we know of them first, before they emerge - as they would - as an urgent problem. In this way, we can take action at the earliest opportunity, as we should if we are to safeguard public health properly.

13. I am copying this to the other members of MISC 138, the Attorney General and to Mr Wilson in the Cabinet Office.

L

6 February 1989

KC



**MAFF**Ministry of Agriculture, Fisheries & Food, Whitehall Place, London SW1A 2HH  
Press Office: 01-270 8973 Out of hours: 01-270 8080 Fax: 01-270 8443

# News Release

38/89

3 February 1989

## CONSULTATIONS ON PROPOSAL TO BAN SALE OF UNTREATED MILK

Consultations are to take place with interested parties with a view to banning the sale of untreated milk. the Rt Hon John MacGregor MP, Minister of Agriculture, Fisheries and Food, announced today.

In a written reply to a Parliamentary Question from Mr Richard Alexander MP (Newark), Mr MacGregor said:

"My Rt Hon Friend the Secretary of State for Wales and I have recently been reviewing our arrangements for the sale of untreated milk, which represents 2 to 3 per cent of milk sales in England and Wales. Effective heat treatment is the only way to minimise the risks of transmitting milk-borne diseases to the consumer. My Rt Hon Friend and I propose therefore to consult the interested parties with a view to prohibiting the sale of untreated milk from the earliest possible date. We shall consult also on what arrangements should be applied to sales of untreated milk in the interim period.

"A consultation document will be issued shortly inviting comments on this proposal and on the detailed arrangements for its implementation."



di Prime Minister  
It is obvious that the  
Committee was set up not  
a moment too soon. It  
will have a heavy programme!

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From: R T J Wilson  
3 February 1989

P 03357

AT 3/2

MR TURNBULL

#### FOOD SAFETY

1. The first meeting of the Prime Minister's group on food safety - MISC 138 - has now been confirmed for next Tuesday 7 February at 11.00 am. As agreed, we have invited the Attorney General to attend in view of the legal issues which may arise.

2. We propose that there should be three items on the agenda. We shall be providing a brief for the Prime Minister in the normal way, but it may be helpful to give you advance warning of what the items will cover.

#### ITEM 1: PREVENTION OF RAW EGG SALES FROM INFECTED POULTRY FLOCKS

3. The first item is the prevention of raw egg sales from poultry flocks infected with salmonella. This will require some urgent decisions on compensation policy.

4. Notices have now been issued under the Zoonoses Order 1975 to prohibit the movement of eggs from specified premises. These notices are defensible as a temporary expedient while the premises are tested for salmonella, but they will become vulnerable to judicial review if they are relied on in the longer term when the producers in question have no commercial option but to slaughter their flocks. It will then be argued that the Minister should have used the slaughter and compensation machinery provided by the Animal Health Act 1981, rather than the Zoonoses Order which lacks compensation provisions.

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5. The Minister for Agriculture, Fisheries and Food will say that, while he is prepared to examine the scope for long-term change in the Government's approach to compensation for farmers, he has no room for manoeuvre politically in the short term. He considers that if the prohibitions under the Zoonoses Order have to be terminated, the only alternative is for him to authorise a slaughter and compensation scheme under the 1981 Act. The Chief Secretary, on the other hand, will say that it should be a major objective to move away from existing compensation policy as fast as possible, and that it would be a very bad move now to concede a slaughter and compensation scheme for infected egg producers, for whom there is little public sympathy. The Chief Secretary will propose that, instead, the Government should introduce an emergency Bill this Session on the lines of the Pig Industry Levy Act 1983, which would require the industry itself to finance any slaughter and compensation arrangements that are needed.

6. The decision on this will be urgent, because the existing notices expire on Friday 10 February. The decision will also be important because it will set the tone for the general review of agricultural compensation policy, on which the Treasury will push hard. In reaching a conclusion, the Prime Minister will need to probe both the legal position and the Lord President's views on the prospects for accommodating an emergency Bill in the present session.

#### ITEM 2: INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD

7. The second item will be the proposal for a joint Committee of Inquiry which Mr Clarke put forward in his minute of 30 January. Your reply of 1 February asked for further advice on various aspects before the Prime Minister took a decision.

8. Mr Clarke will be circulating this further advice on Monday. Both he and Mr MacGregor will still want to go ahead with the Committee of Inquiry, as will Sir Donald Acheson (who will be in attendance at the meeting). They will point out that their Departments do not have the expertise in-house to prepare a full

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analysis of all the issues, and argue that the advice of an independent outside body will provide the public with the sort of reassurance which is needed. They will also say that setting up the Committee will demonstrate that the Government is determined to get to the roots of the problem.

9. The Chief Secretary on the other hand will argue that setting up a Committee of Inquiry is not the best way of drawing on outside knowledge. He would prefer the Department's advisers simply to draw on outside expertise as they need to, without the paraphernalia of an outside committee. In this way they will be able to give Ministers the most up-to-date advice as events develop.

10. Here again an early decision will be needed. We understand that Mr Clarke and Mr MacGregor will be appearing before a Select Committee on Wednesday and may want to be able to announce the setting up of the Committee of Inquiry then.

ITEM 3: CABINET OFFICE NOTE

11. The third item will be a note which we are preparing in the Cabinet Office, inviting the Committee to decide how it wants to tackle its programme of work.

12. The note will aim first to give some indication of immediate issues. Discussions with Departments suggest that there may be a number of developments on food safety in the next few weeks which Ministers will need to decide how to handle. They include the publication in the Lancet next Friday of a report by the Public Health Laboratory on the extent of listeria infection; the receipt by Ministers of the report of an expert group on Bovine Spongiform Encephalitis; and a possible decision to instruct environmental health officers to withdraw a brand of German cheese which has been found to be heavily infected with listeria from retail outlets. In addition Mr MacGregor will be developing his

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programme of action on salmonella; and his Department are planning a hygiene campaign which needs to be co-ordinated with the Department of Health.

13. More generally the Committee will wish to consider how to gain the initiative on food safety problems, and establish a public perception that it is dealing effectively with them. The issues are complex and wide-ranging. We shall be suggesting that as a first step the Committee should ask Departments to prepare quickly a number of basic factual papers which set out in lay terms what is already known about salmonella, listeria and campylobacter; what other countries and the European Commission are doing about these problems; what the Food Bill which the Ministry of Agriculture are planning for the 1989-90 Session is expected to cover; and how the machinery for enforcing food standards is organised and administered.

14. In addition, we shall be suggesting that the Cabinet Office should be asked to co-ordinate a paper which surveys and summarises current problems on food safety, to give the Committee an overview and a basis for deciding how to proceed.

15. Finally, the Prime Minister may wish to commission papers on particular topics which it is already clear are going to need to be discussed. One main one is the extent to which farmers should continue to be compensated for outbreaks of microbiological diseases.

*R T J*

R T J WILSON

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of  
CPA



Y SWYDDFA GYMREIG  
GWYDYR HOUSE  
WHITEHALL LONDON SW1A 2ER  
Tel. 01-270 3000 (Switsfwrdd)  
01-270 (Llinell Union)

WELSH OFFICE  
GWYDYR HOUSE  
WHITEHALL LONDON SW1A 2ER  
Tel. 01-270 3000 (Switchboard)  
01-270 (Direct Line)

From The Parliamentary Under-Secretary

Gddi wrth yr Is-Ysgrifennydd Seneddol

Ian Grist MP

2 February 1988

*Ian Grist*

**INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD**

In Peter Walker's absence in the United States, I am responding to your minute to the Prime Minister on this subject. We would certainly wish Wales to be covered by the Committee and trust that we shall be involved in the nomination of the Chairman and its members.

I am copying this to the Prime Minister, members of H Committee, John MacGregor, Richard Luce and Sir Robin Butler.

*John Grist*  
*Jan*

The Rt Hon Kenneth Clarke QC MP  
Secretary of State for Health  
Richmond House  
79 Whitehall  
LONDON SW1A 2NS



FOOD: Food Safety Jan 89.

6-11 1989 MED



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## 10 DOWNING STREET

LONDON SW1A 2AA

*From the Principal Private Secretary*

SIR ROBIN BUTLER

## FOOD SAFETY

My letter of 1 February to Andy McKeon reported the Prime Minister's wish for some Cabinet Office machinery to be set up to consider Food Safety. The Prime Minister wishes this to be a Committee in the MISC series. She proposes to chair it herself and would like the other members to be:

Secretary of State for Wales  
 Secretary of State for Northern Ireland  
 Secretary of State for Health  
 Minister of Agriculture, Fisheries and Food  
 Secretary of State for Scotland  
 Lord President  
 Chief Secretary  
 Chancellor of the Duchy of Lancaster.

In addition the Committee may wish to invite the Chief Medical Officer and the Chief Veterinary Officer to be in regular attendance to assist them.

The Prime Minister wishes the Committee (MISC 138) to have broad terms of reference as follows:

"To review current issues on the safety of food, including the adequacy of research programmes and possible requirements for legislation".

A meeting has been arranged for Tuesday 7 February at 11.00 am. In addition to any specific issues which need to be considered, I understand the Cabinet Office will be putting forward a note on the Committee's programme of work.

I am copying this minute to Private Secretaries of the members of the Committee.

AT

(ANDREW TURNBULL)

2 February 1989

JK





Prime Minister  
Content? FRB supports  
a word with HomeSec in margin  
of Cabinet.

Ref. A089/294

MR TURNBULL

AT  
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( would rather  
take the Chair myself.  
Food Safety

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Your letter today asked for my advice on the setting up of a Cabinet Committee on Food Safety.

2. I would suggest a Committee in the MISC series, rather than a permanent Sub-Committee. We are not clear for how long it will be needed.

3. The main candidates for chairmanship are probably the Home Secretary or the Lord President. My advice is that the Prime Minister should ask the Home Secretary to take it on, provided that he can find the time.

4. The other members might be:

- Secretary of State for Wales
- Secretary of State for Northern Ireland
- Secretary of State for Health
- Minister of Agriculture, Fisheries and Food
- Secretary of State for Scotland
- Lord President
- Chief Secretary
- Chancellor of the Duchy of Lancaster.

In addition the Committee may wish to invite the Chief Medical Officer and the Chief Veterinary Officer to be in regular attendance to assist them.



5. MISC Committees do not normally have terms of reference, although they may do so if the Prime Minister wishes. If so, I would suggest fairly broad terms of reference as follows:

Y "To review current issues on the safety of food, including the adequacy of research programmes and possible requirements for legislation".

6. I would propose to ask Mr Wilson, Mr Langdon and Mr Mundy to be the secretaries.

7. As to the next steps, the Prime Minister might like to have a word with the Home Secretary, perhaps in the margins of Cabinet tomorrow, to sound him out to see whether he would be willing to take on the chairmanship of this Committee. Subject to that, if she is content I will arrange for the members to be informed and for the Committee to start work.

R.B.

ROBIN BUTLER

1 February 1989



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cc/BU  
is BFM at the stageFROM: CHIEF SECRETARY  
DATE: 1 February 1989

PRIME MINISTER

cc/BU

## ENQUIRY INTO THE MICRO-BIOLOGICAL SAFETY OF FOOD

I have seen Kenneth Clarke's minute to you of 30 January about this subject. I agree with him that the Government needs to draw on outside knowledge about the reasons for the increasing incidence of reported cases of micro-biological illness originating from food. But I do not think that setting up a joint Committee of Inquiry headed by an eminent outside scientist is the best way of going about this.

2. My preference would be to ask the Government's own chief professional advisers to arrange to draw on the knowledge of the best outside experts on the very wide range of relevant subjects. I see a number of advantages with this approach. The first is that our own advisers could make use of outside advice and up-to-date knowledge, as it becomes available, in advising Ministers on the current decisions which have to be taken. Recent experience suggests that there may well be a series of these in coming months, and that we cannot foresee at all clearly what they will be. A further advantage is that our advisers will be able to respond to the current issues in deciding on relative priorities within the wide subject matter set out in the proposed terms of reference. Moreover, they could also draw up a comprehensive internal report in a timescale which would not need to be made to fit artificial deadlines linked to events or to the Parliamentary year.

3. These practical advantages seem to me to outweigh any temporary benefit that the announcement of a Committee of Inquiry might bring us. I therefore suggest that we should seek to achieve Kenneth's substantive aim in the alternative way I have described.

4. I am sending copies of this minute to members of H Committee, John MacGregor, Richard Luce and Sir Robin Butler.

PPJOHN MAJOR  
(Approved by the Chief Secretary  
and signed in his absence)

Food - Jan. 89 FOOD SAFETY



COPIED FROM

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FILE

MM

CCB/UP

10 DOWNING STREET  
LONDON SW1A 2AA

*From the Principal Private Secretary*

1 February 1989

*Dear Andy,*

FOOD SAFETY

The Prime Minister has seen your Secretary of State's minute of 30 January. She recognises that changes in the way food is produced, processed, distributed and handled in the home raise a number of new and difficult issues, and that the Government needs to mobilise scientific thinking on these questions. She has some doubts about the specific proposal for a Committee of Inquiry. Before taking a decision she would welcome further advice on the following questions.

- i) How would the work of the Committee relate to the Food Bill scheduled for the next session of Parliament? It is difficult to see how the conclusions of a Committee not expected to complete its report until early 1990 could inform a Bill to be handled in the 1989-90 session.
- ii) Would such a Committee of Inquiry be interpreted as a positive response by Government or would it be seen as reactive, and a sign that the Government lacked a clear plan for dealing with the emerging problem?
- iii) Would the Government be inactive while the Inquiry is sitting?
- iv) Can we be sure that the conclusions of the Inquiry would be helpful and not embarrassing or expensive?
- v) Are there ways in which the scientific input which is required could be found from within Government?

The Prime Minister has noted that the issue of food safety inevitably involves the interests of a number of Departments. She believes that the establishment of some Cabinet Committee machinery would help. This could examine the research programmes which have been put in hand and identify the further work that needs to be undertaken, could

KIC

look at the policy issues which need to be resolved before new legislation is introduced, and it could provide a forum for resolving specific problems as they arise. She would be grateful if Sir Robin Butler could propose Terms of Reference and composition for such a Committee.

I am copying this letter to Private Secretaries to members of H Committee, Shirey Stagg (MAFF), Martin Le Jeune (Privy Council Office) and to Trevor Woolley (Cabinet Office).

*Yours sincerely*

*Andrew*

ANDREW TURNBULL

Andy McKeon, Esq.,  
Department of Health

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PRIME MINISTER

FOOD AND SAFETY

There are two proposals here. First, Sir Robin Butler suggests a Cabinet Committee to deal with issues of food safety. Given the perpetual tensions between MAFF and DoH (which would not be removed by machinery of Government changes since this would merely draw the battle line in a different place) central co-ordination is desirable. Agree?

More difficult is the proposal for a scientific Committee of Inquiry. This is supported by both Departments as a way of mobilising scientific thought in this area. But it leaves a number of questions unanswered.

- What is the relationship between the Committee and the Food Bill scheduled for the next Session of Parliament?
- Will it be seen as a sign that the Government cannot get its own act together or, worse, as a gimmick? ✓
- Will the Government be inactive while the inquiry is sitting?
- Can we be sure that the conclusions of the inquiry will be helpful and not embarrassing or expensive?

I suggest I minute that you recognise that a greater scientific input is required but that you are not yet convinced by the proposed form. Mr Clarke should be asked for answers to the questions above and for a view on whether the scientific inquiry could be carried out within Government. Agree?

AT [initials]

ANDREW TURNBULL

31 January 1989

DS3AGV



Ref. AO89/280

MR TURNBULL


Food Safety

In my minute yesterday, I referred to the impending proposal of the Secretary of State for Health for an inquiry into the microbiological safety of food; and explained that I would be discussing it with the Departments concerned today. I have now had that discussion, and you will have seen Mr Clarke's minute of 30 January on the subject.

2. On the question of the Committee of Inquiry, the uneasiness expressed at paragraph 2 of my minute of yesterday remains. A particular worry raised by Mr Clarke's minute is the relationship envisaged between the Committee and the Food Bill scheduled for the next session of Parliament - it is very difficult to see how the conclusions of a Committee not expected to complete its report until early 1990 could inform a Bill to be handled in the 1989/90 session; and some of the Committee's recommendations might not in any case be appropriate for inclusion in a Food Bill. On the other hand, the Minister of Agriculture (with whom I discussed this matter on the telephone) is conscious that the Chief Medical Officer is in favour of the proposal for a Committee and Mr MacGregor rightly thinks that the Government must be cautious about not following his advice.

3. Whether or not an outside Committee is established, it is worth considering the Government's internal arrangements for handling the variety of associated food safety issues which look like coming forward. These range from immediate decisions on a slaughter and compensation scheme for poultry affected by salmonella (Mr Ryder's letter of 29 January refers), to broader questions of the extent to which farmers should continue to be





compensated for outbreaks of microbiological diseases among their stock, and the co-ordination of the Government's response to current public interest in food safety. Hitherto, the Government has appeared to be reactive, and to lack a clear plan for dealing with these problems. I doubt whether a Committee of Inquiry into the scientific aspects of the microbiological safety of food will of itself allay that perception.

4. The Prime Minister may therefore wish to consider whether she would like to establish some more formal Cabinet Committee machinery to oversee these matters, either to supplement or substitute for the scientific Committee proposed by Mr Clarke. I have hesitated about this because I am not sure (nor are the Departments concerned) that I can see a clear programme of work for such a group, although I think it likely that there will be one. At the very least it would provide a means of improving co-ordination between Departments. It might review what research programmes have been put in hand, examine what other countries are doing to cope with some of these problems and look at some of the wider policy issues which need to be covered in new legislation. It would also be available to deal with specific problems as they arise. If the Prime Minister wishes to pursue this idea further, I will propose the terms of reference and composition for such a committee. I do not think that it would need to be chaired by the Prime Minister herself.

F.R.B.  
ROBIN BUTLER

31 January 1989

Ref. A089/254

MR TURNBULL

Food Safety

The Secretary of State for Health is likely to put forward to the Prime Minister today a proposal for a joint inquiry on food safety, which he and the Minister of Agriculture wish to announce on Wednesday because of a Select Committee appearance then.

2. At the time of writing this minute, I have not seen the details of Mr Clarke's proposal. But I am uneasy about it. A number of questions arise. Why is it necessary for the Government to set up such an inquiry? Will it be seen as a sign that the Government cannot get its own act together? Worse, will it be seen as a gimmick? Will the Government be inactive while the inquiry is sitting? Can we be sure that the conclusions of the inquiry will be helpful and not embarrassing or expensive?

3. Mr Clarke's minute may answer these questions, but they need answering. In any case, I think that the time may have come to set up machinery within Government to co-ordinate action on the various issues now arising on food safety. I am arranging a meeting with the Departments concerned about this on Tuesday and will then make recommendations to the Prime Minister.

R.R.B.

ROBIN BUTLER

30 January 1989



FBB  
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PRIME MINISTER

INQUIRY INTO THE MICROBIOLOGICAL SAFETY OF FOOD

John MacGregor and I have been greatly concerned about the long term effects of what is emerging on the food safety side. It is clear that there has been a rapid increase in the incidence of microbiological food poisoning of nearly all types in recent years. This increase has coincided with fundamental technological changes within the food production industry, in the distribution and retailing of food, including presentation and handling in the home, and also in agriculture. The issue is the extent to which, and how, these changes are linked to the increase in food poisoning and what action should be taken to redress the situation. Many other industrialised countries are facing problems on a similar scale.

2. In John's absence, I have discussed this with Richard Ryder and we both agree that the Government need an inquiry of a scientific nature into the microbiological safety of food, as an essential part of our action to regain public confidence. We need to take the initiative by demonstrating that the Government is determined to get to the root of the problem.

3. We propose therefore to set up a joint Committee of Inquiry, headed by an eminent microbiologist or biologist, with the following terms of reference:

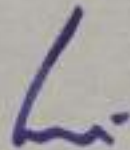
"To identify the reasons for the increasing incidence of reported cases of microbiological illness of foodborne origin, particularly from salmonella, listeria and campylobacter, in recent years; to establish whether and to what extent, this is linked to changes in agriculture and food production, food technology, distribution, retailing and food handling in the home; to make recommendations for actions to reduce the risks of such illnesses being incurred at any stage from the farm to the table; and to advise the Government accordingly".

A preliminary report would be expected by September and the Committee would be asked to conclude its deliberations within 12 months. This would enable some at least of its conclusions to be taken account of in the forthcoming Food Bill on which we are at present working.

Subject to comments from territorial colleagues, we would expect the Committee to cover the whole of the United Kingdom and Northern Ireland.

If you are content with this approach, we will arrange to make a preliminary announcement about this at an early stage.

I am sending copies of this minute to members of H Committee, John MacGregor, Richard Luce and Sir Robin Butler.



30 January 1989

KC



December 1985

## European Council (Luxembourg)

3.39 pm

The Prime Minister (Mrs. Margaret Thatcher): With permission, Mr. Speaker, I shall make a statement about the European Council held in Luxembourg on 2 and 3 December. My right hon. and learned Friend the Secretary of State for Foreign and Commonwealth Affairs accompanied me to this meeting. I have arranged for the conclusions of the Council to be put in the Library of the House.

The European Council reached agreement in five main areas. The first was the completion of the Community's internal market. This has been an important United Kingdom objective for a long time, with the strong support of British industry and business. The target of completing the Common Market by 1992 will be established in the treaty, and we agreed that there should be greater use of majority voting on a number of treaty articles dealing with goods and services. But unanimity will be retained for all decisions on taxation. The free movement of persons and the rights and interests of employees.

We also retain the right to take national action where required to protect public, animal and plant health.

The United Kingdom's position and the position of this Parliament are thus properly protected on such vital questions as frontier controls in relation to terrorism, crime, drugs and immigration from outside the Community; and on essential controls in health—for example, on rabies. The Luxembourg compromise, whereby a member state can invoke a very important national interest to prevent a decision being taken, is unaffected.

Secondly, the European Council agreed that the treaty should be brought up to date by new articles on technology, environment and the regional fund. Action has hitherto been taken in these areas on the basis of the general article in the treaty. The new articles will provide a more precise basis for action in these areas in future. Unanimity will be preserved for all-important decisions.

Thirdly, we agreed on procedural changes to improve consultation with the European Assembly. There will be better arrangements to enable the Council to take account of amendments to Community legislation suggested by the Assembly. But in all cases the last word on such legislation will rest with the Council. There will be no transfer of power on these matters from this House to the Assembly.

Fourthly, on monetary co-operation between member states, an amendment to the treaty was agreed which describes what has already been achieved in the Community framework, without entering into new commitments.

Finally, agreement was reached on a separate treaty of co-operation in foreign policy on the basis of the draft presented last summer by the United Kingdom. This formalises existing arrangements for consultation among the Ten on foreign policy matters and looks to a steadily closer co-operation.

The European Council's decisions on all these matters remain subject to general reservations from Italy and Denmark. The proposed amendments to the treaty will go forward only if these reserves are lifted. The United Kingdom has reserved its position on the voting arrangements in a proposed new treaty article on working

conditions. We insist that unanimity be preserved, in view of the risks that this article might be used to impose unfair burdens on our small and medium-sized business.

The European Council also discussed the economic and social situation and confirmed existing economic policies designed to reduce inflation and encourage sustained growth. On deregulation, the Commission gave an undertaking that in future all new proposals would be accompanied by an assessment of the effects on business and job creation; that the most important existing regulations would be re-examined to simplify them and to reduce the burden on industry; and that there should be a regular procedure for monitoring progress towards this objective. The United Kingdom's initiative earlier this year has thus been formally adopted.

In my statement in this House following the last European Council in June, I made it clear that we would have been ready then to take the steps necessary to complete the internal market, to improve decision taking, to formalise foreign policy co-operation and to improve procedures for consultation with the European Assembly.

Those objectives are now embodied in the conclusions of the Luxembourg European Council together with some tidying up of the treaty to reflect the Community's development. The amendments to the treaty have to be approved by each sovereign Parliament and accordingly will be submitted to this House.

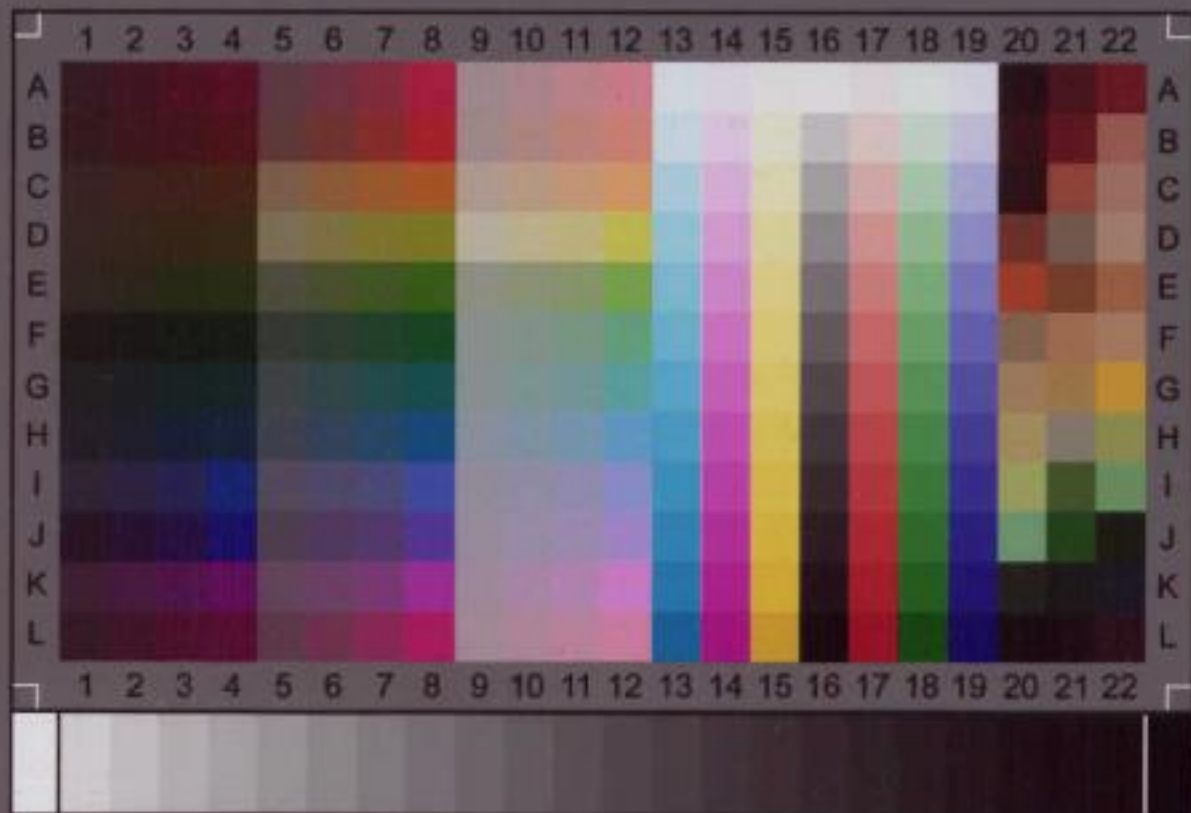
I believe that the conclusions on completing the Common Market and reducing the burden of regulations will be of long-term benefit to British firms selling their goods and services in the European Community. Together with the arrangements to reduce the scale of Britain's budgetary contribution agreed last year, they will be an important step towards enabling this country to realise more fully the benefits of our membership of the European Community.

**Mr. Neil Kinnock (Islwyn):** Is the Prime Minister aware of the widespread feeling that yet again a summit has evaded the obligations and opportunities to tackle effectively unemployment in Europe and to promote Europe's role in international affairs? Does she recall saying to the House on her return from the Milan summit in July:

"I saw nothing before us that would require an amendment to the treaty"—[*Official Report*, 2 July 1985; Vol. 82, c. 189.] Why has she now performed a U-turn and agreed to procedures for amending the treaty as well as conceding the national right of veto in important sectors?

At Luxembourg, did the Prime Minister bother to pursue reform of the common agricultural policy, which produces food stockpiles that not only obviously outrage the British people but continue to distort seriously Community funding? Did she raise the question of the huge gap between social fund remittance and payments which, according to Commissioner Varfis, will ensure that the worst losses will be inflicted on the British people in 1986? Why does the Prime Minister continue to promote the idea of European foreign policy co-operation but ignore the views of our partners in the Community over issues such as the Falklands and South Africa, and today spitefully rejected their unanimous plea for us to remain in UNESCO?

**The Prime Minister:** We had a debate on economic matters and considered a substantial report by the Commission. It will be considered in more detail by the



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