

TACD

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RISK ANALYSIS

(see Resolution on 'Risk Analysis and the role of Other Factors' Doc Food-16-00)

Introduction:

If consumers are to have confidence in food traded between the US and the EU, it is important that a coherent and consistent approach is taken to analyzing and controlling food risks. This paper gives an overview of the TACD's position on risk analysis and should be read in conjunction with supplementary papers on the Precautionary Principle and the Role of Science and Other Factors in Risk Analysis.

Current situation:

Recent months have shown governments' inability to deal effectively with new technological food risks, such as the use of genetically modified (GM) foods, the use of antibiotics in food production or unexpected risks to food safety such as the dioxin crisis in Europe. We have also seen a systematic failure to successfully deal with scientific uncertainty. This has been compounded by a lack of transparency over decision-making, which has made it difficult to see the real motives for policy.

In addition there has been a mismatch between the approach taken by the US Government (USG) and the EU member states when dealing with the same risk. Recent controversial developments in the food chain, such as the introduction of GM foods, the use of hormones and antibiotics in animal production and the use of Bovine Somatotrophin have highlighted this inconsistency.

There has also been a mismatch between the way governments perceive food risks and the way the public perceives food risks. At the moment consumer views are not being adequately taken into account when deciding policy.

A new approach:

The TACD therefore urges the US and the EU to work towards more effective, inclusive and more consistent approaches to risk analysis, and to push for the adoption of such an approach when international food standards are developed, for example, by the Codex Alimentarius Commission and more generally within the context of the provisions of the World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary Standards (SPS Agreement) relating to risk assessment. This should help to build greater consumer confidence in food controls.

This approach should be based on three key principles:

- public participation and dialogue;
- openness and transparency; and
- application of the Precautionary Principle.

The TACD has developed a position paper on the Precautionary Principle. Our comments below, on risk analysis are designed to ensure that the principle can be operationalized by decision-makers by making precaution integral to the whole risk decision process.

The process in practice:

The TACD supports the broad categorization of risk analysis into three stages -- risk assessment, risk management, and risk communication -- and supports the on-going work of the Codex Alimentarius Commission in clearly defining each stage and providing guidance on their application. It is essential that risk analysis is seen as a fluid process rather than as a linear process.

The TACD does, for example, support the work of the Food and Agriculture Organization/World Health Organization (FAO/WHO) expert consultations on risk assessment, risk management and risk communication. In particular, the TACD welcomed the emphasis that these consultations have placed on the need for risk communication to take place throughout the analysis, beginning with the development of a description of the food safety problem in its context, and of a risk assessment policy.

The TACD is concerned that while much work has been done within the EU and the US at a theoretical level, these principles have yet to be practically applied – either nationally or internationally.

In this respect, the following recommendations are made to ensure that consumers are involved throughout the analysis and that the process is open to scrutiny.

Risk management:

Risk management is the process of weighing policy alternatives in the light of the results of risk assessment and other factors and if required selecting and implementing appropriate prevention and control options including regulatory measures.

The decision-making process should begin with the risk managers. They, in consultation with all stakeholders, define and frame the food safety problem and develop a risk assessment policy.

The risk assessment policy should guide the risk assessors, for example by setting out their remit, who should participate, the questions that need to be addressed, how uncertainties should be dealt with, the factors that the assessors need to consider, and how they should express their findings.

Following the risk assessment (see below), the risk managers should in consultation with all relevant stakeholders including consumers, decide what action needs to be taken based on

the results of the risk assessment, and any other relevant factors.*

It is essential that reasons for policy decisions are clearly communicated and that the factors taken into account when deciding policy are transparent.

Risk assessment:

Risk assessment is the scientific evaluation of known or potential adverse health effects resulting from human exposure to food-borne hazards.

The remit of any scientific committees should be regularly reviewed to ensure that the risk assessors are able to address the relevant issues raised by the risk managers, and that no issues are being missed.

Members should be appointed openly and transparently, based on merit and relevant experience.

There should be full declaration of interests – both of the experts and also of the source of the research upon which they base their decisions.

A broad range of relevant experts should sit on the advisory committees to ensure that an issue can be considered by all disciplines that may have an interest.

Public interest representatives should be appointed to all scientific advisory committees based on merit and expertise.

Agendas and minutes of meetings should be published, and papers considered by the assessors should be publicly available.

A review of what is considered to be 'commercially confidential' is needed with the onus on disclosure.

Scientific committees should encourage 'minority' scientific evidence to aid their deliberations.

Wherever possible meetings should be held in public.

The scientific advice provided by the committees should be communicated to the public in a form that they can understand. If there are uncertainties, these should also be explained.

Details of the process and the information on which their decisions have been based should be published.

Risk communication:

Risk communication is the exchange of information and opinions concerning risk and risk-related factors among risk assessors, risk managers, consumers and other interested parties.

* See also TACD Background Paper on the Role of "Science" and "Other Factors" in Risk Analysis, 00/1-4.F

Risk communication needs to change from the traditional top-down approach to communicating information, to an inter-active two-way exchange of information that enables effective public participation throughout the risk decision process. This will require a commitment from risk managers to consultation with consumers from the outset.

New methods of inter-active ways of debating issues, including perceived costs and benefits of specific measures must also be developed that feed into policy decisions.

In this respect we welcome the commitment towards the TACD.

Resolution:

The TACD urges the US and the EU to work towards a more effective, inclusive and more consistent approach to risk analysis, and to push for the adoption of such an approach when international food standards are developed, for example, by the Codex Alimentarius Commission and more generally within the context of the SPS Agreement's provisions relating to risk assessment. This approach should recognize the importance of public participation and dialogue throughout the process and the need for greater openness and transparency.