

To: Interested Parties

17 October 2008

Reference

Dear Colleagues

MELAMINE CONTAMINATION OF COMPOSITE PRODUCTS CONTAINING MILK & MILK PRODUCTS FROM CHINA

This letter provides advice to food and feed business operators in relation to melamine in milk and milk products originating in or consigned from China.

Our understanding is that melamine had been added to milk produced in China and that the contaminated milk had been used to manufacture infant formulas and other dairy-based products. The latest information we have is that approximately 53,000 infants have suffered illnesses, with 13,000 hospitalizations and four deaths. Approximately 158 of the victims have suffered acute kidney failure. Chinese authorities have disclosed that, in addition to discovering contaminated infant formulas, melamine has been discovered in 24 of 1202 samples of milk and yogurt. There is little information at this stage to determine when the contamination might have begun or how widespread the contamination might be. We understand that the Chinese authorities have recently withdrawn from sale all milk and milk products produced in China prior to 14 September.

Imports of milk and milk products, including milk powder, originating from China are not allowed into the European Community; however, certain composite products such as biscuits and chocolate are imported from China.

Measures explicitly banning the import of products such as infant formula and requiring the testing of composite products were adopted by the European Commission on 26 September (Commission Decision 2008/757/EC).

On 14 October the European Commission adopted revised safeguard measures Decision 2008/798/EC,

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:273:0018:0020:EN:PDF>)

This revised Decision streamlines and simplifies the control tasks imposed on Member States.

The new requirements that came into effect on the 15th October 2008 require the testing of all composite foods and feed from China containing milk products. As before, products found to contain more than 2.5mg/kg melamine have to be withdrawn from the market and destroyed.

The revised Decision also requires that food and feed business operators importing products into the UK give prior notification to the port of entry of the estimated date and time of arrival of all consignments originating in or consigned from China of composite products, including feed, containing milk products.

Local Authorities have been asked to check products already on the market and to report results back to the Agency. Food and feed business operators have the responsibility to ensure that the food and feed which they supply is safe. I would therefore encourage you to check the origin of milk products used in any composite products that you have placed on the UK market. Where the products originate from China I would encourage you to test your products for melamine to ensure that the products originating in or consigned from China do not contain melamine above 2.5 mg/kg limit. It is already a requirement in accordance with article 19 of Regulation (EC) No 178/2002 to inform enforcement authorities of results where this limit is exceeded. However, it would be helpful if you could also report details of negative test results. This will give an indication of the extent to which melamine is present in products and will inform discussions between the Commission and Member States when the Decision is reassessed.

The Food Standards Agency will continue to monitor the melamine contamination and hope we can work together to ensure the protection of UK consumers. If you have any further questions, please send them to our dedicated mailbox melamine.enquires@foodstandards.gsi.gov.uk or contact my colleague Kara Thomas on 020 7276 8711.

Nick Tomlinson

Head of Food Protection Division