

Food Legislation

Code: 103236
ECTS Credits: 3

Degree	Type	Year	Semester
2501925 Food Science and Technology	OB	4	1

Contact

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Use of Languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: No

Other comments on languages

Some lectures may be given optionally in English

Teachers

Joan Amenós Álamo

Prerequisites

Although there are no official prerequisites, it is convenient that the student revises the material covered in the following second and third year courses:

- "Anàlisi i control de la qualitat dels aliments" (food-quality analysis and control)
- "Gestió de la Seguretat Alimentària i Salut Pública" (food safety and public health management)

Objectives and Contextualisation

The course of Food Legislation is transversal and fundamental. It aims to leave students with the knowledge of the legal framework necessary to interpret, apply and develop the normative principles of food legislation. Specific rules that regulate the entirety of the agrifood sector from primary production to consumption will be covered.

General objective

Identify, analyse and apply the normative system in each and every one of the phases of food production and commercialization.

Specific objectives

- To give students of the Food Science and Technology programme the legal tools, techniques and practices required for an accurate understanding of the Spanish, European and international legal framework. This knowledge should be generally applicable in a professional setting.

- Expound on the objectives of the normalization and legalization of foods, which aim to:

- protect the consumer
- establish equitable practices
- establish regional, national and world-wide rules
- determine priorities
- publish and disclose said rules

Competences

- Adopt an ethical stance and attach importance to quality in work.
- Communicate effectively with both professional and non-professional audiences, orally and in writing, in the first language and/or in English.
- Interpret and apply agrofood regulations.
- Provide auditing and legal, scientific and technical advisory services to the agri-food industry.
- Search for, manage and interpret information from different sources.
- Show sensitivity to environmental, sanitary and social issues.

Learning Outcomes

1. Adopt an approach that is holistic and respectful of legal provisions when applying the technical knowledge acquired.
2. Adopt an ethical stance and attach importance to quality in work.
3. Carry out technical surveys based on scientific, legal and ethical data.
4. Communicate effectively with both professional and non-professional audiences, orally and in writing, in the first language and/or in English.
5. Describe the scientific sources of the law governing the agrofood business and comply with its principles.
6. Evaluate legislation in several different countries and write the reports on these.
7. Explain and provide a basis for the historical mechanisms of codes of conduct, legislation and civil responsibility in accordance with the cultures and degree of development of each country.
8. Explain the profession's ethical principles.
9. Issue expert reports taking into account existing legislation.
10. Recognise and explain the factors that influence the degree of compliance with legislation.
11. Recognise the risks of failure to comply with the law.
12. Search for, manage and interpret information from different sources.
13. Show sensitivity to environmental, sanitary and social issues.
14. Use legal terminology correctly.

Content

Topic 1. -Course presentation- 1.1.General Introduction. 1.2 course assignment for ethics and food law

Administrative Law

Introduction to legislative vocabulary in English/Spanish/Catalan

Topic 2. -What it means to be a State. What is 'the Law'. What is the Public Administration and which are its different types.

Topic 3.-The legal system. The constitution, laws and regulatory norms.

Topic 4.-Administrative decisions. Resources and administrative control.

Topic 5.-The public function.

Topic 6.- Administration, the citizen and the company from a legal point of view. The freedom of a company. The public services.

Food Legislation

Topic 7.- Ethics and Deontology in professional praxis. Ethical principles. Deontology. Codes of conduct and current regulations. Examples and analysis of case studies.

Topic 8. Legal expertise and civil responsibility in the food field. 11.1 Concept of civil and professional liability, 11.2. Constituent elements for litigation. 11.3. Concept of legal expertise 11.4. Civil and criminal reports. 11.5 Testimony of the legal expert. 11.6. Consumer rights at the community level.

Topic 9. Science and Food Legislation. The role of scientific principles within European food legislation. 9.1. Regulation 178/2002. 9.2. Risk analysis, Risk assessment, management and communication. 9.3. The role and structure of AESA (EFSA). 9.4 The operation of EFSA and its legislative impact in different sectors.

Topic 10. -Introduction to food law. 7.1. Food control. 7.2. Standardization, technical certification and food product safety 7.3. Transversal themes in Food Legislation: Food Additives. Labeling and packaging. Water

Topic 11.- Introduction to Community Law (EU). 8.1. Primary Law. Derivative Law- (Regulations-Directives-Decisions-Recommendations and Opinions). 8.2. Jurisprudential Law. 8.3. Legislative processes in the food field. 8.4. The U. E.'s legislative bodies. European rules in the food sector.- Vertical and Horizontal Regulations. 8.5. Priorities in regulations (tables) and their implications. The Safeguard clause. Degree of compliance with Community law, practical consequences. Intra-community and non-food controls of food products.

Topic 12.International Food Law. 10.1. Technical harmonization of international agreements. 10.2. Còdex Alimentarius Mundi. Rules. Recommendations. Processing phases - (procedural scheme) and degree of commitment of the different countries within said Codex. 10.3. FDA. GRASS products. GATT/WTO agreements and implications for food law.

Methodology

This course is divided in two parts: the first focuses on Introduction to Law, and the second is focused on Ethics and Food Legislation.

1) Theory Lectures: magistral lectures with the support of TICs. In those, the fundamental concepts and topics of the subject will be explained. A certain number of lectures will be optionally held in English.

2) Seminars: of resolution and presentation of the activities completed during self-directed study. Four such seminars will be held, during which each group will have to expose, with visual aids (e.g. PowerPoint), the most important aspects of their joint work.

3) Tutorials: The student will have to attend tutorials throughout the course to accompany their self-directed work, and other aspects of the course. The tutorials will aim to steer the student's work in the right direction, and resolve any of their doubts. Said tutorials can be held individually or in groups, depending of their particular objective.

Self directed study

1) Activities of Self-directed study, in groups: students will have to hand in coursework related to the subject of Food Legislation. Such coursework consists of researching information relevant to the various course topics. Their assignments will have to be delivered in written format and presented orally at an arranged date within the semester.

2) Further self-directed study, in groups: students will have to immerse themselves in the problems posed by course lecturers, often following formal guidelines. The content for such study will be similar across groups, whom will discuss and expose their conclusions about such problems in seminar sessions.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	18	0.72	1, 2, 12, 5, 3, 8, 9, 7, 11, 10, 14, 6
Seminars	8	0.32	1, 2, 4, 13, 5, 9, 7, 11, 10, 14
Type: Supervised			
Seminars- tutorials	2	0.08	4, 10, 14
Type: Autonomous			
Preparation of practical cases and and exercises for the continuing evaluation	17	0.68	1, 2, 12, 5, 3, 8, 9, 7, 11, 10, 14, 6
Self Learning	28	1.12	1, 12, 5, 8, 9, 7, 11, 10, 14, 6

Assessment

The competences of this subject will be evaluated through:

- 1) A Food Legislation exam, weighing 40% of the course's final mark
- 2) An Introduction to Law exam, weighing 20% of the course's final mark
- 3) Coursework in Ethics and Food Legislation, weighing 40% of the course's final mark

The two parts of this course i) Introduction to Law and ii) Ethics and Food legislation will have to be passed separately with a grade of over 50% each. If one of these parts is failed with a grade of under 50%, and does not add to 50% when weighted and combined with the coursework, the student will fail the course.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
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Examination: Ethics and food legislation and .	40% Ethics and food law ; 20% introduction to the legal right	2	0.08	1, 5, 3, 8, 9, 7, 11, 10, 14, 6
Written assignement for the student	40% (dealing with ethics and food law).	0	0	1, 2, 12, 4, 13, 5, 3, 8, 9, 7, 11, 10, 14, 6

Bibliography

- Codigo Alimentario Español. y disposiciones complementarias. Editorial Tecnos 1988.
- Elementos del derecho en la Alimentacion. Estructura, principios y disposiciones esenciales. Organizacion de las Naciones Unidas para la Agricultura y la Alimentacion. Estudio legislativo nº 7.
- Cuadernos de Legislacion Alimentaria. FAO/OMS.
- Objetivos y principios fundamentales de un derecho comparado de la alimentacion. Bigwood, E.G. & Geraad, A 1967-1971. Alimentaria.
- Comision del Còdex Alimentarius. Manual de procedimiento. FAO/OMS Roma 1992.
- Manual de notificacion y control de T.I.A. "Salut Publica de S.i S.S. Generalitat de Catalunya.
- Martin Mateo, R. Manual de derecho administrativo, Editorial Trivium, Madrid, 1955.
- Murcia Tomas M.A. et al. Recopilación Legislativa Española de interés para el sector alimentario, Universidad de Murcia 1966.
- Codigo de Legislacion Alimentaria Basica, Editorial Civitas, 1995.
- Cosculluela Montaner, Luis "Manual de derecho administrativo" Ed. Civitas.
- Fuentes Gassó, J.R. Hidalgo Moya J.R. Moles Plaza R.J. La seguridad de los productos Ed. Ariel.
- Losada Manosalvas, Samuel "La gestión de la seguridad alimentaria" Ed. Ariel
- Moles Plaza, Ramon-Jordi "Derecho y calidad" Ed. Ariel
- Parada Vazquez, Ramon "Derecho administrativo" Ed. Marcial Pons

WEB links:

- OMS sobre seguretat alimentaria: <http://www.who.int/fsf>
- Servei de seguretat i inspecció alimentària de la USDA americana: <http://www.fsis.usda.gov/>
- International Food Safety Council: <http://www.foodsafetycouncil.org/>
- FDA (Food and Drug Administration) : <http://www.fda.gov/Food/default.htm>
- Codex Alimentarius: <http://www.codexalimentarius.net>
- Autoridad Europea de Seguridad Alimentaria: <http://www.efsa.eu.int>
- Agencia Española de Seguridad Alimentaria y Nutrición: <http://www.aesan.msc.es>
- Agència catalana de Seguretat Alimentària: <http://www.gencat.cat/salut/acsa/>
- Food Safety Agency: <http://www.food.gov.uk/>
- La seguridad alimentaria en Europa: http://ec.europa.eu/food/food/index_es.htm
- <http://www.consumaseguridad.com/>
- <http://www.fao.org/noticias/2001/010406-s.htm>
- <http://www.gencat.es/sanitat/cat/cindex.html>
- <http://www.avhic.com/>
- <http://europa.eu.int/eur-lex/es/index.html>
- <http://www.mapausa.org/Guia/subguia6.htm>
- <http://www.cdc.gov/nceh/spanish/default.htm>
- <http://www.recol.es/web/Veterinaria/default.asp?idCmdad=22&nombCmdad=Veterinaria>
- http://www.oie.int/esp/normes/mcode/e_summry.htm
- <http://www.ers.usda.gov/publications/aib766/aib766.pdf>
- <http://www.mapya.es>
- <http://www.who.org>
- <http://europa.eu.int/comm/dg24/index.html>
- <http://www.aice.es>
- <http://www.boe.es>

Bibliography of Administrative Law

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- GAMERO CASADO, E. i FERNÁNDEZ RAMOS, S.: Manual básico de Derecho Administrativo, Tecnos, 2016.
- ESTEVE PARDO, J.: Elementos de Derecho Administrativo, Marcial Pons, 2015.
- RECUERDA GIRELA, M.A., Tratado de Derecho alimentario, Aranzadi, 2014.