

## HARMONISATION OF SERBIAN AND EU FOOD SAFETY REGULATIONS

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### Abstract

Serbia has adopted a number of laws and regulations dealing with food safety. Basis for the adoption of these regulations are the EU directives No. 852, 853 and 854/2004. and regulations based on them. The constant adoption of new regulations and amendments to existing ones, by tightening the prescribed measures, in order to produce safer foodstuffs demonstrates the importance of food safety.

Opening markets to the free flow of goods, hides a danger for selling of unsafe food products. All regulations are, therefore, aimed at entities that participate in production and trade of food products and increase their responsibility to protect consumers.

The authors discuss compliance of Serbian and EU food safety regulations. State regulations enacted and that should be adopted. Discusses their applicability in practice, what needs to change in practice that they would fully implement.

The conclusion is that regulations generally conform to EU requirements relating to food safety. It is very short term to adopt all regulations that are required, bearing mind desire to Serbia this year to become a candidate for EU membership. In practical application of regulations, there are difficulties as a result of certain habits and resistance in the industry, lack of understanding of obligations in the application, but also somewhat benevolent attitude of the competent authorities that they fully implement.

**Key words:** Food safety, regulation, Serbia, EU.

### 1. Introduction

Series of serious crises in terms of food safety in recent years has introduced a question to the forefront of improving EU legislation in this area. The European Union laid down the procedures for risk management, as well as monitoring for certain contaminants or groups of contaminants in soil, crops, final products and foods of plant and animal origin (microbiological, chemical and physical agents). Areas to which this

system applies primarily the maximum allowable concentration of additives in food products, genetically modified food, health products, animal and plant health, pollutants in the food chain and biological risks.

In the EU in 2000. was issued "White Paper on Food Safety" (EU Commission [1]) which includes an action plan and regulations to establish an integrated food control system. As a result, the Regulation 178/2002 [2] (which introduces a rapid alert system established if it is found that the product is defective) and a set of regulations, the so-called "hygiene package", which regulates food safety. Restricting or prohibiting usage of certain means or methods in food processing are based on monitoring of contaminants in the production link. "White Paper on European strategy for nutrition, overweight and health problems related to obesity" in 2007 (INI [3]). includes self-regulating measures in the area of food production.

In livestock production the focus is on preventive actions in order to provide better hygiene and quality of meat and milk. In this respect, Europe is on-farm veterinary action expressed by using the program for monitoring animal health (HHSP - Herd Health Surveillance Programs) [4]. Free movement of safe food of a certain level of quality in the common market is a key principle of the functioning of the EU single market.

Serbia introduces the highest standards for food safety, above all, to protect their own consumers, but also to produce safe and high-quality products in order to make a breakthrough on the world market. This is the basis for a major project III46009, which is funded by the Ministry of Education and Science: "Improvement and development of hygienic and technological procedure in production of animal originating foodstuffs with the aim of producing high-quality and safe products competitive on the global market".

On the other hand, the process of rapid adoption of the regulations is a political desire to Serbia as soon as possible join the community of European nations.

## 2. EU regulations on food safety

General principles of food law redefined in 2002., as well as procedures related to food safety and animal nutrition. In accordance with the recommendations of the White Paper, control and monitoring are conducted at the level of the entire food chain (Commission of the European Communities [5]). Regulation that prescribes the general principles and harmonized control also regulates the responsibilities European Food Safety Authority (EFSA), the European agency that provides independent scientific basis for control and estimation of the level of food safety, networking and cooperation with relevant bodies at national level.

In case of emergency situation, when a product poses a risk to human and animal health and the environment, and measures of the Member State are unable to eliminate the risk, the Commission on an expedited basis, to its initiative or member countries initiative, according the procedure of the Standing Committee on the Food Chain and Animal Health (Commission Decision 2004/613/EC [6]), adopted by one or more measures of withdrawal from the market or from use, the suspension of imports and the other like measures.

Overall crisis management plan provides formation of crisis teams in emergency situations with active scientific and technical support to the Directorate for Food Security which are tasked to collect and evaluate all relevant information and based on that review the options for prevention, elimination or reduction of risk to human health (Commission Decision 2004/478/EC [7]).

Use of pesticides is regulated by Council Directives 76/895/EEC [8] (determined maximum residues in fruits and vegetables), 86/362/EEC [9] (determined maximum residues in cereals and cereal products), 86/363/EEC [10] (determined maximum presence residues in products of animal origin), 90/642/EEC [11] (determined maximum residues in products of plant origin, including fruits and vegetables).

The use of veterinary drugs for the treatment of animals is regulated by Regulation (EC) No. 2377/90 [12] (determines the maximum presence of veterinary drug residues in food of animal origin) and Regulation (EC) No. 2011/2003 [13] (determines the procedure for defining the maximum presence of residues of veterinary medicinal products in foodstuffs of animal origin).

Genetically modified food and animal feed is regulated by Regulation (EC) No. 1829/2003 [14] on genetically modified food and feed and Regulation (EC) No. 1830/2003 [15] on the identification and labeling of genetically modified organisms (GMOs) and the assessment of food and feed produced from GMOs.

Directive 93/43/EEC [16], as amended by Regulation 1882/2003 [17] of the European Parliament and the

Council shall: general hygiene of foodstuffs; procedure to verify compliance with the prescribed rules on the hygiene of foodstuffs; wider use and development of guidelines for good hygiene practice, which was recommended Codex Alimentarius, FAO and the WHO.

Regulation (EC) 852/2004 [18] European Parliament and the Council refers to the procedure related to the hygiene of foodstuffs and defines all the entities in the food chain as responsible for food safety; introduced obligation to implement procedures based on HACCP principles and rules of good hygiene practices, in order to increase the level of responsibilities of food business operators; guidelines of good practice (production, laboratory) for assistance entities, dealing with food, establishing microbiological criteria and temperature control on the basis of scientific practice in order to manage risks related to food, food that is imports must meet the same hygiene standards as food produced in the EU, which applies to the quality of food. The Regulation applies to all stages of production, processing and distribution of food, as well as for exports without violation of specific requirements in the field of food hygiene.

Regulation (EC) 853/2004 [19] European Parliament and the Council specifically regulate hygiene of foodstuffs of animal origin and the application of Regulation (EC) 852/2004 on products of animal origin.

Regulation (EC) No. 854/2004 [20] of the European Parliament and the Council define the organization of official controls on products of animal origin intended for human consumption.

World Forum for Food Security (The Food Business Forum - CIES), a global food network, considered as a good solution for compliance standards for food safety, international standard ISO 22000:2005 [21], which embodies all the elements of HACCP and the rules of good business practice (ISO 9001 [22]), traceability and labeling of foods.

Possession of HACCP and ISO 22000:2005 [21], certificate producers outside the EU will allow non-discriminatory agreement with the buyers from the EU, but not unconditionally accept imports.

### 2.1 Serbia rules on food safety and their compliance with EU regulations

Serbia uses the "tools" for conformity assessment in modules, such as quality management system certification (ISO 9001:2008 [22]), laboratory accreditation (ISO 17025:2005 [23]), certification of environmental management systems (ISO 14001 [24]), certification of the control house (ISO/IEC65) and the introduction of food safety management system (ISO 22000:2005). Also established a National Accreditation Body (ATS), a number of national bodies for certification

of quality management, environmental, and inspection are complying with EU requirements.

The basic direction of the new Law on Agriculture (Službeni glasnik RS 41/09 [25]) is the complete change of the legal framework in the agricultural sector as the activity of general importance. In accordance with the Strategy for Agricultural Development, agriculture in Serbia has to change towards the end of the transition to full market economy, a radical reconstruction and modernization and integration into the EU.

Law on Food Safety and Veterinary Law, are the basis for a series of regulations from food safety and implementation of binding application of the HACCP system.

Veterinary Law (Službeni glasnik RS 91/2005 [26]) regulates the protection and improvement of animal health and welfare, shall determine the infectious animal diseases and measures to prevent the occurrence, detection, prevention of the spread, prevention and eradication of infectious animal diseases and diseases that can be transmitted from animals to humans, veterinary and sanitary control and conditions for production and trade of animals, animal originated products, animal originated food, feed.

Law on Food Safety (Službeni glasnik RS 41/09 [27]) begins reform of food safety in Serbia with the aim of achieving a safe food chain, which can provide sufficient and safe food for the population, efficient and economical production and control, compliance of legal framework with international regulations and the application of mandatory standards by the EU, WTO, WHO, FAO as well as provide conditions for increasing exports. The aim of the Law is to provide a high level of protection of human life and health and protection of consumer interests, including the principle of honesty and good faith in the food trade, taking into account where appropriate the protection of animal health and welfare and plant health and environmental protection.

Food safety system based on the principle of risk analysis, then the precautionary principle and the principle of protection of consumer interests. In order to ensure accountability of all food business operators and traceability in the food chain, the Law creates a system of identifying all the entities responsible for food safety. In addition to government bodies and their inspection services, as well as a system of laboratories, all other subjects are identified through the Central register.

The law establishes a system of rapid alert system, compatible with similar European system. This system makes the network coverage of the direct or indirect risk to human health caused by food or feed. In case of reasonable suspicion that a food or feed is unsafe, the competent ministry shall be obliged to take restrictive measures or prohibit the withdrawal of such food from

the market, to eliminate doubts about its safety.

The law introduces a new duty of self-control for all food and feed business operators in terms of food hygiene. Special Standards Act are intended for new foods, genetically modified food and genetically modified feed. The largest part of the Law is dedicated to creating the conditions for monitoring food safety. Ministry of Agriculture maintains records and a special database on food safety, which must be associated with a Farm Registry and organize a system of laboratories and procedures in supervising food safety and animal feed. Tracking is carried out systematically in all stages of production, processing and transportation, and special controls, monitoring food safety, which contains measures of system control of microbiological, chemical and biological contaminants in food and feed.

Law on Genetically Modified Organisms (Službeni glasnik RS 41/09 [28]) complements food safety issues in its most sensitive point. The basic principle of the use of GMOs is restrictive: no modified living organism or product of it can not be in Serbia to be put on the market or grown for commercial purposes.

Of course, besides these, there are many laws that directly or indirectly contribute to food security, such as the Livestock Law (Službeni glasnik RS 41/09 [29]), Law on Plant Health (Službeni glasnik RS 41/09 [30]), Law on Plant Nutrition and soil (Službeni glasnik RS 41/09 [31]), the Law on Medicines and Medical Devices (Službeni glasnik RS 30/2010 [32]), Animal welfare Law (Službeni glasnik RS 41/09 [33]), Law on Packaging and Packaging Waste (Službeni glasnik RS 36/09 [34]).

Especially have to mention the sub-laws that regulate food safety, such as in the field of microbiology, residues, sanitary conditions for facilities for the production of food and feed, equipment, sanitary surveillance and many other sublaw regulations, which supplement these laws in generally are for the quality of specific substrates and specific production activities (raw materials and its products), for example water, fruits and vegetables, oils and fats, animal feed, cereals, oilseeds, baking and milling, milk, meat, confectionery, nonalcoholic and alcoholic beverages, organic production, additives for foodstuffs, dietary supplements, labeling, waste treatment etc.

Serbian Parliament and the competent Ministries made a program for adoption of regulations, termed the time, that as soon as possible achieve full compliance with EU regulations.

However, there are problems in the implementation of the adopted regulations. They are the result of habits acquired in the production, among other things, that all they want to survive in the market to produce the diverse range of products, regardless of the negative economic parameters such production, and resistance to the introduction of systems that regulate food safety,

fearing that the existing relatively low technological equipment can not ensure the completion of all necessary requirements. Objective weakness in the food industry in most cases, is the low standard, which creates problems in maintaining equipment and production space, and improvement of technologies by purchasing new modern equipment. States and competent inspection authorities, in order to preserve social peace, kindly look at the shortcomings in production, delaying strict enforcement of rules.

### 3. Conclusions

Laws and regulations generally conform to EU requirements relating to food safety. It is very short term to adopt all regulations that are required, bearing mind desire to Serbia this year to become a candidate for EU membership. In practical application of regulations, there are difficulties as a result of certain habits and resistance in the industry, lack of understanding of obligations in the application, but also somewhat benevolent attitude of the competent authorities that they fully implement.

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