

Food Security, Food Safety and Ethics in Food Production and Supply

The Legal Framework in Germany between Social and Global Responsibility and Right to Affordable Food

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Webinar 'Ketahanan Pangan Sebagai Perwujudan Hak Atas Pangan'
Universitas Trisakti Jakarta
August 26 2020

Aspects of Food Ethic

Right to Food
(Art. 11 UN-Covenant)

Food Safety

Food Security
(Supply)

Right to Healthy
Food

Sustainability

Foodculture

Social Compatibility
Global Responsibility

Individual Responsibility

Producer's Responsibility

Legal Framework

Food Supply – Common Agricultural Policy (CAP) and Common Fisheries Policy (CFP) of the EU

Objectives (see Article 39 of the Treaty on the Functioning of the European Union TFEU):

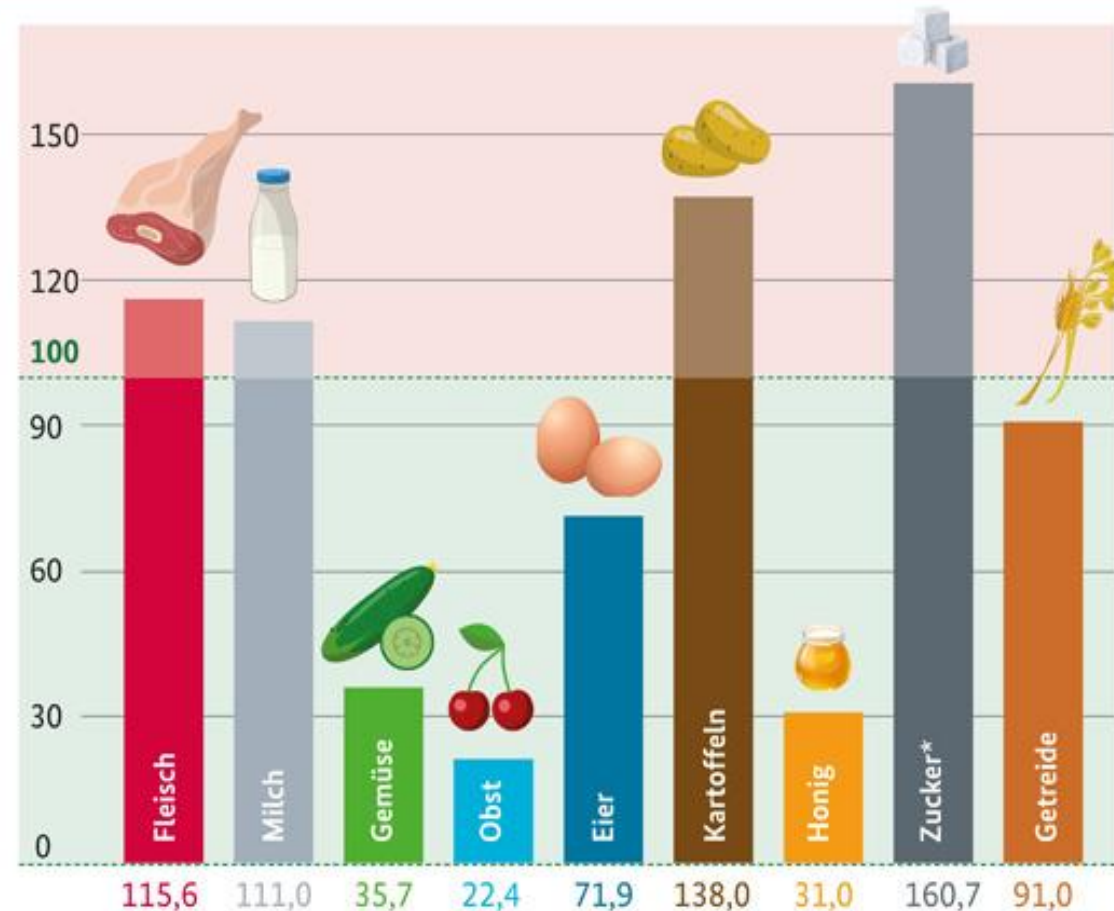
1. to increase productivity, by promoting technical progress and ensuring the optimum use of the factors of production, in particular labour;
2. to ensure a fair standard of living for the agricultural Community;
3. to stabilise markets;
4. to secure availability of supplies;
5. to provide consumers with food at reasonable prices.

Four **Components** of the CFP:

1. Regulation of production, quality, grading, packaging and labelling
2. Encouraging producer organisations intended to protect fishermen from sudden market changes
3. Setting minimum fish prices and financing buying up of unsold fish
4. Set rules for trade with non-EU countries

Securing Availability of Supplies – Supply Balance Agriculture

Der Selbstversorgungsgrad in Deutschland (2018, in Prozent)



* Angabe für 2017

Bundesinformationszentrum
Landwirtschaft

Quelle: © BLE

Supply Balance Agricultural Products in Germany:

The degree of self-sufficiency is a scale to measure the fulfillment of the CAP-goal of a sufficient supply of the population

It shows the extent to which domestic agriculture can cover demand (total consumption). The proportion exported to other countries is deducted from domestic production, and the imported proportion is added.

Art. 39 TFEU obliges the Member States to ensure reliability of supply:

- Sufficient production of basic foodstuffs (inward)
- Trade policy to ensure sufficient supply with external agricultural products (outward)
- Supply of the needs of final consumers AND of processing industry (ECJ C-131/87)

Emergency Reserve in Germany



Source and © Bundesministerium für Ernährung und Landwirtschaft



Bundesministerium
für Ernährung
und Landwirtschaft

Ernährungssicherstellungs- und Vorsorgegesetz (ESVG) of 2017

- **Civilian Emergency Reserve:** rice (round and long grain), Peas/Lentils, condensated milk
- **Federal Reserve Grain** (near mills): bread grain (rye/wheat), oat

Food Safety

- European Basic Foodstuff Regulation No 178/2002/EC (EU-Basic-Regulation) – Foundation of a European Authority for Food Safety (EFSA) and Definition of Procedures for Food Safety
- Regulation No 852/2004/EC on Food Hygiene (Basic Hygiene Rules and Duty for Food Producers to *hazard analysis and critical control points HACCP* Procedures)
- Specific Rules for animal food products in Regulations No 853 and 854/2004/EC
- EU => Only food products which fulfill the rules of **HACCP** are admitted to enter and trade within the EU-market
- See Private Hygienecenter in Munster (Information for the Industry Management), Hygiene Certification i.e. DQS or TÜV Cert (not obligatory in EU-Law)

Food Safety

Federal Ministry for Food and Agriculture



Bundesministerium
für Ernährung
und Landwirtschaft

Scientific Risk Assessment and Risk Communication

Risk Management

Federal Institute for Risk Assessment (BfR)

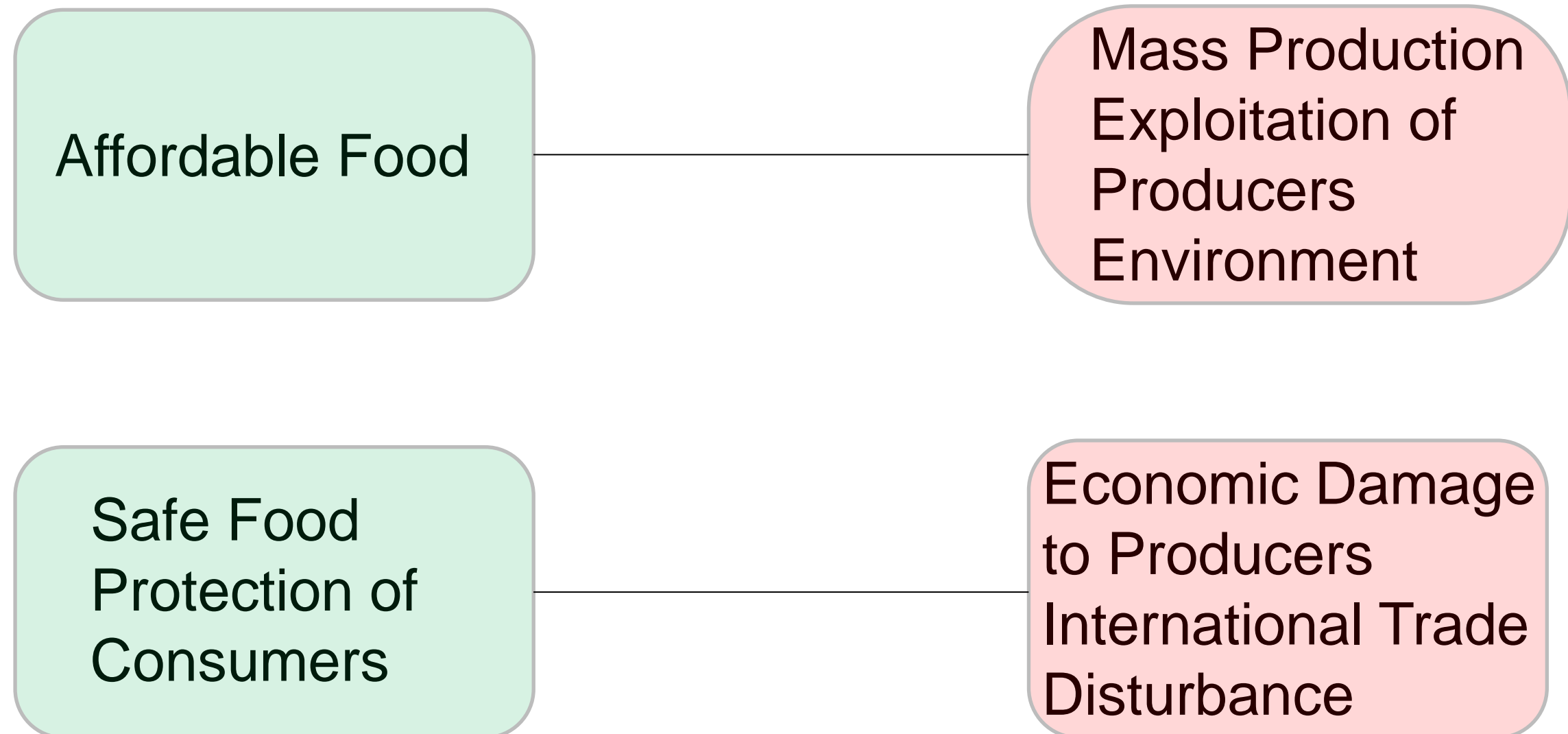
Federal Office of Consumer Protection and Food Safety

Control and Monitoring (Competence of the Federal States)

Food Control Authorities on Federal States Level and on Municipal (Communal) Level

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Antagonism and Balance



Important factor is a responsible consumer (**Consumer as 'Change Agent'**)

- **Setting incentives** to an ethic production and supply of food

Examples



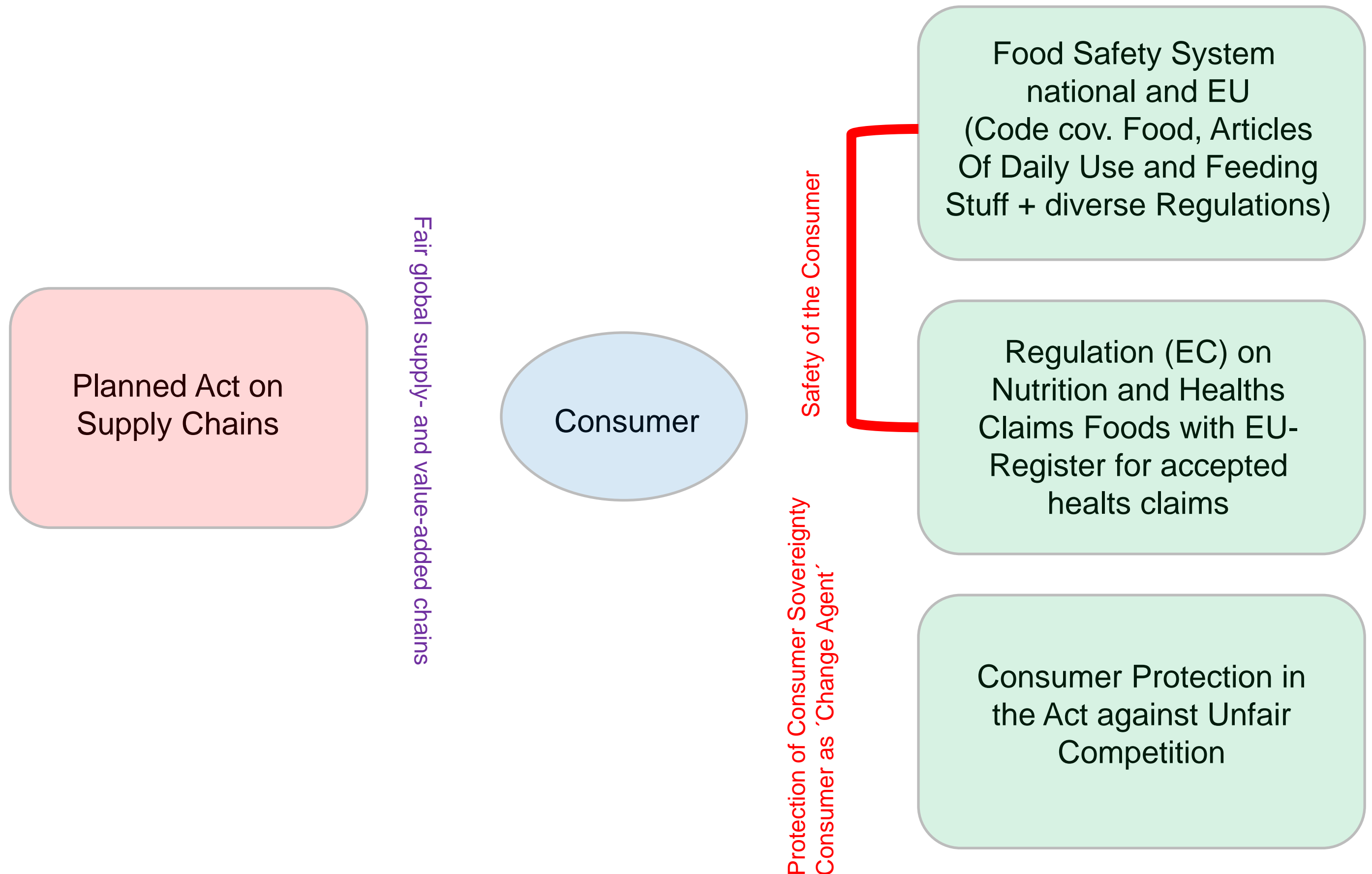
Public Liability claim for wrong warning about EHEC-Virus on Spanish vegetables (2017)

Corona Hotspots in Meatfabrics due to specific working conditions of East-European workers



Changing of production processes in Brasil due to import conditions of the EU to avoid danger of intoxication of consumers with mold on Paranuts

Legal Framework of Food Safety in Germany



References

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32004R0852&from=DE>
(Regulation (EC) No 852/2004 on Hygiene and Foodstuff)

https://www.ernaehrungsvorsorge.de/fileadmin/SITE_MASTER/content/Dokumente/ESVG-BGBl2017.pdf
(German Act on Food Security in Cases of Supply Crisis)

<https://www.gesetze-im-internet.de/lfgb/>
(German Code covering Food, Articles of Daily Use und Feeding Stuff – in German)

<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2006R1924:20080304:EN:PDF>
(Regulation (EC) No 1924/2004 on Nutrition and Health Claims Made on Foods – in German)

https://ec.europa.eu/food/safety/labelling_nutrition/claims/register/public/?event=search
(EU-Register on Nutrition and Health Claims – List of authorised and non authorised health claims in Foodstuff)