



Northern Ireland  
Assembly

Committee for Agriculture and Rural  
Development

# OFFICIAL REPORT (Hansard)

Food Contamination Incident in Northern  
Ireland: DARD Briefing

5 February 2013

# NORTHERN IRELAND ASSEMBLY

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Food Contamination Incident in Northern Ireland: DARD Briefing

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**Members present for all or part of the proceedings:**

Mr Paul Frew (Chairperson)  
Mr Joe Byrne (Deputy Chairperson)  
Mr Thomas Buchanan  
Mr Trevor Clarke  
Mrs Jo-Anne Dobson  
Mr Chris Hazzard  
Mr William Irwin  
Mr Declan McAleer  
Mr Kieran McCarthy  
Mr Robin Swann

**Witnesses:**

Mr Robert Huey	Department of Agriculture and Rural Development
Mr Alan McCartney	Department of Agriculture and Rural Development

**The Chairperson:** I welcome to the table from the Department of Agriculture and Rural Development (DARD) Robert Huey, the Deputy Chief Veterinary Officer, and Alan McCartney, an agricultural inspector. Gentlemen, you are very welcome to the Committee, and thank you very much for your attendance at short notice. This is a very important issue, which is being covered by all the media outlets, as you can imagine. There is a deep interest in it out there in the community. Do you have a presentation for us?

**Mr Robert Huey (Department of Agriculture and Rural Development):** We have a little introduction, and we are then happy to answer questions. Thank you very much, and good afternoon, everyone.

As you are all very aware, the Food Standards Agency (FSA) is in the lead in the investigation into this issue, so, to begin, it is useful to clarify what DARD's role is. As well as its overarching role of promoting and supporting the agriculture industry, particularly facilitating the trade of agricultural products, especially products of animal origin, DARD carries out a range of tasks for the FSA. My staff in the Veterinary Service are present in approved cutting plants and approved slaughter premises throughout Northern Ireland, where they carry out inspections, audits and enforcement on behalf of the Food Standards Agency.

Alan's staff carry out a range of tasks under beef labelling regulations. Regulations were brought in after the BSE outbreak in 1996 to ensure traceability of beef and to reassure the consumer about the traceability of beef from farm through to consumer. Alan's purpose was audited last year by the Food and Veterinary Office, and we got a very good report.

**The Chairperson:** Sorry, I am going to have to stop you, Robert. Will all Committee members please ensure that their phones are off? They are playing havoc with the recording.

**Mr Huey:** Those are DARD's main roles here. The Department first became aware of the issue way back on the evening of January 15, when we received an e-mail from the FSA to inform us of the information that it had received from the Food Safety Authority of Ireland (FSAI). That was the beginning.

It is worthwhile clarifying that there are almost two different aspects to this current incident. The first is the instance of traces of horse DNA and pig DNA that have been found in other products at very low levels. That is something new. The FSAI came across this incident because, you will remember, it was carrying out validation of a test. There is and was no good test for this species identification, so the FSAI was trying to verify and develop a polymerase chain reaction (PCR) test, which tests for DNA. It is used for a wide range of diagnostic purposes. When it was developing that test, it came across unexpected results last November. When you come across unexpected results, you test again. It did that in December and then sent the results to another lab in Germany to try to see whether they were true. When the positive results came back from Germany, the FSAI went public on what it had found. That is how this came about.

What we have here is something relatively new. Other tests are available for species identification, and we have used a very small number of those in Northern Ireland. One such test, enzyme-linked immunosorbent assay (ELISA), looks for proteins, and that is one of the tests that we are using at the moment. In the UK, we are not using the PCR test yet. It has not been developed, so we are using other tests. It is easier to understand if people can tell you positive or negative results, but a fair amount of interpretation has to go into the tests, and you have to extrapolate the result of the ELISA to try to give you some sort of idea of how much of the foreign protein is there, be it 1%, 5% or, in some cases, 80%.

This is all relatively new. The only species-testing that we have done as a Department in Northern Ireland has been in support of trade. For example, the United States Department of Agriculture buys our pork, and it wants verification that it is pork. However, we do not go looking for traces of something else. The issue of traces being found is new.

The other and more worrying issue concerns adulteration, where you are getting figures of 70% and 80% of meat that is purporting to be beef but is something else. That adulteration is a more serious issue. It is fraud, and that is what worries us most. Although I do not want to underplay the issue of the DNA, it is more one of confidence and of consumers being misled, thinking that they are getting one thing when they are getting another. It is about the consumer having belief and truth and understanding traceability.

It is worth going on to talk about the system that we have in the North. Our traceability, particularly for beef, is second to none. Again, that is Alan's area. We have the animal and public health information system (APHIS). We have a system that allows us to trace the animals through all the business that farmers have to put up with: ear tags; permits; movement regulations when they are moving the animals; and all that sort of stuff. That gives us great belief and confidence in our tracing system throughout the animal's life. It covers where it was born, where it was raised and where perhaps it was fattened, through to the slaughterhouse, where its authenticity is checked by the slaughterhouse owner. We carry out a certain number of checks, done by Alan's people. The system applies through to the cutting room. Consumers can then be sure that if they see the little oval mark on a consumer pack that says "UK", with "EC" at the bottom, and a four-digit number that starts with "9", it came from Northern Ireland. The "9" means that it has come from the ninth region of the UK, which is here. Therefore, if you see that oval health mark on any pack, you can be absolutely certain that it is a Northern Irish product.

The problem that the industry has is that we do not have enough forequarter. Back when I did most of my promotion work for the industry in meat, we could sell all the high-quality meat such as sirloins, fillets and hindquarter meat that we could produce, but we had difficulties getting rid of forequarter. We sent it to South Africa pre-1996, and those sorts of places. Since then, the consumption of meat has turned around, and people now want, for example, spaghetti bolognese. We eat a huge amount of minced meat, but we do not have enough forequarter to produce minced meat, burgers and other products for the consumer. Therefore, the processing meat has to be brought in from somewhere else. The legitimate producers at the top have systems and a list of approved suppliers from which

they buy. That might be outside Northern Ireland — in the Republic of Ireland, Great Britain or further afield.

At the top end of the market, it will probably come from these islands. Producers bring in the product from approved suppliers. For example, a UK supermarket will want to ensure that it is UK meat so that it can get a red tractor logo. I talked to a few of the bigger operators this morning, and some of them have their own people to do audits to make sure that their approved suppliers are doing what they should be doing. They then do checks when they buy the product in to make sure that it is what it is supposed to be. Material is properly labelled so that when Alan's people come along to do the checks, the documentation is right.

At the lower end of the system — there is a legitimate market for it — people may not be so careful about where the product comes from. They will buy beef, 85% visible lean, on a spot market, like you buy pork bellies. It is bought in, and that is where our problem comes from. Somebody somewhere along the line is doing something that he should not do with that material, and the buyer — the producer in Northern Ireland — may be doing everything that he possibly can, within reasonable bounds, to ensure that what he is getting is beef. It may look like beef and smell like beef, and he does microbiological tests to make sure that it is safe. However, if he is a smaller operator, he cannot send people out to audit, and he has to take the documentation that comes with that meat as being kosher. However, if someone somewhere has produced false documentation, the whole thing falls down, and that is what has happened in Freeza Meats.

That investigation is ongoing, and I do not wish to get into great detail about it. Local councils were in the establishment, as they should be, carrying out other tasks and saw pallets of meat that did not look right. The labels did not look right, and they did the right thing and detained and sampled it. It came back as being 80% horse meat rather than beef. However, that does not prove where the criminality lies, and that is why we have to stop speaking about it now. Something is wrong, and that is being investigated.

**The Chairperson:** Robert, thank you very much for your presentation. As I understand it, it is an FSA investigation at the present time. What contact have you, as a representative of DARD, had with the FSA, considering that DARD is responsible for the industry's name and reputation? We will be calling for a thorough investigation from FSA, but how and when will we get to a point at which we can separate good, home-grown produce that is tested, validated and checked the whole way through from that imported meat? That message must get out sooner rather than later.

**Mr Huey:** We have worked very closely with the FSA since the first moment that this happened, and the FSA has been the conduit to the FSAI and the Department of Agriculture, Food and the Marine in the South. The FSA is working closely with its headquarters in London, and it has had two scoping meetings with the industry, the last one being yesterday, to talk about investigations and actions that can be taken. I spoke to my equivalent in the FSA probably half a dozen times this morning. We have been working very closely. Mind you, this morning was an unusual morning.

The second part of your question was this: when can the consumer have confidence that Northern Irish beef is Northern Irish beef? The consumer can have confidence now. I am quite adamant about that. If an animal has been born, raised, slaughtered, cut and processed in Northern Ireland, that process has been audited. It has been audited internally, it has been audited by Alan's people and it has been audited by environmental health officers out in retail. I am confident that the system works.

The area in which there is difficulty is where a processor is buying in a raw material and has not been able personally to authenticate where it has come from. That is a legitimate business; that is a legitimate thing to do. However, somebody somewhere is leading to him not buying what he thinks he is buying, and that is what has gone wrong here. The investigation has not been completed to say where that blame lies, but that is where the weakness lies.

Having spoken to the industry, the one good thing that I can say is that indications from it are that consumers are being sensible about this. The situation does not seem to have affected sales of Northern Ireland product. Perhaps that is because of the good work that has been done over the years by way of the farm quality assurance scheme, and so on, to ensure the authentication of a Northern Ireland product. I like to think that that is the case. All that I can say is that, so far, the situation does not seem to have affected sales to the extent to which you perhaps would have thought it would. I think that consumers have been making good jokes about this rather than taking the incident that seriously. Do not take that as me saying that I am not taking it seriously. I think that is what the consumers have been saying.

**Mr Alan McCartney (Department of Agriculture and Rural Development):** Chair, I will add something on contact with the Food Standards Agency. There is a group known as the food and feed incident management group, which is chaired by our Chief Veterinary Officer. It is a cross-departmental group that the Food Standards Agency also sits on. The group has met twice since the issue arose in January, and, no doubt, it will continue to meet as time goes on so that all relevant Departments are kept up to speed with what is happening.

**The Chairperson:** The media commentary has been that there is an investigation into the link between the cases in Northern Ireland and the Republic of Ireland. Is that intelligence substantiated? Is that the case? Could we be talking about one batch of imported meat or is it much more widespread than that?

**Mr Huey:** I am not sure what I am allowed to say, Chair. I am not being evasive, but I just do not know what I am allowed to say. May I answer you later on that?

**The Chairperson:** OK. I will take counsel on that.

**Mr Huey:** I was going to ask Alan, but I did not think that he wanted to get that question.

**The Chairperson:** You separated the issues that are worrying you most into traces of DNA, fraud and labelling. That is a concern that has crept up in this Committee on numerous occasions. First, we need to be sure that the content of the labelling is right, that it is matched to the meat and that the country of origin is 100% right. There have been stories stating that you have only to process meat in this country for it to be branded as Northern Ireland produce. Are there weaknesses there? Is this something that the Food Standards Agency or DARD can learn from? Can we get to a point at which we can label our food so that there are no grey areas and no confusion and that people will know that what they buy is Northern Ireland produce?

**Mr Huey:** I will start on that one, and Alan will continue, because he is probably better at this. We have to separate beef from all other meats, because beef has beef labelling, which takes you from birth to consumption. Other meats do not. They rely on the wider labelling rules. Therefore, there are two problems. The checks that Alan's team, environmental health, make on beef are specifically there because of the BSE difficulties that we had in the past. The consumer required further assurance, and those checks were put in by Europe to give us a framework to work to. That is why the Europeans came and audited our system. There are not the same additional checks for pork and lamb.

**Mr A McCartney:** I will pick up on that, Chair, to help take you through it. The beef labelling system is a European Community-wide system. It is designed to provide consumers with reliable information about the origin of the beef that is on sale. The requirements under the Beef and Veal Labelling Regulations 2010, which implement the various EC regulations, are in addition to the general food labelling regulations for which the Food Standards Agency is the competent authority.

The beef labelling rules apply to all fresh and frozen beef and veal, including mince trimmings. There are two aspects to the system: there is a compulsory element, whereby specific pieces of information must be presented on the label, and a voluntary element.

I will focus on the compulsory side, because that is the important one. The law requires all beef and veal on sale to be clearly labelled with the EU country of origin, detailing where the animal was born, reared and slaughtered. If beef is imported from outside the EU, the name of the country of origin must be on the label, and that beef makes its way through the process.

Checks are carried out to ensure compliance with the compulsory and voluntary requirements. Authorised inspectors in my branch carry out checks at slaughterhouses and at cutting plants. Environmental health officers in councils carry out checks at remaining premises, including where meat processing activities are undertaken, cold stores and retail outlets. There is a division of responsibility there for the way in which regulations are implemented.

Traceability is a key requirement in the regulations. The food business operator has to have a traceability system in place. For example, when conducting an inspection, one of our inspectors will start in a meat plant with a retail pack. He will do a paper trail back through the process, which will take him to the animal or batch of animals on APHIS from which that product originated.

In the check, the inspector will also look at sides of beef, carcasses and various cuts as they go through the process to ensure that appropriate labelling is undertaken throughout. The inspector will also do a balancing check in boning halls, looking at boning loss and reconciling that with the figures in the plant to ensure that beef can be accounted for.

**The Chairperson:** OK. I have another question to which you may not have the answer, Robert. Can you tell us where the batch in question in Northern Ireland was destined for?

**Mr Huey:** I do not know. That is the easy answer to that one. All of that is under investigation — where it came from and the steps by which it came here.

I will say something about trading beef to help members to understand what goes on. Beef is traded as a commodity, and, very often, it will move between brokers without ever leaving a cold store somewhere. There is a paper trail that we have to go through to find out where the stuff goes. If this stuff did start off in Poland, it might have gone through a cold store in Rotterdam and ended up in the UK, or it might have come via Ireland to the North. You usually end up with a complicated trail. All that it takes is one crook along that trail somewhere, and this is what you end up with.

I can feel where your next question is going, so I will move on to border inspection controls in Northern Ireland. Let us remember what the EU is about — the free movement of goods and services. Once milk powder or meat gets the health mark to say that it is produced in Northern Ireland, Germany or wherever to the standard that is required by the European Union health laws, that material can travel freely anywhere in the European Union. Once it gets that health mark and leaves the control of my staff at a cutting plant, it goes out into the big bad world, controlled only by that health mark.

Once that material is in the European Union, it can move anywhere freely, and it is illegal for my staff in the port to carry out any inspections or to keep any records. They do not know what is coming through except from what is contained in a ship's manifest. Therefore, there is freedom of movement. If meat is coming from outside the European Union — from Brazil or wherever — it has to enter the European Union through what is called a border inspection post, where a physical check is carried out on that consignment. However, once it has cleared the border inspection post, be that in Felixstowe, Rotterdam or wherever it enters the European Union, it is free to move wherever it wishes within the European Union. That is the sort of meat that will be bought by a processor who needs more forequarter to make more burgers. As long as it is within the specification of the customer, there is nothing legally wrong with that. As long as the customer has said that he just wants a beefburger, that is grand and not a problem. The problem arises only if the customer has specified that he wants a burger of UK or Ireland origin, and you have put beef from Poland into that burger. Then, you have broken your agreement with the customer as far as specification is concerned. That is a contractual issue, but there is no safety issue here.

**The Chairperson:** You mentioned fraud as being the big issue. My last question before I open it up to members is this: is the PSNI involved in any investigations at this point?

**Mr Huey:** There has to be a lead authority in these investigations. I know that from our own investigation units, for which I am also responsible. At the stage that this investigation is at, it is correct and appropriate that the Foods Standards Agency is the competent authority and, as such, leads the investigation. It is normal in these things that if it gets to a certain stage and there is seen to be a serious fraud committed, the investigation is discussed with the PSNI, with the aim of involving it or handing over the case.

However, there has to be one lead authority. It is correct that FSA Northern Ireland is the lead authority as far as enforcement is concerned. It is its responsibility to gather together all the different groups involved, be that district councils, us or the PSNI, if it wants to bring in the PSNI at the correct stage. Frankly, what we often find — I know this from fraud in agriculture — is that the people who carry out fraud in one area are frequently involved in all sorts of other fraud. It might be diesel laundering — you name it, they do it. As far as they are concerned, it is just another revenue stream. It is generally when you get a sniff of that that the investigation is handed over to the PSNI. It is then that you bring in the correct authority.

**The Chairperson:** OK. Thank you very much for your answers, Robert and Alan.

**Mr Byrne:** I welcome the two men who made the presentation. My initial question is this: are we hearing the full story or half the story? When the Minister was here last week, I asked her whether DARD was aware of any concerns regarding the possibility of horse DNA-contaminated meat from Poland having gone through a store or food processing plant in Northern Ireland. I got an assurance that no concerns or issues had been raised. However, Robert, you said that you were alerted by the FSAI on 15 January.

Secondly, I am very worried that the farm quality assurance scheme is being blown out of the water here. If we can be only partly assured about what is in food produce that is eaten here or exported from here, there are concerns about authenticity and verification. We need to have a more open discussion on how we can tighten up the regulations or conditions relating to food produce. Given that we have to export 80% of our food produce, we are highly dependent on our international reputation as well as our national reputation.

Finally, have you people ascertained whether the horse DNA-contaminated meat that ended up in Newry was really imported Polish horse meat or native horse meat that was mischievously labelled subsequently?

**Mr Huey:** I will take the first and third questions, and Alan will take the second one.

Deputy Chair, what I am saying at the moment is to the best of my knowledge now, at 2.00 pm. I have never seen an incident that has gathered moss and moved like this one has. I can see why you are concerned that you are not getting the whole story, because the whole story keeps emerging. I feel that, unfortunately, that will continue to happen. Therefore, I have to warn you that what I am telling you is to the best of my knowledge at 2.00 pm today.

**Mr McCarthy:** You said a short time ago that you are allowed to say only so much. What are you keeping back from us?

**Mr Huey:** I said that about what is subject to the investigation; that is all.

**Mr McCarthy:** Your comment that you are allowed to say only so much threw me a bit, because I understood that you were here to tell us what is happening.

**Mr Huey:** Mr McCarthy, the only things that I cannot tell you — although I may be able to tell you them when I go back and check — are those things that are sub judice. I could put a criminal investigation at risk by putting information into the public domain. I understand that that is unsatisfactory in many ways, so I will check to see what I can tell the Chair in writing later. However, I cannot, in a public domain, tell you everything that I know. I regret that.

Mr Deputy Chair, that is the situation that we are in. All that we were told on 15 January was that there had been results of samples. We were given the 26 samples or whatever number there were — so much has happened since then. There was pork contamination, horse contamination and the 29% horse sample. That is where the story starts. Obviously, we then started investigating and taking more samples, and we are trying to work out what those samples mean.

The confusion about the Freeza Meats situation is that that is sub judice. Until last night, I was not saying the words "Freeza Meats". The name was outed by various processes, so now I am talking about Freeza Meats. However, if I had been here yesterday, I would not have been talking about Freeza Meats at all; you would never have heard that name come from my lips. That is the situation that we are in, and it keeps changing. All that I can do is reassure you that there is no attempt to cover up or to mislead — absolutely none.

**Mr A McCartney:** Deputy Chair, I want to pick up on your other comments about the regime that is in place. You mentioned the farm quality assurance scheme. It is worth pointing out that the responsibility for complying with the labelling regulations lies first and foremost with the food business operators. The role of the Food Standards Agency, district councils and the Department is to make sure that the official controls are in place. The farm quality assurance scheme is administered by the Livestock Marketing Commission, and it will obviously consider the checks that are in place for the scheme.

I assure members that, under the beef labelling regulations, the frequency of visits for the checks and inspections that we carry out are determined on a risk basis. Larger plants are generally inspected at

least once a quarter. In 2012, 114 inspections were conducted to check beef labelling information in approximately 40 businesses. Those were DARD checks, so that figure does not include what the district councils might have been doing. In light of the events that have developed since 15 January, we are looking at a risk assessment scheme.

**Mr Huey:** I have thought about the answer to your last question about the authenticity of the meat that has been labelled as originating in Poland. I can tell you that —

**Mr Byrne:** I am trying to think, too.

**Mr Huey:** Obviously, there are doubts about the provenance of that meat and its labelling. Concerns about the labelling drew the environmental health officers' attention to it in the first place. I have not seen those labels. The labels have specific dimensions and look and feel about them. When you have been doing this work for a while, you can just look at a label and say, "That is not right. Somebody has run that off a printer. It just does not look right."

There must have been something about these labels that made those officers think that they were not authentic. The dimensions have to be exactly right. I am not sure why I remember this, but there are crazy little things, such as the letters having to be 0.8 cm high and the numbers 1 cm high. We get our rulers and measure them. The labels have to be a specific size and have a specific look. So, there must have been something about those labels that concerned the environmental health officers. The figure of 80% horse and not beef makes you worry, and the look of the label makes you worry. So, it is quite legitimate to question whether this material came from Poland at all. Did it come from the legitimate slaughter plant in Poland that uses that number? That is in the process of being checked out at the moment. Did that material actually come from the plant that it is supposed to have come from?

**Mr Byrne:** I appreciate the way in which these two men are answering our questions. May I ask just one further question? Do we have a register for the horse slaughterhouse in Northern Ireland? Did it cease trading recently? What sort of examination or supervision was there of its work and of what it did with its products?

**Mr Huey:** Oakdale Meats in Lurgan slaughtered a number of horses on contract. The numbers that were slaughtered went down to about 40 a fortnight. There was a gentleman who gathered up horses from around Ireland and brought them to Oakdale once a fortnight for slaughter. Those horses then went out on the hook to Italy within 24 hours. So, if you wanted to, you could tell somebody that your horse was exported to Italy. My staff supervised that slaughter full time. The horses were checked when they came in to make sure that they were healthy, and their passports were checked. They were inspected post-mortem to ensure that they were fit for the food chain and were then labelled with a stamp to say as such.

There have been lots of questions about the authenticity of horse passports, and all of us, including everyone across Europe, are aware that there are difficulties with the horse passport identification system.

Again, I can tell you that those premises were inspected as part of a European audit within the past two years and were found to be excellent. That report is on the website. I am very sad that the premises have closed. It was a welfare facility that took unwanted horses that would have otherwise been standing around in fields starving. That is a legitimate means of getting rid of unwanted horses, and as far as I am concerned, it is good for welfare.

One of my vets oversaw their slaughter to make sure that it happened right. There is no nice way of killing animals, but there are acceptable ways, and the animals were slaughtered in an acceptable manner. I am sad that that place has closed, but the business made the quite legitimate decision that, to reassure its customers — it has customers as well — it could not risk slaughtering horses any more. Those horses will now go elsewhere for slaughter. They will either have to go down South to the slaughterhouses there or go on a boat to England or elsewhere. That does not do anyone any good.

**Mr Irwin:** I am a farmer myself.

**Mr Huey:** I know.



**Mr Irwin:** So, I am fully aware of the frustration. As you know, from the dams of the calves right through, farmers have to adhere to strict guidelines. That is all very good, and, in the main, farmers have got used to it.

This situation is developing, and we do not where it is going to end. Was the meat that was found stamped as quality assured?

**Mr Huey:** Sorry?

**Mr Irwin:** Was it stamped as quality assured?

**Mr Huey:** The two pallets that were found in Freeza Meats? No. It was labelled as coming from Poland. So, of course, it will not have any of our authentication. It is not Northern Irish meat, and it will not have farm quality assurance. It will not have anything. It is protein.

**Mr Irwin:** Are you aware of whether any of it has been sold to consumers in Northern Ireland?

**Mr Huey:** I know that it has not. As soon as the FSA discovered it, what was there was detained. It is still there. So, it has not moved.

**Mr Irwin:** Is it possible that some has slipped through the net before now?

**Mr Huey:** Information that is available from the investigation indicates that it has not — he says, being very careful.

**Mr Irwin:** Very good. Let us hope that that is the case.

**Mr Huey:** That might change tomorrow; as Joe said, it might turn up somewhere else.

**Mr Irwin:** It seems strange that meat with absolutely no clear identification about whether it is safe or has traceability can be brought in from some other country and sold on our shelves. It looks to me as though someone somewhere in the retail chain is buying in cheap meat.

**Mr Huey:** Mr Irwin, if the label on that consignment is legitimate and beyond reproach, there is no illegality here.

**Mr Irwin:** I am not saying —

**Mr Huey:** Meat can come from anywhere in the European Union. Let us not be silly about this. There are meat-slaughter premises throughout Europe that are as good as ours, and just because this is from Poland, there is no reason why it would not be as good as anything that is produced in Northern Ireland.

**Mr Irwin:** As long as the consumer knows what they are getting.

**Mr Huey:** The problem is that the process has broken down because somebody has done something that they should not have. The label does not look right and the meat is not right, so we know that something has gone wrong. I emphasise again that something strange has happened if the meat came from Poland and probably even if it has come from the premises that it purports to come from, which might still prove to be the case.

**Mr Irwin:** I think that it is important that the housewife realises what she is buying. That is the problem that I see with it.

**Mr Huey:** It is a simple message — born, raised, slaughtered and processed in Northern Ireland with the wee funny mark that indicates farm quality assurance.

**Mr Irwin:** I know that you are aware — you mentioned it — that we have a very big brand name in Northern Ireland for pork. The pork is processed in Northern Ireland, but 90% of people who buy it think that it is produced in Northern Ireland. A processor has told me that not one ounce of its pork is

produced in Northern Ireland. They do not tell any lies. What they say on the packet is OK, but the housewife does not read into it in the same way. That is part of the problem. If it is processed in Northern Ireland, in the main, the housewife believes that it is from Northern Ireland.

**Mr Huey:** I understand what you mean. Pigs, unfortunately, come only with two hind legs and two forelegs. You do not have enough hind legs, so you bring them in. Pork bellies are a classic world commodity, as are pork legs.

**Mr Irwin:** I am talking about that particular brand, which does not buy any pigs from Northern Ireland — none. It is all imported, and it is then processed in Northern Ireland. It is not that they are telling lies — of course it is processed in Northern Ireland, but the housewife automatically believes that it is produced in Northern Ireland. I think that that is where it falls down.

**Mr A McCartney:** If our inspectors were in a slaughterhouse or a cutting plant and found beef that was unlabelled, they would obviously follow up and investigate that with the factory management. If imported beef were found that was not labelled properly, our inspectors would investigate that and, if necessary, would go back to the competent authority in the relevant member state. Although we cannot talk in detail about what is happening, perhaps members will take some assurance from the fact that the official controls that are in place actually detected a problem before it got any further. So, the controls are actually working.

**Mr Swann:** Thanks, gentlemen, for your presentation. At the opening of every statement, Willie keeps saying that he is a farmer. However, having been a production manager in a meat factory for four years, I can probably understand exactly what you are talking about better than some around the table. One thing is indicative of this Committee, and Robert referred to it. That is that this issue is like a stone gathering moss at the moment; it is getting great coverage. As the Committee that is responsible for agriculture and rural development, I think that it would be wise and sensible of us not to sensationalise the issue and put our agrifood industry under any more threat than it already is. That is what concerns me. Do not get me wrong; it is a serious issue, and I appreciate that. However, we need to be careful of headline grabbing for the sake of headline grabbing on an issue —

**Mr Irwin:** I think that we are in closed session, are we not?

**Mr Swann:** No. It could damage an industry that has seen enough hardships in its time. I was actually a production manager the first time that BSE hit, so I know exactly what effect that had on the industry and processors at the time.

I have a few simple questions. Is it legal or illegal to store horse meat in a cold store in Northern Ireland if it is properly labelled?

**Mr Huey:** It is legal. To the best of my knowledge, there is none, but it is legal.

**Mr Swann:** To the best of your knowledge, there is none labelled as horse meat. So, the batch that was brought in is obviously fraudulent in some shape or form if it is labelled as beef but contains horse.

**Mr Huey:** Yes.

**Mr Swann:** Who is investigating that fraud?

**Mr Huey:** The FSA is carrying out investigations right across the UK, and further investigations are planned for cold stores and processing plants as a follow-up to this to try to give the public assurance. The FSA organised a scoping meeting yesterday with the industry to try to draw together this new sampling that we are all now involved in. The FSA and the industry are carrying out sampling. So, an attempt is being made to try to draw together a protocol to make sure that the sampling and testing methodologies can be compared so that we do not confuse the public any further. We will all be going out there and doing testing that we have never done before and that we have never had to interpret before. We will also have to present results that we have never had to present before.

The difficulty here is that there is no nice traffic lights system. You get into very difficult conversations about what is an acceptable amount of horse in a beefburger, because you have to draw a threshold somewhere. If you work in a butcher's shop, will you be able to guarantee that the beef that you are

handling has not been contaminated with pork from the tray next door? You could get into silly land here, so we have to set a threshold somewhere.

That sort of thing needs to be discussed, because we do not want one result to be reported as positive and another that is on the same level to be reported as negative. I understand that that presents a difficulty for communications and with general understanding, but we need to get this sorted. That is what the FSA was doing yesterday. It was making sure that all the sampling that is done across the industry is done uniformly, because it affects everyone out there and every responsible operator. The FSA is out there looking for this stuff now, because we have to reassure the consumer — the person at the end of the food chain — that what they are eating is what they expect. I am talking now about the trace thing. Consumers should get what they anticipate getting. It is not acceptable for a Muslim to have pork when he anticipates that he will not be having it.

**Mr Swann:** I appreciate what you say about sampling, and that covers the product that is already here. You were talking about traceability and tracing it back to the point of source, which, as you said is paperchasing. Does the Department have the appropriate and sufficient resources to enable it to do that at this point in time? As far as I am concerned, this is a desk-based exercise. Is it a 24/7 operation to trace it back to the source in Poland through either the various traders or various drugstores?

**Mr Huey:** That part of the investigation is being carried out by the FSA, led from London, so I cannot answer that question.

**Mr A McCartney:** We are not involved in that.

**Mr Huey:** No. We are not directly involved.

**Mr Swann:** So, our Department, or our FSA, is not involved in tracing?

**Mr Huey:** Our FSA will be involved, but DARD is not.

**Mr Swann:** Right. It concerns me that there is not even an element of oversight. Is there any such element?

**Mr Huey:** No, there is not.

**Mr Swann:** There is no oversight from our Department?

**Mr Huey:** No. You have to remember the separation of roles. The Food Standards Agency exists to separate our legitimate wish to promote our industry and safety. That is part of the BSE —

**Mr Swann:** Yes, but at this minute in time the two are very closely linked, Robert. I think, Chair, that some sort of oversight or liaison should be established very quickly.

**Mr A McCartney:** Just on that point, Chair, if I may intervene. I mentioned the food feed incident management group, which is a cross-departmental group that the Chief Veterinary Officer in the Department chairs. It has a very important role in how the whole incident is being managed at the moment. So, the Department is involved through that group, along with the Food Standards Agency and other relevant Departments. I would not want members to think that there is not an oversight role; that mechanism allows Departments to communicate about what is happening.

**Mr Swann:** What you are telling me, Alan, is that there is a mechanism. However, that is still not giving me the confidence that I would like. I want to hear that our Department is taking a hands-on approach to managing this.

**Mr Huey:** I would be concerned that there has to be a separation between DARD and the FSA, which represents the consumers' views. The public would not like to see us directing the FSA on this matter. There is a problem there, and I see your concern.

**Mr Swann:** On this matter, the consumer would take a great deal of reassurance from your direct involvement. You are confident that this product has not entered, and was not intended to enter, the processor retail chain in Northern Ireland.

**Mr Huey:** Do you mean the Freeza Meats material?

**Mr Swann:** Yes.

**Mr Huey:** All I can say, Robin, is that the FSA found that stuff. It was detained; it is still there. The FSA has no reason to believe from what it has seen that there is material that has entered the chain. That is my understanding of the investigation so far. However, that does not mean that, as the investigation goes on, something will not emerge. I cannot give you a guarantee.

**Mr Swann:** Finally, I have a hypothetical question for you, which you do not have to answer. The Republic's Agriculture Minister, Coveney, said, when horse meat was found in product down there, that there was absolutely no threat to human health. We now hear that the horse meat entered the chain illegally, and the Deputy Chairperson suggested that it may not even be of Polish origin. Can he still give the same assurance, which was adopted by our Minister, that there is no threat to human health if we do not know how the meat is being processed or how the animals are being killed?

**Mr Huey:** Samples of the meat have been taken to test for illegal drugs, hygiene safety and residues. On the basis of that, a risk assessment has been done by the FSA to give the reassurance that it is safe and that this is not a food safety issue. That is where we are. We are not just crossing our fingers and hoping for the best; there has been a risk assessment by the FSA to provide reassurance. It is not just a hope and a prayer.

**Mr Swann:** Is the plant in Poland, where the meat is supposed to have originated, licensed to kill horses?

**Mr Huey:** Sorry, I do not know; I will find out for you.

**Mr Buchanan:** One thing that should reassure our consumers is the fact that Northern Ireland beef is of good quality, is the best that there is and is second to none in the world. Consumers have to be reassured of that. Given that we are where we are and that investigations are under way, can you give an assurance that a mechanism will be put in place to ensure that something like this does not happen again? It is alright doing an investigation into this incident and getting it cleared up. However, once that has been done will there be a mechanism put in place to ensure that something like this does not happen again? That is what will bring confidence back into the homes of consumers.

**Mr Huey:** If, after an incident like this, there was not a review of what had happened and an attempt to learn lessons, it would be a first. To be perfectly frank, if there are people who, for financial gain, want to do crooked things, it is very hard to stop them. If I had that silver bullet, I would have a different job. The process is in place, and there will almost certainly be lessons learned. We will look to see what we could have done better to find this out earlier, but much of this is new territory. We have not been concerned about species up until now. We are all learning. I cannot assure you that this will never happen again, because it is human nature that someone will try to make money.

**Mr Buchanan:** Is there a need for a mechanism to be put in at the processing plants to regulate what they are bringing in. You talked about the raw material that was coming in and that it was sometimes getting checked. What is coming in and out should be quality-assured produce. Is there a gap that needs to be addressed to ensure that that is fully covered?

**Mr Huey:** There may be, and that will, no doubt, be looked at. However, regulation, which is what you are talking about, has to be proportionate. It is the usual thing: you do not want to bury the honest man to try to catch the occasional crook. I would not like to come to the Committee to talk about the additional regulations that I was going to put on the industry. I think that you might have something to say. It is a balance; it is about getting the proportionate controls in place for the risk. There is not a risk to public health here, which is good news. That does not mean that things do not need to change or that we will not change, put in additional checks where they are required, or, on the basis of a risk assessment, move the checks around.

Another basic principle that I should mention is the food business operator — the processor who is responsible for the safety and authenticity of his food. It is not the FSA; it is not DARD. It is the operator. It is his responsibility to make sure that what he is buying is what his customer wants. We were in this position before, and we do not want to go back to when government was, in some way, responsible for what the processor was doing. That is not a comfortable place to be. The man making the money is the man responsible. My job, and the job of the FSA, is to ensure that there is a level playing field and that those who wish to cut corners do not get away with it.

**Mr Buchanan:** Yes, but is it not the responsibility of the Department to ensure that the processor has a mechanism in place and, through it, records accurately what comes in and goes out for you folk in the Department to ensure that everything is above board?

**Mr Huey:** That is precisely what the beef labelling regulations do for beef. However, as I said, there is a gap for other meats, where the general food labelling laws apply. It makes sense; you label pork as pork, but there are not the same mechanisms in place.

**Mr A McCartney:** It is important to point out that the beef labelling regulations, the process and inspections of which we have described, apply only to meat from bovines; they do not apply to pork, for example. All other meats fall under the general food labelling regulations.

**Mr McCarthy:** You mentioned Freeza Meats. For clarification, is that the plant in Newry where the latest two pallets of horse meat were found?

**Mr Huey:** That is right.

**Mr McCarthy:** OK. You mentioned the lower end of the market. I do not know what that means exactly. Is it cheaper? Is there scope there for people to go in that direction and get rid of something that they might not otherwise be able to dispose of? Is there enough supervision to ensure that such activity can be stopped as soon as it is spotted?

**Mr Huey:** When I say the lower end of the market, I mean the cheaper end of the market. Take the top of the market as being the Northern Ireland-produced beefburger with full traceability. If you buy it in a supermarket or in a butcher's shop and ask about the meat's origin, they have to tell you almost what farm the animal was born on. That is the top of the market; however, to get that quality assurance you have to pay for it. Moreover, there are probably welfare and other issues that will come under the farm quality assurance scheme. There is, however, a market for a cheaper burger. Not everybody can afford to buy from the black packet at the supermarket; they want to buy the yellow packet. There is nothing wrong with the yellow packet, as far as safety is concerned; however, it is possible that that meat will not have the provenance. It does not carry a red tractor to say that it is from the UK; it carries nothing to say that it is a product of Northern Ireland; it does not even carry a Bord Bia label, which some of them can, to say that it is a product of the island of Ireland. It is just a burger in a box. The box will show that it came from these premises and contains beef. It will not say how much beef; it will just say a beefburger. That is where the problem arises, because it says beefburger, but turns out to be 80% horse. That is fraud.

**Mr McCarthy:** Those are the people you want to rope in. The stuff that was caught in Newry was stopped there. You cannot tell us whether there were any earlier deliveries, or where it came from, or anything further.

**Mr Huey:** I cannot go further, Kieran

**Mr McCarthy:** That is under examination.

**Mr Huey:** That is part of the investigation.

**Mr McCarthy:** OK. I wish you and the food standards people well in your work to get on top of this as quickly as possible. We know that when the news about the southern factories broke last week, the big stores cancelled orders. That is the last thing that we want to see for Northern Ireland.

**Mr Huey:** I understand.

**Mr Byrne:** Robert mentioned halal produce, and McColgan Quality Foods Limited is in Strabane, which is in my area. Throughout Saturday afternoon and evening, one national media organisation stated repeatedly that there had been no response from the Northern Ireland authorities to queries that the FSA had raised about possible difficulties with meat products in Northern Ireland. The next we heard was that McColgan's had difficulty. Can you comment on McColgan's situation?

**Mr Huey:** My personal view — although I am not really supposed to have one — is that everything that I have ever heard about McColgan's is that it is a reputable and well-run business. What I know and have been told is that everything that McColgan's did was absolutely the right thing to do. They discovered it themselves and realised that they had a supplier in common with a company in the South that had difficulty. First, they instigated their own recall; they told all their customers further down the line, such as the company 3663, which supplied the prison service in England and Wales; they then carried out their own testing. McColgan's did all that themselves, which shows a very responsible attitude. I do not want to minimise the impact that it might have on their business, but this was a specialist line that they did for a specialised customer. It shows the quality of the company that they could do that sort of thing. Without sounding like an ad for McColgan's, which I am in danger of doing, it is a company that, as far as I am concerned, has acted well throughout the incident.

You asked when the Department knew. I do not have the exact time. It is the rolling story again, Joe, in that we were not naming McColgan's. McColgan's told the FSA before the matter went public, which was the right thing to do. They told the competent authority. Therefore, I knew about it before it hit the press. At that stage, it was part of an investigation. It could have been something fraudulent, although I do not believe that it was. That is why, again, there will be a leaking of information that makes it sound as though people are trying to withhold information. All that I can do is assure you that they are not. You are trying to make the right judgment call on that day and at that moment.

**Mr Byrne:** That is fine. Thanks.

**Mr Clarke:** I apologise that I am late and missed your presentation. I just want to go back to your response to Kieran's question. I suppose that it related to "economy" burgers, if you want to call them that. I am a wee bit confused. Your explanation of the make-up was excellent. The more we can get that out about farming produce, the better for people's understanding. The housewife, or, perhaps, the house husband—I have to be careful here — buys on price, not necessarily on quality. That has always been a problem. The more education that is provided on that, the better.

In your response to Kieran about the meat in some beefburgers with no branding on them about where they have come from and such things, you said that some of them can contain fresh meat, but that it can be horse meat. Did you say that?

**Mr Huey:** No.

**Mr Clarke:** Sorry. Perhaps, I misunderstood you.

**Mr Huey:** What I said was that if the product does not claim to be from a specific country of origin, there is nothing wrong with its containing meat from any country in Europe or outside it as long as that meat is legitimate. That is what those burgers contain.

**Mr Clarke:** Perhaps what I am trying to understand is the legitimacy of the meat when it is called a "beefburger". With regard to your response to Kieran, I looked up the definition. Perhaps I will just give you the definition.

**Mr Huey:** Do. *[Laughter.]*

**Mr Clarke:** It states that it is a culinary name for meat from bovine animals, especially cattle. Beef can be harvested from cows, bulls, heifers or steers. It goes on to say that it is not definitive as to what beef is. I am not supporting horse meat; I am saying that there is no definitive answer as to what beef is.

**Mr Huey:** There will be a definitive answer in beef labelling. My colleague is having a quick fiddle through his papers. It will be bos and bovis; it will give you the names of the species from which beef can come.

**Mr A McCartney:** It is defined in the Council regulation, which I do not have with me. I have only the national regulation.

**Mr Huey:** There will be a European definition.

**Mr Clarke:** I am just curious as to whether there is a grey area. The whole thing came to light because people were horrified about horse meat. That is one thing. If it is legitimate to put horse meat into cheaper burgers, that is fine. One good thing that could come out of this is that it will educate everyone about what they are buying. Hopefully, it will drive people back to butchers, because they will be sure that they are getting local produce, as opposed to buying meat from supermarkets when they do not know its country of origin or the conditions in which animals have been reared.

**Mr Huey:** Of course, I will need to clarify, as I am sure you will wish to yourself, that you do know the country of origin of some meat that you buy from supermarkets.

**Mr Clarke:** We do know the country of origin of meat in supermarkets. However, since 2007, the Committee has tried to lobby for more to be done about labelling in order to make people more aware of the country of origin and to make it more noticeable on packaging. However, the supermarkets have resisted that. Perhaps this will be a wake-up call for supermarkets to do more about labelling in order to make where meat has come from, how it has been produced and some of the other things that we would like to see more identifiable to those who purchase it, given the standards of farming in Northern Ireland.

**The Chairperson:** OK. Thank you very much, members. There are no other questions. The Committee has already written to the FSA to ask for its comment. Given your very frank answers today, the Committee will discuss whether it would be worth getting a presentation from the FSA. Given the investigation, I am not sure how much they will be able to delve into that. You have also had difficulty, Robert. However, I believe that this has been a worthwhile exercise in informing and reassuring the public. I suppose that, we, as a Committee, asked for that reassurance for the public. Do you think that it would be worthwhile to get a presentation from the FSA?

**Mr Huey:** Yes; because even if you leave it only a week, the investigation will have moved on significantly. The FSA can major on areas on which I have not, such as its action plan and what it is doing specifically to take that forward. It has a four-point action plan, which it has developed since the incident. I have not discussed it today because it is FSA investigation business. There is a whole area that it would be useful for it to share with you. I am happy to come along with the FSA. We discussed whether to do a joint presentation to you. This was arranged quickly. We had discussed whether it would have been worthwhile to do a joint presentation to you. I am content to come with the FSA, although perhaps you might want to hear from the FSA on its own.

**Mr A McCartney:** Members have raised legitimate questions about wider labelling issues. The FSA is in the lead role and, therefore, in a better position to answer members' questions than we are.

**The Chairperson:** OK. Thank you very much, gentlemen, for your frank answers. It has been very useful to have you here. We have made the right move to allay the public's concerns. Thank you very much for your time.