

> Retouradres Postbus 43006 3540 AA Utrecht

De Voorzitter van de Tweede Kamer  
der Staten-Generaal  
Binnenhof 4  
2513 AA 's-GRAVENHAGE

**Directie Staf**

Catharijnesingel 59  
3511 GG Utrecht  
Postbus 43006  
3540 AA Utrecht  
www.vwa.nl

**Onze referentie**  
NVWA/2013/1352

Datum 14 februari 2013  
Betreft Paardenvlees

Dear Madam President,

As promised during the General Meeting of the Agriculture Council on 13 February last, I can now inform you, on behalf of the Minister of Health, Welfare and Sport (VWS) and myself, of the latest state of affairs in relation to the discovery of equine DNA in beef products. This concerns possible mislabelling of products and thus misleading of consumers. We also look at the presence of residues of veterinary medicines as they affect food safety and public health.

It is unacceptable that consumers should be deliberately misled for the sake of profit. Pre-packed products must bear a label indicating the ingredients contained in the product. Companies are required to adhere to this rule.

In this letter we would firstly like to outline the context. Then we will look at the action being taken in the Netherlands by the Food and Consumer Product Safety Authority (NVWA). The measures are a response to signals from other countries and also based on internal data. In anticipation of a decision by the European Member States on imposing controls on failing to declare the presence of horsemeat in products and drug residues in end products, the NVWA has launched an investigation throughout the entire chain. If the circumstances so require, criminal proceedings will be instigated in addition to administrative measures. Measures under criminal and administrative law are aimed at the meat trade and the source companies. Where these are in other EU Member States, it will be up to those countries to take appropriate action. We are in contact with other Member States on this matter. If necessary and possible, licences will be withdrawn or suspended.

**Chain**

The horsemeat may originate from the Netherlands or other European countries. Some of the meat is supplied to the meat processor, who processes it into consumer products. The consumption of horsemeat is permitted. However, the product information on the label must list all the ingredients contained in the product.

All food business operators within the EU must meet the traceability requirements set out in the EU General Food Law (Regulation (EC) No 178/2002). All operators must know who they received a product from and who they shipped a product to (the 1 step back, 1 step forward principle). The company sending the product

**Directie Staf**

**Datum**

14 februari 2013

**Onze referentie**

NVWA/2013/1352

must also provide the recipient with detailed information concerning the nature and content of the shipment. The NVWA supervises both the sending and receiving companies.

### **NVWA Action**

Action is being taken by the NVWA, both in response to signals from other countries and based on internal information.

On 16 January 2013 the Food Safety Authority of Ireland (FSAI) first announced that horse DNA had been found in beefburgers in the UK and Ireland. Raw material from the Netherlands was also supposed to contain traces of equine DNA. The NVWA immediately started an investigation of four companies that might be involved. Three investigations were completed without finding any evidence of potential fraud. One investigation is ongoing.

On 8 February the United Kingdom made an initial report via the European Rapid Alert System for Food and Feed (RASFF). A report was received via the RASFF concerning the presence of more than 60% horsemeat in beef lasagne, with the Swedish trademark of Findus Beef. Under the EU General Food Law (Regulation EC 178/2002) companies are required to take appropriate measures in response to an RASFF report, and to inform the government accordingly.

The following action has been taken in the Netherlands:

- In compliance with its obligations under the General Food Law, the importer has ordered the retailers concerned to remove the product from the shelves, which they have done ("silent recall").
- The NVWA ensures that buyers of this product remove it from shops and take it off the market.

On 13 February the NVWA tested samples of lasagne bolognaise from the recall for the presence of horsemeat and residues of veterinarian medicines. The results are not yet known.

The NVWA has also agreed with the Central Bureau for the Foodstuffs Trade (CBL) that the CBL will also take responsibility for ensuring that mislabelled products are not placed on the market.

On Friday 8 February a third supermarket chain carried out a recall due to incorrect product information on the label of their own brand of lasagne bolognaise. Horsemeat was found in the product in addition to beef.

On 12 February a second RASFF report was received by the NVWA concerning the storage of deep-frozen beef and horsemeat from Romania via the Netherlands and Cyprus. The storage company concerned, in Breda, contacted the NVWA on 12 February. On 13 February, following the RASFF report and contact with the company, the NVWA visited the company and took samples of the stored horsemeat. The results are not yet known. The batch of meat that has not yet arrived at the company's premises has been stopped under administrative law

until the results of the analysis are known. If there are grounds, criminal proceedings will be instigated.

### **NVWA investigation of the chain**

In anticipation of a decision by the European Member States on imposing controls on failure to declare horsemeat in products and drug residues in end products, the NVWA has launched an investigation throughout chain. The numbers of samples mentioned below are a minimum and will be adjusted as appropriate. The NVWA has already initiated the following plan of action:

#### Investigation at horse abattoirs

Random samples of horsemeat are being taken to test for drug residues. 40 samples will be taken in the period up to the end of March.

#### Cutting plants that process cattle and horse carcasses

Inspections are being carried out at 50 commercial premises into false designation or mixing of meat. A hundred samples will be taken in the period up to the end of March to be tested for mixtures of bovine and equine meat and drug residues.

#### Meat refrigeration plants and cold stores

Random inspections will be carried out at 40 commercial premises in the period up to the middle of March. Checks will be carried out on labelling, origin and records of stored bovine and equine meat. Samples will also be taken where batches of chopped or minced bovine or equine meat are present. If these test positive for horse meat, they will also be tested for drug residues.

#### Meat processing production companies

A hundred random samples will be taken at fifty commercial premises. This will include samples of raw materials that are processed into foodstuffs and end products, which will be tested for admixture of bovine and equine meat. If positive for horsemeat they will also be tested for traces of veterinary medicines. Samples will also be taken from end products.

#### Imports

150 samples will be taken when horsemeat is imported, to test for admixture of beef and horsemeat, and for drug residues.

#### Exports

Checks associated with export certification of beef and beef products will be intensified.

### **European consultation**

On Wednesday 13 February the ministers of agriculture of the Member States most affected (France, the United Kingdom, Poland, Romania, Sweden, Luxembourg and the Irish presidency) held a discussion in Brussels at the invitation of the Irish presidency. The Irish presidency did not invite the Netherlands to this discussion. During the meeting the European Commission proposed carrying out checks in all Member States. 2500 tests, distributed over all

**Directie Staf**

**Datum**

14 februari 2013

**Onze referentie**

NVWA/2013/1352

the Member States, will be carried out for the presence of equine DNA in meat products. 2500 tests will be carried out for horsemeat for the presence of veterinary medicines including phenylbutazone, and a further 1500 tests will be performed on imports. The European Commission proposes that these tests be carried out in March and April. Europol is also to be brought in as European coordinator. Finally, the European Commission report on possible origin labelling of meat products will be published as soon as possible.

Phenylbutazone is an analgaesic and anti-inflammatory drug for use in horses. It can be harmful to humans. Horses treated with this drug must be excluded from the food chain. The competent authorities in the UK have announced that traces of phenylbutazone have been found in the meat of tested carcasses.

There will be an extra meeting next Friday of the Standing Committee of the Food Chain and Animal Health (SCoFCAH) in which the situation and the Commission's proposal will be discussed with all the Member States. The Netherlands will be represented at the meeting by the Ministries of Health, Welfare and Sport (VWS) and Economic Affairs (EZ), and the NVWA. The proposals will be further debated during the Council of 25 and 26 February, based on the discussions in the Standing Committee.

#### Conclusion

The above paragraphs show that we take this situation very seriously. We will inform the House as soon as the results of the investigations are available.

Yours faithfully,

Sharon Dijksma  
Minister for Agriculture