



**FOLKETINGET  
STATSREVISORERNE**



**FOLKETINGET  
RIGSREVISIONEN**

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# **Food safety control**

# 1. Introduction and conclusion

## 1.1. Purpose and conclusion

1. This report concerns the Danish Veterinary and Food Administration's (the Food Administration) food packaging control. Food packaging is an integral aspect of our daily lives, as the majority of the food we consume has been in contact with packaging. Plastic wrap and pizza boxes are examples of food packaging.

2. Food packaging may contain several unhealthy substances that can cause, for instance, cancer or hormonal imbalances. The impact of unhealthy food packaging on people's health frequently manifests itself after a long time, whereas the impact of poor hygiene frequently manifests itself immediately.

It is the responsibility of companies to follow the food packaging regulations. The Food Administration is responsible for checking that companies follow the regulations. Consumers must be able to see the results of the agency's inspections in a so-called smiley report.

3. The area is governed by European and national legislation. The European Union establishes guidelines for the oversight of food packaging by the authorities and establishes permissible limits for chemical substances contained in the packaging. The purpose of permissible limits is to ensure that food packaging is not hazardous to people's health. Moreover, the Danish Folketing (parliament) has established guidelines for the inspection conducted by the Danish Ministry of Food, Agriculture, and Fisheries. The guidelines appear from various political agreements on food policies and are embodied in the Danish Finance Act. It appears from the most recent political agreement on food policy from 2018 that the Food Administration is required to conduct fewer inspections and focus its control on companies where the likelihood of violations of the regulations is highest.

4. In 2020, Denmark implemented a national ban on the use of PFAS in food packaging such as cardboard and paper. The Food Administration converted the ban into a permissible limit that must not be exceeded. The Food Administration checks the companies' compliance with the permissible limit.

### Food packaging

The concept of food packaging referred to in this report, is in Danish legislation called food contact materials. Food packaging includes:

- packaging made of cardboard, paper, plastic, metal, wood, silicon, glassware and ceramics;
- coatings in the form of cellulose, printing ink and glue;
- plates, paper napkins, frying pans and cooking utensils;
- production and storage equipment.

### The Danish "smiley system"

The smiley system indicates to the consumers how well shops, restaurants and other businesses that are selling food to the consumers, are doing in terms of complying with the regulations on food safety. It aids consumers in identifying the firms that have a satisfactory level of food safety.

### Chemical substances in food packaging

Permissible limits have been established for certain chemical substances in food packaging, and for other chemical substances limits have been established for chemical transfer from packaging to food. In the report, reference to the content of chemical substances encompasses both content and transfer.

5. The purpose of the study is to assess whether the Food Administration's inspection of food packaging is satisfactory. The report answers the following questions:

- Has the Danish Veterinary and Food Administration organised the food packaging control in a satisfactory manner?
- Is the Danish Veterinary and Food Administration carrying out the food packaging control in a satisfactory manner?

Rigsrevisionen initiated the study in June 2023.



## Conclusion

**The Ministry of Food, Agriculture and Fisheries' food packaging control is not satisfactory. The ministry's organisation of the control is inadequate as is the way in which it is conducted. This entails a risk that consumers are exposed to unnecessary health risk and that the companies are not adequately sanctioned.**

### **The Food Administration has not organised the food packaging control in a satisfactory manner**

The Food Administration has a risk-based approach to the inspection of food companies but the basis for its risk assessment is inadequate, as the register from which companies are selected for inspection is not always updated with correct and adequate information. If the registration number of a company is changed but the company is in fact the same, operating from the same address and with the same ownership, then the results of previous inspections will not appear from the register. As a consequence, the Food Administration is unable to target its control against companies that have repeatedly violated the regulations. Moreover, consumers will be unable to discern whether these companies have previously been awarded a sad smiley or have a proven track record of ensuring food safety.

According to Rigsrevisionen's analysis of a random sample, approx. 9% of the 4,303 food companies that have been awarded a sad smiley may have avoided follow-up inspections and/or the sanctions imposed on them may have been more lenient due to inaccurate and inadequate data in the Food Administration's register.

Furthermore, the Food Administration's documentation for the risk assessments that provide the basis for the selection of food packaging and substances for laboratory tests is inadequate. Nor is the Food Administration able to provide documentation of any modifications made to its risk assessment and selection of companies for inspection.

### **The Food Administration has not carried out the food packaging control in a satisfactory manner**

The Food Administration has not adequately inspected the use of food packaging by wholesale food companies. Half the companies, corresponding to 1,920 companies, have not been inspected at appropriate intervals as prescribed in the EU control regulations.

The Food Administration has conducted 3,916 inspections of food packaging companies in the period 2017-2022. Among these, Rigsrevisionen selected 57 cases for review. In 12 out of the 57 cases, the Food Administration had failed to verify the documentation provided by the food companies regarding the extent to which the food packaging complied with the EU regulations on food packaging.

The Food Administration conducted 322 inspections of the chemical content of food packaging. Rigsrevisionen's review indicates that the permissible limits were exceeded in 70 of the cases. In 11 of these cases, the Food Administration concluded that the food packaging did not meet the legal requirements. The Food Administration did not impose sanctions on the companies in any of the cases. Regarding the remaining 59 cases, the Food Administration did not conduct any specific assessments to determine whether exceeding the permissible limits had led to violations of the legal requirements for food packaging that warranted sanctioning. The review reveals that the permissible limits set for PFAS in food packaging were exceeded by up to 30 times in some cases.

Rigsrevisionen notes that in the majority of the cases reviewed, the Food Administration had failed to follow up on whether the companies subsequently stopped selling the food packaging that violated the requirements.

During the study, the Ministry of Food, Agriculture and Fisheries informed Rigsrevisionen that it would take steps to strengthen food packaging control.