

EUROPEAN REGULATION IN THE VETERINARY SANITARY AND FOOD SAFETY AREA, A COMPONENT OF THE EUROPEAN POLICIES ON THE SAFETY OF FOOD PRODUCTS AND THE PROTECTION OF CONSUMER INTERESTS: A 2007 RETROSPECTIVE.

PART TWO: REGULATIONS

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Abstract

The European regulation of the veterinary sanitary and food safety area is carried out in different ways, depending on various factors. The main European regulatory acts regulating the veterinary sanitary and food safety area are Regulations, Directives and Decisions. The 86 regulations passed during 2007 posed a significant challenge for the veterinary sanitary and food safety administration in Romania. The primordial role in passing the specific regulations was played by the European Commission. The year 2007 was the year of the passing of several basic regulations with important influence upon the agro-alimentary line in the years that would follow.

The subdomains that regulations apply to have an obvious tendency of expanding in comparison to the previous periods, considering the new challenges on the agro-alimentary line, represented mostly by chemical and microbiological hazards. All regulations are centered around the protection of the agro-alimentary line, food safety and the protection of consumer interests.

Key words: European Union, legislation, regulations, food, food safety, feed, additives, contaminants, consumer protection

The European legislation can be defined as a sum of regulatory acts of strictly legislative and/or administrative character, regulating the veterinary sanitary and food safety area (Bondoc I., 2015).

The legislation specific to the veterinary and food safety area is a complex and perpetually evolving one, interrelated with the legislation specific to other areas such as consumer protection, food security, sustainable development or more recently, nanotechnology (Buzby J.C., 2010; Companyó R. *et al*, 2009; Cheftel J.C., 2005; Donati C., 2015; MacMaoláin C., 2007; 2011; Manning Louise, 2007; Petersen J.H. *et al*, 2010; Schneider Susan, 2009; Tacon A.G.J. *et al*, 2008). This is one of the main reasons why the involvement of the civil society and consumers in debating and passing veterinary sanitary and food safety legislation, particularly food-related, is increasingly obvious (Dabrowska Patrycja, 2007; Lähteenmäki Liisa, 2013; Nocella G. *et al*, 2012).

The veterinary sanitary and food safety legislation of the European Union includes several thousands of regulatory acts of various types. The first European regulatory applicable to the

veterinary sanitary and food safety area were passed in the wake of the establishment of the European Economic Community: this refers mostly to some directives and decisions passed between 1964-1966, regulating animal health requirements for marketing live animals and food products of animal origin (Bondoc I., 1999; 2014; 2015).

Subsequently, the number of passed regulatory acts increased considerably, over 6000 regulatory acts being passed until now for the animal health component alone. In fact, the animal health has dominated the legislation corresponding to the 1960-2000 period.

For the administration of Romania, a state that joined the European Union only in 2007, knowing the legislation specific to the area is an essential goal. Practically, there can be no integration as long as the legislation of the European Union is not known or applied. This is the main reason that the present paper was based on.

The main regulatory acts applicable to the veterinary sanitary and food safety are represented

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by Regulations, Directives and Decisions (Bondoc I., 2015; Gonciarov Magda, 2011; 2014; Pandelaş C.F., 2016; Stratulat Ghe., 1995). These regulatory acts can be classified according to various criteria.

At this moment, when referring to the veterinary sanitary and food safety area, the repertoire of the European Union includes several thousands of regulatory acts applying to this area. If we also consider that some regulatory acts, especially those concerning consumer rights and protection act as regulatory acts adjacent to the veterinary sanitary and food safety area, we can assert without any hesitation that their number exceeds 10000.

From a purely judicial and applicative perspective, regulations can be considered the most important community regulatory acts. Regardless of the targeted domain and subdomain, regulations have several common characteristics of which one can mention: direct applicability in all member states; the application is necessarily preceded by the publication of the document in the Official Journal of the European Union (the former Official Journal of the European Communities); the date of entry into force is specified in the contents; theoretically unlimited validity period, sometimes limited in practice, an aspect that is mentioned in the regulation (Bondoc I., 2015).

All these characteristics make regulations extremely efficient work tools, with a widespread use in regulating the most varied subdomains, from animal health issues to contaminants, mycotoxins and genetically modified organisms (Davison J., 2010; Duarte S.C. *et al*, 2010; Kleter G.A. *et al*, 2009; Marmioli N. *et al*, 2008; Mur L. *et al*, 2012; Pei X *et al*, 2011; Van Egmond H.P. *et al*, 2007;).

Based on the previously mentioned arguments, we aimed to perform in the present paper a retrospective radiography of the year 2007, from the perspective of the community regulations passed in that year. From the three types of basic regulatory acts, we chose to make a synthetic presentation of the regulations.

MATERIALS AND METHODS

For the present paper, numerous study materials were used, of which one can mention: the Treaty for establishing the European Economic Community of March 1957; the Treaty on the Functioning of the European Union (actual form); the Official Journal of the European Union; official websites of the main institutions of the European Union; books and scientific papers from the veterinary sanitary and food safety literature and the judicial field.

The methods used for attaining the paper objectives have consisted mostly of the careful study and evaluation of documents. The activities required for attaining the paper objectives have been numerous, from identifying, sorting and classifying the work materials to the empirical statistical approach to the results.

The classification of regulatory acts that apply to the veterinary sanitary and food safety area can be made according to various criteria, the main criterion approached in the present paper being represented by the nature of the regulatory act. Practically, in the present paper we aimed to make a presentation of the regulations passed during the year 2007, accompanied by a brief evaluation of their effects on the veterinary sanitary and food safety area and/or other related domains.

RESULTS AND DISCUSSION

The year 2007 was characterized from a legislative standpoint by the passing of 86 regulations, as basic regulatory acts that apply to the veterinary sanitary and food safety area in the European Union.

Out of the total of 86 passed regulations, 41, representing 47.67% were regulations modifying previously passed regulations, the remainder of 45 (52.33%) consisting of new regulations.

Within the discussion of the obtained results it must be mentioned that out of the 86 passed regulations, only 2, representing 2.32, were regulations that repealed previously passed regulations. Specifically, we refer to the Commission Regulation (EC) No 646/2007 of 12 June implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005 and Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91.

As for the role played by the main European institutions in issuing such regulatory acts, according to the performed studies and obtained results, the fundamental role belongs to the European Commission. Out of the 86 regulations, 79, representing 91.86% were issued by the Commission, 6 regulations representing 6.97% were issued by the Council of the European Union, and only one regulation, representing 1.16% was jointly issued by the Parliament and the Council.

The subdomains targeted by European regulations were numerous and varied. Despite the general situation, from the multitude of targeted subdomains the following can be mentioned: combating, monitoring, surveying and eradicating certain infectious diseases of livestock; authorizing certain additives destined for food production; laying down transitional migration limits for plasticisers in gaskets in lids intended to come into contact with foods; labelling of beef and beef products as fundamental element of traceability within the chain of this product; marketing of meat originating from bovines aged twelve months or below.

Out of the many regulations passed during the year 2007, one can mention the following as basic regulations for the targeted subdomains:

Commission Regulation (EC) No 333/2007 of 28 March 2007 laying down the methods of sampling and analysis for the official control of the levels of lead, cadmium, mercury, inorganic tin, 3-MCPD and benzo(a)pyrene in foodstuffs;

Commission Regulation (EC) No 557/2007 of 23 May 2007 laying down detailed rules for implementing Council Regulation (EC) No 1028/2006 on marketing standards for eggs;

Commission Regulation (EC) No 646/2007 of 12 June 2007 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Community target for the reduction of the prevalence of *Salmonella enteritidis* and *Salmonella typhimurium* in broilers and repealing Regulation (EC) No 1091/2005;

Council Regulation (EC) No 700/2007 of 11 June 2007 on the marketing of the meat of bovine animals aged 12 months or less;

Council Regulation (EC) No 708/2007 of 11 June 2007 concerning use of alien and locally absent species in aquaculture;

Commission Regulation (EC) No 832/2007 of 16 July 2007 amending Regulation (EC) No 197/2006 as regards uses of former foodstuffs and the extension of the validity of the transitional measures relating to such foodstuffs;

Commission Regulation (EC) No 1186/2007 of 10 October 2007 amending Annex I to Council Regulation (EC) No 1788/2003 establishing a levy in the milk and milk products sector, as regards the division between direct sales and deliveries for Romania and Bulgaria;

Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation);

Commission Regulation (EC) No 1441/2007 of 5 December 2007 amending Regulation (EC)

No 2073/2005 on microbiological criteria for foodstuffs;

Commission Regulation (EC) No 1451/2007 of 4 December 2007 on the second phase of the 10-year work programme referred to in Article 16(2) of Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market.

The implementation of regulations passed during 2007 required significant financial and administrative efforts from the side of the Romanian state, especially the veterinary sanitary and food safety administration.

CONCLUSIONS

The veterinary sanitary and food safety area is one of the most intensely regulated domains at a European level, a fact best proven by the amount of regulations passed during the year 2007.

For Romania, as a state that has joined the European Union in the year 2007, the passing and implementation of European legislation, for the veterinary sanitary and food safety area as well as other domains, presents a permanent challenge.

Romanian administration must be up to date with the specific legislation and take all necessary measures for putting it in practice. Frequently, for various reasons, these goals are not easy to achieve, leading to a situation likely to generate more or less manifest distrust.

Subdomains subjected to regulations have an obvious tendency to expand in comparison to previous periods, in relation to the new challenges encountered on the agro-alimentary line. Thus, regulations can apply to subdomains such as production and marketing conditions of food products of animal origin; authorization, production, circulation and marketing of additives; maximum residue limits for antibiotics, antiparasitic substances, biocidal substances and other products used in primary production; suspending the use of certain additives; conditions for the ecological production of food products etc., most of them directly or indirectly influencing food safety, as well as consumer health and interest protection.

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