

DÁIL ÉIREANN

AN COMHCHOISTE UM THALMHAÍOCHT, BIA AGUS MUIR

JOINT COMMITTEE ON AGRICULTURE, FOOD AND THE MARINE

Dé Máirt, 5 Feabhra 2013

Tuesday, 5 February 2013

The Joint Committee met at 2 p.m.

MEMBERS PRESENT:

Deputy Pat Deering,	Senator Michael Comiskey,
Deputy Martin Ferris,	Senator Paschal Mooney,
Deputy Martin Heydon,	Senator Brian Ó Domhnaill,
Deputy Colm Keaveney,	Senator Mary Ann O'Brien,
Deputy Michael McNamara,	Senator Susan O'Keeffe,
Deputy Éamon Ó Cuív,	Senator Pat O'Neill.
Deputy Thomas Pringle,	

In attendance: Deputies Sean Conlon, Michael Healy-Rae, Heather Humphreys, Anthony Lawlor, Joe O'Reilly, Willie Penrose and Brendan Ryan..

DEPUTY ANDREW DOYLE IN THE CHAIR.

The joint committee met in private session until 3 p.m.

Scrutiny of EU Legislative Proposals

Chairman: We are now in public session to scrutinise EU legislative proposals. COM (2012) 498 deals with establishing a long-term plan for cod stocks and fisheries exploiting those stocks. Is it agreed to note the responses received from the Department of Agriculture, Food and the Marine dated 17 December 2012 and 23 January 2013? Agreed. It is proposed that the proposal does not warrant further scrutiny. Is that agreed? Agreed.

COM (2012) 535 is an amendment to COM (2011) 626 final/3, for a regulation of the European Parliament and of the Council establishing a common organisation of markets in agricultural products. It is proposed that the proposal does not warrant further scrutiny

COM (2012) 552 is an amendment to COM (2011) 625 final/3, for a regulation of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the Common Agricultural Policy. Is it agreed that the proposal does not warrant further scrutiny? Agreed.

COM (2012) 553 is an amendment to COM (2011) 627 final/3, for a regulation of the European Parliament and of the Council on support for rural development by the European Agricultural Fund for Rural Development. It is proposed that the proposal does not warrant further scrutiny. Is that agreed? Agreed.

We will suspend the meeting to allow the Minister for Agriculture, Food and the Marine and his officials to take their places.

Sitting suspended at 3.02 p.m. and resumed at 3.04 p.m.

Burger Content Investigations: Discussion

Chairman: I welcome the Minister for Agriculture, Food and the Marine, Deputy Coveney; Professor Alan Reilly, chief executive of the Food Safety Authority of Ireland; Mr. Raymond Ellard, Food Safety Authority of Ireland; Mr. Martin Blake, chief veterinary officer at the Department of Agriculture, Food and the Marine; and Mr. Philip Carroll and Mr. Martin Heraghty, assistant secretaries in the Department. Other departmental officials present include Ms Paula Barry Walsh, deputy chief veterinary officer, and Mr. David Lynch, senior veterinary inspector.

I remind everybody present to turn off their mobile telephones as mobile interference causes difficulties for the transmission people and streaming of the hearing over UPC channels. By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of the evidence they give this committee. If a witness is directed by the committee to cease giving evidence on a particular matter but continues to do so, the witness is entitled thereafter only to qualified privilege in respect of his or her evidence. Witnesses are directed that only evidence connected with the subject matter of these proceedings is to be given and they

are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise or make charges against any person, persons or entity by name or in such a way as to make him, her or it identifiable. Members are reminded of the long-standing parliamentary practice that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I invite the Minister to make his opening statement, followed by Professor Reilly, and I will then open the discussion to members. The Minister has discretion to ask an official to address the meeting at any point during his contribution. I hope we can keep that part of the proceedings to 30 minutes.

Minister for Agriculture, Food and the Marine (Deputy Simon Coveney): I am pleased to have this opportunity to report to the committee on the intensive investigation undertaken by my Department and the Food Safety Authority of Ireland into the source of equine DNA disclosed in certain beefburgers. This meeting was scheduled for last week and would have taken place then if it had not been for the tragic death of Detective Garda Adrian Donohoe. Indeed, it would have taken place during the previous week had I not been taking questions in two European Parliament committees. I am glad the meeting is taking place now. In some ways we have a much clearer picture of what has happened and I can provide more information than I could have last week or the previous week. I am aware that a number of members have received detailed briefings from the Department in regard to the investigation. Spokespersons were particularly interested in the briefings. As the investigation proceeds, members can continue to avail of the opportunity to be briefed by my Department and I will make any member of my team available to provide detailed updates on testing methods and the conclusions that we have drawn.

I am joined by officials from my Department, along with Professor Alan Reilly, who is part of the team investigating what happened. I do not need to remind the committee of the importance of the agrifood industry to our economy in terms of exports and jobs. The industry's success is based on maintaining the highest standards of food safety and quality. Our food safety, traceability and quality control systems must be beyond reproach to allow us to provide the assurances necessary to gain and maintain the edge in consumer markets worldwide. Let us not forget that the vast majority of what we produce on this island is exported to consumers abroad. The particular food incident under discussion was uncovered as a result of the operation of our multi-layered control systems operated coherently by the Food Safety Authority of Ireland and my Department under service contracts and the use by the Food Safety Authority of advanced testing methods which are not yet routinely used in other jurisdictions.

Before I spell out the sequence of events I will briefly outline the control regime that operates in meat plants in Ireland, because there is a degree of confusion in this regard. Under EU law, primary responsibility for safety of food placed on the market lies with food business operators. The role of my Department is to verify compliance with the requirement by food business operators. This is done through a combination of inspection of establishments and audit of the food safety management systems that operators are required to have in place. These controls are applied at different stages of the food supply chain. It is important to point out that the key controls carried out by my Department under its contract with the Food Safety Authority of Ireland relate to food safety. The matters which were the subject of this investigation did not give rise to food safety concerns. Professor Reilly will speak further on that point.

My Department has a permanent veterinary presence at all of its export-approved slaughter plants. Controls of stand-alone secondary processing plants are carried out at a frequency that

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is based on a risk assessment conducted each year of every Department-approved meat plant. In addition, EU legislation requires that a multi-annual national control plan is drawn up by food service operators. This sets down a minimum overall number of inspections to be carried out in meat plants. The Department has consistently far exceeded the target we are required to meet in terms of inspections. For example, in 2011 the target was 3,055 inspections while the actual number of inspections conducted was 7,189. It is important to point out that both the Silvercrest and Rangeland food plants were subject to monthly inspection by my Department. In addition, under the Department's national residue programme, up to 30,000 samples, taken at farm and factory level and covering a wide range of foodstuffs, are tested annually. These tests relate to microbiological and chemical standards, their primary focus being on food safety. They are fully in accordance with EU testing requirements.

EU law provides for the free movement of goods between member states. On that basis, meat and meat products produced in an establishment that is approved under the relevant EU regulation can be moved freely within the EU. As is the case for compliance with EU food safety regulations, compliance with traceability requirements rests in the first instance with food service operators. Food business operators in Ireland are responsible for carrying out checks to ensure their ingredients come from EU-approved plants. They must also have a system in place to identify the source of inputs and destination of outputs, referred to as "one step forward and one step back". Those present who are in the food industry will understand exactly what I am talking about.

In primary meat-processing plants that operate under the supervision of my Department, officials conduct audits on the checks carried out by food business operators in order to verify their effectiveness. An annual audit of meat products is carried out in each Department-approved meat plant. The audit includes physical identity, labelling and document checks. This includes product originating in both EU member states and third countries. In addition, labelling and document checks form part of the routine checks conducted by my Department officials. DNA testing is not required under EU legislation and is not generally in use in regard to food production. However, it has been deployed in recent times as part of the FSAI's checks on food authenticity and food fraud control programmes. In that respect it is another new layer of our food production controls. I will speak presently about what we intend to introduce in the not too distant future.

The findings of laboratory tests provided by the FSAI to my Department on 14 January 2013 revealed the presence of equine and porcine DNA in some beef products produced in Ireland. This generally involved trace or minute amounts of porcine or equine DNA, with the exception of one burger in respect of which a high level of equine DNA, representing 29% of the meat in that burger, was indicated. This finding of 29% first became available to the FSAI on 11 January. There was no basis for any action prior to that date. While my Department was requested on 21 December by the FSAI to obtain samples of raw ingredients in the context of preliminary results indicating traces of non-bovine DNA, it was not required to take any other action at that stage. As the FSAI pointed out in its statement of 19 January, where very low levels are detected this is indicative of inadvertent rather than deliberate presence and it would not be declared on the product label. It is also standard practice that preliminary results are subject to a process of confirmatory testing. The FSAI provided my Department with the laboratory results, including the 29% finding, for the first time on 14 January 2013. It is also the case, and worth repeating, that the FSAI has given clear assurances that no food safety issues arise in this instance. However, the incident gave rise to very significant issues in respect of confidence in the quality and description of the products concerned. While the responsibility to investigate

and address this incident clearly lies with the company in question, in view of the broader risk to the reputation of Irish food production an official investigation was immediately instigated by my Department in conjunction with the FSAI on receipt of these results.

The objective of the intensive official investigation was to find the root cause of the problem and identify the source of the equine DNA. I will outline briefly the sequence of the investigation. My Department visited the Silvercrest plant on 15 January prior to the publication of the FSAI report. The FSAI told us it would announce the results and therefore we sent people to the factory on Tuesday morning, before that announcement. Preliminary qualitative results relating to samples taken by the Department on Tuesday, 15 January, from product manufactured at Silvercrest Foods during the period 3 to 14 January were published on Thursday, 17 January. In other words, we went in and immediately took as many samples as we could in order to try to establish exactly what we were dealing with and to discover whether the finding of 29% equine DNA in a burger was a freak result or if there was a systematic problem in the plant in terms of horsemeat finding its way into burgers. Thirteen samples of finished burgers from Silvercrest were tested for the presence of equine DNA. Nine tested positive for traces of equine DNA and four tested negative. Seven samples of raw ingredients were also tested, one of which, sourced from another member state, tested positive. Samples of ingredients in burgers sourced from Irish suppliers tested negative for equine DNA, which is consistent with all our testing wherever we conduct tests. All of the burgers in question had already been withdrawn voluntarily from the market. My Department informed the company of these further laboratory test results and the company suspended all production at the plant. The results were fully assessed jointly by Department officials and the FSAI, and arrangements were made to have the positive samples further analysed with a view to quantifying the percentage of non-beef DNA present.

Samples of meat product from Liffey Meats, which was at that time under permanent supervision by my Department, were shown to contain traces of non-bovine DNA in the initial testing. The results of tests on burgers from Liffey Meats, published on 21 January, showed there was no presence of equine DNA in product manufactured between 10 and 16 January. These results supported the company's claims that it had addressed concerns raised by the FSAI survey findings. On the basis of the clear results, and having regard to the fact that the initial FSAI result disclosed only trace levels, my Department indicated that there was no reason to prevent the company from continuing production.

The investigation to identify the source of the high-level DNA finding involved three main components: the taking of samples of burgers and raw materials; analysis of the raw meat ingredients used in particular production batches which were shown to contain equine DNA; and an audit of associated paperwork held by the company. That was not an easy task. I will speak about the management at Silvercrest because people need to understand that. This was a complex task as one or more ingredients from some 40 suppliers were used in these production batches and ingredients could vary at half hour production intervals. To put matters in context, Silvercrest was producing about 200 million burgers a year but has the capacity to produce twice that. It is not a straightforward process to go in and test ingredients and draw conclusions quickly as some are calling for. There was a mountain of paperwork to go through which our team went through to establish a link between common ingredients for burgers which were testing positive to nail down exactly where the problem was.

Initially, the focus of the investigation was on ingredients identified in the initial Food Safety Authority of Ireland survey results as showing trace equine DNA levels. These were discounted in the early stages of the investigation on the basis of further test results which allowed

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the conclusion to be drawn that they were certainly not the source of the high level equine DNA finding. If there are only trace elements in an ingredient, it does not explain a 29% content finding in a beefburger. As the investigation progressed, it was possible to systematically sample and test ingredients which appeared to be common to the affected batches. It was a painstaking process. Laboratory capacity constraints, the time required to undertake the analysis and the need to seek confirmation of quantitative laboratory results necessarily prolonged the time needed for the investigation. The sampling process itself was difficult with the need to drill into large frozen blocks of meat multiple times in a systematic way to acquire the necessary sample quantity. I visited Silvercrest quietly to talk to our team who were working there and I witnessed them taking samples. It was a forensic process. If samples are taken incorrectly, inappropriately or with the wrong equipment, it may introduce alien DNA into a product from which an accurate sample is sought. That is why this was a painstaking, difficult and exacting process in respect of which we needed to take our time. It helps to explain why it took us 11 days to get to the bottom of the problem ingredient. The emphasis I place on the process is important because of the need to have certainty about the overall findings of the investigation and to be fair to any supplier that might be implicated by the findings.

With the investigation continuing almost round the clock and over the weekend concerned, there was a major breakthrough late on the night of Friday, 25 January 2013. Test results received overnight showed a significant positive result - 4.1% - for equine DNA in frozen beef trimmings which were labelled as having been imported from Poland as raw material for the production of burgers at Silvercrest. The Department had established that these trimmings were used in the manufacture of burgers which the Department had found to contain significant amounts of equine DNA. The investigation had therefore established for the first time a direct correlation between burgers in which a high level of equine DNA was detected and this raw material product. For obvious reasons, further tests of samples of frozen beef trimmings labelled as being of Polish origin were carried out, the results of which showed positive results of 3.8%, 7.6%, 13.1% and 37.8%. In total, nine samples of product labelled as Polish frozen beef trimmings were tested, of which five showed significant positive results. The authorities in Poland were informed of these findings.

In the course of the investigation, my Department has organised the testing of over 140 samples of primary products and ingredients for equine DNA. In total, six burgers and seven samples of imported ingredient have tested positive for significant levels of equine DNA. I reiterate that trace or low-level non-bovine DNA is not regarded as significant as pointed out in the Food Safety Authority of Ireland's statement of 19 January 2013, which those of you who have been following this process will have seen. All of the commercial documents and payment records available to my Department and pertaining to the consignments in question at that point indicated that the product was shipped directly from Poland, although in one case the order was made through a trader based in the UK. The findings allowed the conclusion to be drawn that the raw material in question was the source of equine DNA introduced into burgers manufactured at Silvercrest. It was also clear on the basis of tests on samples taken from Irish food ingredients, which were negative, that the integrity of Irish-sourced product was not compromised. It is important to note that we met the Tesco team investigating what happened and the results we were finding were very much in parallel with Tesco's suspicions and subsequent findings. It is a testament to those attending with me that it was our team that got to the source of the problem first by way of a rigorous investigation and the testing systems we used. In the light of our conclusions, the meat industry was alerted to the need to check the integrity of their suppliers and the Department continued to inquire as to whether other plants may have sourced similar product of the type that went to Silvercrest and which has caused significant problems.

Late on Thursday evening, 31 January 2013, Rangeland Foods notified the Department due to the suspicion of the presence of equine DNA of its use of Polish meat ingredients in the manufacture of certain burger lines. The Department took samples of the material concerned from the plant on Friday, 1 February 2013, to test for the presence of equine DNA and received the results yesterday. Of the three samples taken, two showed a positive result of 75% equine DNA in product described as frozen beef trimmings and labelled as being of Polish origin. However, in this case the raw material was imported through a meat trader based in Ireland. Product which is held by the Food Standards Agency in Northern Ireland from the same trader who was due to supply it to Silvercrest is also suspected of having equine DNA present. I think a statement was made by the agency to that effect last night. Production has been voluntarily suspended at Rangeland Foods pending the outcome of the investigation. The company has indicated that none of the implicated product has entered the food chain and that only Irish product is used for outlets in Ireland. Obviously, that claim will have to be verified by the investigation we are conducting. My Department's inspectors have been in the plant since last Friday and, subject to confirmation of the position, we hope to be able to make a further statement about possible resumption of production soon. That is subject to being able to give the plant the all-clear.

In the meantime, the investigation is focusing on the full supply chain including those who facilitated the purchase of the product and its transfer to users in Ireland. On the basis of the information available to my Department, no other producer of burgers in Ireland has used any imported product of the type which showed positive for equine DNA. There are only two other burger manufacturers, neither of which has used the product. The Department is in continuing contact with the Polish authorities as the investigation has shown that all implicated raw material ingredient is labelled as Polish product. We have invited the Polish veterinary authorities to Ireland should they consider it necessary to examine the product and accompanying documentation. Arising from yesterday's results indicating a high level of equine DNA and the additional complexity of the supply chain, as well as the facts uncovered in the investigation at Silvercrest and inquiries in Northern Ireland, I ordered the involvement of my Department's special investigation unit and also asked the Garda to join the investigation team last night.

From the point of view of preserving the integrity and reputation of the Irish food industry, it is particularly important that the investigation be carried out in a thorough, prompt, secure and transparent manner. Significant resources have been deployed by my Department and the FSAI, initially to find the source of this food incident so that consumers can be fully reassured, and now also to consider whether fraudulent or criminal activity was involved. I trust members of the committee will appreciate that I need to avoid saying anything that might prejudice the outcome of the investigation now under way in respect of potential fraudulent or criminal activity. I can assure the committee that whether it applies to factories, processing facilities, meat traders or an original meat source, if there is fraudulent activity we intend to expose it fully. That is why involving the Garda and the experience of the fraud squad will be very useful.

In the bio-sector, incidents such as this will occur, and it is important to adapt our procedures where necessary in the light of experience gained. We will do so again in this case. I have already met with the meat industry in this regard and will perhaps return to this committee at a later date to discuss the kinds of measure we should put in place when we have learned lessons from the full facts once we have established them.

It is vitally important in investigations of the type that is under way to avoid speculation and a knee-jerk reaction. Decisions that may have a fundamental impact on parties involved should

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be based on well-founded conclusions. My focus has been on identifying and isolating the root cause of this problem so that a recurrence can be avoided. My aim throughout has been to ensure everything possible is done to restore full consumer confidence in the meat sector. This includes taking whatever action is required to rectify matters, and ensuring that we continue to adopt the highest standards of quality and safety in our meat industry.

I cannot comment in detail on decisions taken by large customers of Irish meat processors as a result of this issue, but I have been in direct contact with some of the major customers who have been affected by this incident. They have been briefed on the conduct of the investigation that led to the identification of the source of equine DNA and on everything else that we have been doing. I trust that the manner in which we have addressed this issue will help maintain their confidence in Irish food, as they are international buyers of our product. The way in which the Silvercrest facility had been managed in its relationship with significant buyers of Irish product left a lot to be desired. People involved let themselves down, let their company down and let the Irish food industry down. It should not have happened. Even with that bad management, the DNA testing we introduced uncovered the presence of equine DNA in meat. There are other issues around bad management in terms of the contracts Silvercrest had with companies it was supplying that have led to a break in the relationship between Silvercrest and those companies. As the committee has read in the media in the past week or so, that has arisen because of a complete breakdown of trust, which should never have happened, and it is unfortunate that it did.

I have asked Bord Bia to maintain constant contact with our export markets to reassure markets that there is no food safety issue here and that the issue has been dealt with swiftly, appropriately and thoroughly by the Irish authorities. Thankfully, all the indications are that this incident has had no discernible effect on markets outside Ireland and the UK.

As I indicated in my opening remarks, our agrifood sector is hugely important. It has been the jewel in the crown of our recovering economy in recent times. The sector has shown itself to be resilient in previous crises and I believe that we can again collectively overcome the current challenge, restore consumer confidence and retain the pre-eminent position that Irish food occupies in world markets. I look forward to the committee's questions and will try to make my answers as detailed and accurate as I can.

Professor Alan Reilly: I thank the Chairman for inviting the Food Safety Authority of Ireland to update the committee on our study investigating the authenticity of meat products on the Irish market. In making this presentation and addressing the committee's queries I am joined by my colleague, Raymond Ellard, director of the FSAI consumer protection division. The FSAI has brought to light some very poor practice within the burger manufacturing industry which really is not acceptable, although it remains to be seen whether this is as a result of carelessness, collusion or deliberate fraud.

The FSAI was established in 1999 as the national body with responsibility for enforcement of food law in Ireland. We are a statutory, independent, science-based agency dedicated to protecting public health and consumers' interests in the area of food safety. We were set up to be independent of the food industry and we operate under the aegis of the Minister for Health. The FSAI's principal role is to take all reasonable steps to ensure that the food consumed, distributed, marketed and produced in Ireland meets the highest standards of food safety and hygiene. We were also charged with bringing about the general acceptance that the primary responsibility for the safety of food is borne by the food industry across the whole food chain. Over the past 14 years the FSAI has worked in partnership with all interested parties to ensure

a consistent standard of enforcement of food legislation and to underpin food law with science-based risk assessment.

The FSAI oversees an extensive programme of food testing in Ireland to safeguard consumer health in respect of food and to assess compliance by the industry with labelling and other relevant legislation. Annual monitoring programmes are agreed with official agencies that work under service contract to the FSAI. Based on a collective risk assessment and the requirements of regulations, these programmes cover a diverse range of micro-organisms and chemical compounds that are tested in a network of official laboratories. The Minister spoke about some components of these programmes.

Each year the FSAI organises additional surveys across a range of foodstuffs. The survey on the authenticity of meat products was one of these. Since 2005 we have used DNA testing for similar surveys which have examined the authenticity of chicken fillets and smoked, wild and farmed salmon and compared the authenticity of some of these products. In 2012 we selected meat products for examination using sophisticated DNA-based analytical techniques to differentiate between animal species present. This was a routine survey examining the authenticity of beef meal products, salamis and beefburger products. We tested for pork, beef and horse DNA. Contrary to some speculation, it was a random survey. Our ongoing work is guided by a combination of scientific risk assessment and common sense. The survey was carried out against a background of increasing prices of raw material used in food and feed manufacture and global sourcing of ingredients. This can lead to a temptation to cut corners and to substitute cheaper raw materials for higher-priced ingredients. The longer the food supply chain, the higher the risk that something may go wrong, such as the sourcing of ingredients containing horse DNA. In conducting the survey we uncovered a problem which might otherwise have gone undetected or have been discovered first in our overseas markets. Although the findings have provoked a widespread response, fostered lengthy public debate and given rise to questions about the quality of some of our food supply, the eventual impact and outcome will be positive for consumers and the reputation of Ireland as a producer of safe and wholesome food.

I will give some details of the timeline of the initial study. The first samples for the study were purchased between 7 and 9 November 2012 and delivered to the IdentiGEN testing laboratory in Dublin within a few days of purchase. Salami, beef meal and beef burger products from major retail outlets were sampled and tested for animal species using DNA profiling. The first set of results were all qualitative; in other words, we were looking for the presence or absence of DNA. The results were received by the FSAI on 30 November 2012.

Of the 19 salami products analysed, ten tested positive for bovine DNA, all were positive for porcine DNA, while equine DNA was not detected. There were no significant issues with the salami products that warranted further investigation. Of the 31 beef meal products such as cottage pie, bolognese sauces and so forth, all were positive for bovine DNA, 21 were positive for porcine DNA and none was found to contain equine DNA. Only two of these beef meal products had declared on the label that they contained pork, which was found at very low levels; therefore, we considered its presence may have been unintentional and due to cross-over during the processing of different animal species in the same plant.

Of the 27 burger products analysed, all were positive for bovine DNA, 23 were positive for porcine DNA and ten were positive for equine DNA. Most of the burgers positive for porcine DNA had not been labelled as containing pork, which was found at very low levels. Again, we considered its presence to be unintentional and due to cross-over during the processing of different animal species in the same plant. The 27 burgers which were tested in this study had

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come from nine manufacturers, six in Ireland and three in the United Kingdom. The products that had tested positive for equine DNA had come from three plants, two in Ireland and one in the United Kingdom.

A surprising result was the detection of equine DNA in ten beef burgers which had not been labelled as containing horsemeat. Given this unexpected finding, we decided that the results needed to be confirmed and the laboratory was requested to sequence the DNA detected to ensure it was of equine and porcine origin. This was confirmed by the laboratory on 10 December. As an additional confirmatory check, the FSAI purchased more burger samples on 10 December from the same or similar product batches as the original samples that had tested positive. Results for these extra samples were received by the FSAI on 18 December and, again, they were found to be positive for equine DNA. At this stage I was beginning to wonder what was happening. It was a very surprising finding and we were scratching our heads and thinking: “What the heck is going on here?”

For the sake of certainty, on 21 December 20 sub-samples from the initial 27 samples were taken from the IdentiGEN laboratory and sent as blind samples to the Eurofins laboratory in Germany for additional independent testing. All results up to this date were qualitative, which indicated either the presence or absence of equine DNA but not the actual amount. Both laboratories were, therefore, asked to quantify the amount of DNA in the samples. The FSAI was and is confident about the competence of both laboratories. Both operate to high standards and are accredited to European standards.

On 21 December the FSAI requested the Department of Agriculture, Food and the Marine to obtain samples of raw ingredients from the two implicated meat processing plants. These were sent to the IdentiGEN laboratory on 4 January and the results were received on 11 January. The results showed very low or trace levels of equine DNA in beef products from the Netherlands, Spain and Ireland. These products, however, were not linked as ingredients in the burgers that had tested positive. We advised our counterparts in Spain and the Netherlands of our findings.

Semi-quantitative results from the Eurofins laboratory in Germany were received on 11 January 2013 and corroborated the initial results of the IdentiGEN laboratory. In addition, quantitative results from the IdentiGEN laboratory were received by the FSAI late on the evening of 11 January. Of the ten burger products that had tested positive for equine DNA, all but one had low levels. The quantification of equine DNA in this one burger gave an estimated amount of 29% equine DNA relative to beef DNA. This product was manufactured by Silvercrest on behalf of Tesco. At this point, there was no explanation for the finding of 29% equine DNA relative to beef DNA in this single sample.

With regard to the food safety risks, the FSAI considered that there was no risk to consumer health associated with these findings. When assessing risk, the FSAI bases all of its decisions on sound science. In this case, we evaluated the potential risks such as the presence of bacteria or residues of animal drugs. First, if bacteria are present, they would be killed by cooking and as these burgers are fully cooked before being eaten, there would be no consumer risk. Second, we also had the burgers that had tested positive for equine DNA tested for the presence of a range of animal remedies by the State Laboratory on 10 December. The animal remedies for which we tested are listed in the footnote at the bottom of the page in the submission. They included phenylbutazone, a commonly used medicine in horses. Once administered to a horse the animal is not allowed into the food chain. It is usually stamped on its passport that the animal is not for the food chain. The FSAI received these results on 19 December and all the results were negative for the presence of phenylbutazone and other drugs.

The finding of even trace amounts of equine DNA in beef products, even if not a public health concern, is relevant and worthy of further consideration in cases where the manufacturing plant does not handle horsemeat products. For plants that do not handle horsemeat product it is relevant to explain how the contamination occurred. On 14 January we discussed the survey findings with the management of both plants which confirmed that they did not use or process equine material in both plants. On 14 January the FSAI informed officials in the Department of Health and the Ministers in that Department of the findings. We understand both Ministers were informed by their officials on 14 January. We also advised the Food Standards Agency in the United Kingdom, including Northern Ireland, on that day. Also on 14 January we requested the HSE to take formal samples of burgers from a range of retail and catering premises. These samples were analysed in the Eurofins laboratory in Germany under the direction of the HSE's public analyst laboratory in Cork. All samples later tested negative, except for one burger from Tesco which confirmed our previous findings.

On 15 January we advised the five retailers concerned of our findings. They took immediate and independent decisions to remove implicated products from the market. The FSAI issued a press statement on 15 January and the Department of Agriculture, Food and the Marine began an investigation into operations in both plants. The FSAI has been part of that investigation and is working closely with the Minister's team. The Minister has given details of the investigation.

There are some preliminary conclusions we can draw from the investigation to date. Clearly, modern analytical techniques are essential in combating food fraud such as the use of the DNA probes which we used in this study. A key lesson for the food industry is that there is a need for robust supplier control and verification of supply. When purchasing raw ingredients for inclusion in meat products, it is necessary to ensure all ingredients are lawfully declared. Knowledge, control and checks of primary and secondary suppliers are essential. The detection of trace amounts of non-bovine DNA highlights the need for food processors to be more vigilant about the integrity of food ingredients and the potential for cross-contamination in plants where meat from multiple species is handled. Food business operators should validate their cleaning programmes for their ability to eliminate or reduce to a reasonable level cross-contamination of meat products by tissue from undeclared species.

Some research is required to determine if there are thresholds below which cross-contamination of DNA is unavoidable. Should this prove to be the case, authorities, consumers and the food industry across Europe will have to consider how this issue can be addressed. The matter will have to be addressed at European level. When purchasing processed foods, consumers cannot tell what type of raw material is used. They rely on labelling and put their trust in brands, manufacturers and retailers. Therefore, in any food business the most valuable ingredient - in this case, processed meat products - is trust. I will be happy to answer any questions members may have.

Deputy Éamon Ó Cuív: I thank Professor Alan Reilly and the Minister for their very comprehensive presentations. It is a great pity that the Minister did not facilitate his officials and Professor Reilly by having them appear before this committee two weeks ago because most of the information given by the Food Safety Authority of Ireland relates to the period prior to 15 January. It would have been very useful if all the information had been put into the public domain immediately. This committee is probably the best place to make the information available because members, on behalf of the people who elect us, get an opportunity to ask relevant questions. The integrity of the beef industry is incredibly important to this country. As has been said, everything we do here is to ensure that confidence in the industry is maintained. We must

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ensure that if there is a problem, we get to the bottom of it and deal with it. It is important to stress there was no risk to human health.

A number of issues arise from the presentations. At what stage did Professor Reilly realise there was definitely a potentially serious problem? When he did, did he inform the relevant line Minister, the Minister for Health? The Food Safety Authority of Ireland was set up purposely under the Ministry for Health so we would not have industry capture. At what stage were the Minister for Health and his Department informed? At what stage was the Department of Agriculture, Food and the Marine informed? When it was asked for the samples in December, did it know there was a potential problem? At what level in the Department was the problem flagged? When the officials became aware of the issue, did they inform the Minister that there was an unproven, but potentially serious, problem that would have to be dealt with? It is important that there be clarity on that issue.

The information going to the Department is so important because the paper trail pertaining to the purchase of ingredients is the key. I accept that the level of pork contamination could be explained by the killing of the two species in the one factory. When the Department became aware of the problem, even if the likelihood thereof had been but 10 to 1 because horse DNA was not expected, did it immediately carry out an unannounced visit to the premises to inspect the books to determine the source of all incoming ingredients? The quicker this information is obtained, the lower the chance of something going wrong. Perhaps this could be clarified today. After Professor Alan Reilly became aware that there was a possibility of a problem, however small, was the Department informed and was an inspection carried out in the plants? Did those running the plants know before they were inspected that some issues had been identified? Knowing this is crucial. I accept that although the DNA samples proved positive, the quantity was not known and that this took a while to establish. Was all the contamination of beef by pork at such a low level as to be attributable to minor cross-contamination?

On 16 January, the Minister stated in the Dáil that a number of individual ingredients were imported into the State, specifically from Spain and Holland. Having heard what Professor Reilly said, it appears it was known at that stage that the traces were very small. Does the Minister now accept that this was not the source of the problem? He stated there was no evidence from the investigation conducted at the time to show the manufacturer knowingly bought in equine meat for use in the production of the burgers. Is this still his position?

Will the Minister outline the nature of the Garda investigation and the people and companies being investigated? Very early in the process, the issue of labelling must have become apparent to the Department. In other words, the Minister knew at the commencement of the investigation to find the source of the factories' ingredients that those ingredients had been imported. This must have put up a red flag indicating that there was incorrect labelling, given that the beefburgers were being sold as Irish.

Is the Minister absolutely sure that no Irish horsemeat is entering the food chain in this country, either directly or indirectly? Could we have categorical assurance in regard to this? Has the Minister raised the issue of standards? Considering that the Poles are stating they are not licensing horsemeat for ingredients or labelling it, has the Minister raised the issue of EU standards and controls at the meeting of the Council of Ministers and with the EU Commission? He is President of the Council at present. What steps have been taken at EU level to ensure other member states are applying the same standards we are applying? It is important that we recognise the first flaw is that people were mislabelling products by labelling as Irish products into which they were putting foreign ingredients. This is a European problem of mislabelling. It is a

very great concern because, according to what the Minister stated earlier in the Dáil, purchasers did not realise what they were buying. Some 29% of the meat in the burgers was horsemeat, according to the professor. I presume Irish beef was the main ingredient. Does this mean that the extra, imported ingredients - the trimmings, I believe - were 100% horsemeat?

There are many serious questions to be asked. We need an independent investigation to get to the bottom of them and determine what is happening in regard to horsemeat in Europe, including Ireland.

Deputy Martin Ferris: I thank the Minister and the officials from the Food Safety Authority of Ireland for their presentations. I welcome the fact that the Minister and his officials obliged me when I requested a meeting with them. I thank him for that. The meeting was very helpful in our examination of this matter.

Food processors carry out regular tests themselves. Is the Department privy to the results of these tests? Has it been notified of any tests carried out by the processors? If so, was there any indication of contamination in any of the ingredients? Can the Minister confirm that Silvercrest bought meat ingredients directly from Poland? Was it a victim of fraud or did it buy the product knowing it was horsemeat? How confident are the Minister and the Food Safety Authority of Ireland that the contaminated ingredient originated in Poland? From the report today and the report I got previously, it was traced to a company in Poland. Is there any connection between the said company and the owners or directors of the processors in this country? I understand from the Minister's presentation that he is in contact with his counterparts on the other side of our island, across the Border. Has any evidence come to light of contamination there and on sources of allegations of contamination? Have there been any dealings between a third party and Silvercrest or any other company in regard to ingredients for fillers for burgers?

What is the connection between Rangeland and Silvercrest? Is there any connection through ownership or is there any connection between senior members of either company? In his presentation, the Minister was very critical of the way Silvercrest was run by its management and so forth. Is he satisfied that the management was implementing its own policy in regard to what was happening, or was it getting instructions to that effect?

Deputy Simon Coveney: I will try to answer some of the questions and maybe Professor Reilly will pick up on some of the technical ones. I thank Deputy Ó Cuív for his questions. Professor Reilly will confirm this, but my understanding is that 29% of the meat in the burger contained equine DNA as opposed to beef. Sixty-three percent of that burger was meat and the rest was filler. Effectively, 20% of the burger contained equine DNA - that is, some form of horsemeat. That is my understanding, but Professor Reilly can clarify that.

On whether I raised this with the Commission of the European Union, I have not to date because it is important to get to the bottom of what happened before we do that. I do not want to go off half-cocked to the Commission in terms of making claims or accusations without knowing what I am talking about and what we are dealing with. The first thing we need to do is to get to the bottom of what happened - who is responsible for it, who made the decisions, who added horsemeat to consignments of beef product and at what point in the chain did that happen, what regulations were broken, whether there was fraud involved and all of the other questions to which I am confident we will have answers in the not too distant future. When we have those answers, then let us look at what EU regulations were breached and whether there were control systems that should have picked that up here, in Poland or elsewhere. At that point, I will happily raise the issue with the Commission if it is appropriate to do so.

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I was asked whether I am sure there is no Irish horsemeat in the food chain. I am as sure as I can be that there is not, but what I would say to members or to anybody else in the country who has evidence to the contrary is to let me have it. We only have two plants in the country slaughtering horses, although there were more until recently. Our records will show that of all horses slaughtered in Ireland, all of the horsemeat destined for human consumption is exported from Ireland, but as I said, if there is evidence to the contrary, I need to know that. However, in this particular investigation, none of the product sourced from Irish-supplied ingredients tested positive for equine DNA. It is important to say that. That has consistently been the case, and we have tested a lot of ingredients.

On the issue of labelling produce as Irish beef, there is a requirement on sellers of pure beef product to have country-of-origin labelling, but if it is a processed product there is no requirement to have country-of-origin labelling. If somebody chooses to put a label on a product on a voluntary basis, then he or she is obliged to give accurate data on that label. One will often see country-of-origin labelling on products in supermarkets, which is done on a voluntary basis. From next year on, we will introduce country-of-origin labelling EU-wide for other meat products in the same way we do for beef. There is a labelling issue with regard to processed products that have multiple ingredients. That is important. The commentary members got from Tesco and Burger King in regard to severing ties with Silvercrest were to do with breach of contract, as the company had given an assurance to its customers that it would supply Irish-only beef in those products, but it did not do so, and the consequences of that were clear. That is not necessarily illegal. It is important to highlight the difference between the two. One can breach a contract with a customer but that does not mean one is breaking the law from a labelling point of view.

On the most recent finding with regard to Rangeland, our understanding is that there was not a breach of contract in regard to the labelling of sources of ingredients because the company has told us - the investigation will either confirm or contradict this - that the product it was importing from abroad was going into burgers which were being exported to catering customers outside Ireland and that its product for Irish customers, of which Supermac's is the largest, involved all home-grown or Irish beef. The head of Supermac's confirmed again today that he is satisfied that this is the case, but we will have to independently verify that through the teams of people investigating.

In regard to the nature of the Garda investigation, Professor Reilly and I spoke to Assistant Garda Commissioner, Derek Byrne, last night. I asked him if the National Bureau of Criminal Investigation would involve itself in this joint investigation. He was happy to oblige and as of this morning, the gardaí involved in the investigation have got a detailed briefing and an update on the story so far. From now on, they will be very much involved in assessing the paperwork, the supply chain and everybody involved in it and, indeed, the processing facilities concerned.

I made the statement on 16 January that in my view, given the information we had available to us, nobody in Silvercrest was knowingly importing horsemeat. Given the information I have in terms of paperwork, orders and so on, that is still the case. I have no reason to believe anybody was knowingly importing horsemeat into Silvercrest, and it is important to say that. On 16 January I repeated the press statement Professor Reilly outlined - which was made the day before, on 15 January - that ingredients from Spain and the Netherlands had tested positive for traces of equine DNA, but I also made the point, and have subsequently made it over and over, that despite some commentary over the weekend, I was not pointing the finger at any one country or any one company until I had proof to back it up. I stress that that is important. We

did not draw the conclusions we have drawn in regard to product sourced from Poland until we had significant test results to back up our concerns, as I explained last week in the European Parliament to a Spanish MEP who had raised the question with me.

As to when the Department knew there was a problem, it knew at midday on 14 January. We initiated an investigation on the morning of 15 January and it was later that day when the public announcement was made through a press release. We sent our team into the factory before any public announcement was made in an effort to do what Deputy Éamon Ó Cuív suggests is important - he is right - to get on top of the paperwork as quickly as possible with as little notice as possible.

When did we know about it? The answer is on 14 January. When did we realise there was a serious problem? The answer is on 14 January. Why did I not come to the committee earlier? I would have liked to, as I made clear when I gave an updated statement in the Dáil on 16 January. As I said, we were scheduled to meet last week and the previous week, as the Chairman will confirm. I also have responsibilities to attend committees and hearings in the European Parliament during the Irish Presidency, but there was no ducking or diving by me on this issue. When we could not answer questions at the committee, I specifically asked Opposition spokespersons if they would like to be briefed.

To answer Deputy Martin Ferris, processors do regular tests and we examine the results. We also do our own tests. In the case of Silvercrest, essentially we audit the company once a month to check that everything has been done as it should be done in line with regulations and so on, but it would not have involved DNA testing. That is the distinction that must be made. We test all the time for E. coli, chemical content, bacteria and all of the other things that would raise concerns about food safety. Until this issue arose, my Department had never tested using DNA tests to establish what was in a product. That is a new form of testing and I have to say Professor Reilly and his team in the Food Safety Authority of Ireland have done a serious service for the food industry and us all in highlighting and exposing this problem. We will learn lessons and use DNA testing in a systematic way in the future to ensure consumers will know what they are eating, but we must put a protocol in place. It will take time to ensure the entire process is managed properly.

On the question of whether Silvercrest bought directly from Poland, according to the records, it did. The ingredients that have tested positive for equine DNA, or horsemeat, came through three routes. Two were meat suppliers - one based in the United Kingdom and the other in Ireland - while the other was a direct order from the company in Poland to Silvercrest. It is a complex web at which we need to look to establish the facts as to who knew what and when, who was facilitating it and when and so on.

On the question of being sure a Polish company is the source of the problem, all we can say is all of the positive test results involve ingredients labelled as Polish product. We have data for the majority of these consignments which show that a lorry load of product left Poland and came to Ireland. It was paid for - the invoices, order books and so on are available. What we cannot answer is whether somebody interfered with the shipment on its way to Ireland. That forms part of the investigation, but there is a common thread in that all of the product is labelled as Polish and was sourced in Poland. The records show it was a product transported from Poland to Ireland and we need to establish who transported it, who was responsible for facilitating the buying of it, where it was handled and if there could have been interference. All of this work is being done.

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On whether there is a connection with the Goodman plant in Poland, a question which was politely asked, there is no connection that we can see between the plant owned by the company and its plant in Poland. To our knowledge, neither of the names of the two companies we have from suppliers in Poland has any connection with ABP.

Deputy Martin Ferris asked what we knew about the position in Northern Ireland. Last night the Food Standards Authority of Ireland issued a press statement confirming that it was holding product destined for Silvercrest which, to my understanding, was owned by a meat trader or, at least, was being handled by a meat trader, the same meat trader which had supplied the product to Rangeland that had tested positive for equine DNA. It is important to say the three samples in Rangeland from Poland came from two companies in Poland but through the one meat trader. The names of the same two companies came up in regard to Silvercrest also.

On the relationship between Rangeland and Silvercrest, to my knowledge, there is no connection between the company which owns Silvercrest and the family business that owns Rangeland, but they are located only 6 km from each other; they are in the same county and neighbourhood. As far as I know, the ownership and management are entirely separate, but they did deal with the same meat trader for at least some of the ingredients in both.

It is true that I was critical of Silvercrest management on the basis of what I had seen. To be perfectly honest, it is a commercial issue between its customers and the company. The focus of the investigation has been on finding the source of the problem and establishing how the product could have got into the food chain, rather than the bad management practices that led to Silvercrest losing contracts with more than two very big customers. To be honest, that is a matter for the company and the trust issues related to that bad management are for the company to address in time.

Chairman: Does Professor Reilly have anything to add?

Professor Alan Reilly: Yes. The Minister has answered most of the questions, but the one I will address is when we realised we had a problem. I realised we had a serious problem late in the evening on Friday, 11 January. We had received the results from IdentiGEN and I went home and had a very uncomfortable weekend thinking about what we would do. We had started the work of taking samples and so on in the middle of November. When we had received initial results, I was saying there had to be something wrong; that this could not be happening. We were finding it difficult to believe we had horsemeat in burgers. We tested, took more samples, retested, went to another laboratory to confirm the results and so on. We went at it hammer and tongs with respect to the science because we had to be sure. If we had come out with a half-cocked story about horsemeat in the meat industry on the market, we would have been crucified. I would be sitting here today and members would be asking me the reason I had come out with such a half-cocked story, why I had not verified the results and so on.

It took us a long time to really get to the nub of the problem and to be sure that what we were going to announce was fact. That one burger containing 29% equine DNA was the one result we could not explain. We could explain everything else. When we looked at these imported products from the Netherlands and Spain we used a test that is based on mitochondrial DNA. Essentially, one is looking at between ten and 100 cells. That is the type of sensitivity we are talking about. This is about 10,000 times more sensitive than the nuclear DNA on which we base the quantitative results. We were looking at trace amounts and trying to explain those trace amounts. In the trace amounts we were seeing in the Dutch and Spanish burgers there was no commercial gain to anybody in adding that quantity of equine meat to a product. The most

reasonable explanation was commercial cross-contamination; during processing, maybe something just got in by accident. We informed our colleagues in the Netherlands and Spain of that contamination. That was a very reasonable thing to do. We did not quite know at the time that this was not significant so we had to build everything in. As we were looking for the source of equine DNA in meat products, we could not rule anything out and we could not rule anything in. To answer the question, when we realised we had a serious problem we informed the Minister's Department and the Department of Health on the Monday. Again, much evaluation took place over that weekend in order to be sure that what we were going to announce was correct. We had been working on it for almost three weeks. Certainly the testing we did has been proven time and again. In the UK, the Co-op found 17.1% equine DNA in one of its burgers. The Minister has gone through all the positive tests. It was not just a fluke that we found that 29%. We were correct to do what we did and I stand over that.

With respect to the relative amounts of DNA and how it is expressed, we are talking about 29% equine DNA relative to beef DNA. The Minister's explanation is correct; that is exactly how it is. Crudely, one could say we are essentially talking about horse versus beef, but in scientific terms, when it comes to the real detail, it must be expressed as the percentage of equine DNA to beef DNA. That is essentially what the tests reveal. If one wants to interpret this into layman's language, we are talking about roughly 29% horse to beef.

Deputy Éamon Ó Cuív: Perhaps I can ask a question?

Chairman: Very quickly, Deputy.

Deputy Éamon Ó Cuív: If the amount of filler in a beefburger is, say, 30% and the remainder is 70%, excluding onions or whatever else is added, and the burger is found to contain 29% equine DNA, would that, more or less, lead to one to conclude that all of the filler was horsemeat?

Professor Alan Reilly: The answer to that question is "No". That particular burger was declared as having 63% meat. Of that 63%, 29% was equine meat and the remainder was bovine meat. We are not talking about the filler, the rusk and all the rest of what goes into it - only the meat content.

Deputy Éamon Ó Cuív: To be absolutely clear - because the public want to know this - in Professor Reilly's estimate, 29% of the 63% of the burger that was supposed to be beef was horsemeat.

Professor Alan Reilly: Yes.

Deputy Simon Coveney: So that was about 20% of the burger.

Deputy Éamon Ó Cuív: Yes, but 29% of the meat in the burger.

Professor Alan Reilly: Yes.

Deputy Éamon Ó Cuív: In the manufacturing process, was the manufacturer taking so-called beef from various sources to make up the burger?

Deputy Simon Coveney: I can answer that question if the Deputy wants. "Yes" is the answer.

Deputy Éamon Ó Cuív: Sorry; I think the scientist who did the experiment and was in

charge of the thing-----

Chairman: Will Deputy Ó Cuív please clarify that question?

Deputy Éamon Ó Cuív: This goes to the nub of the issue. If we forget about the rest of the burger, 63% of the burger is meat. Of that 63%, 29% - nearly 30% - is horsemeat. In making that burger and adding the meat to the burger, was the manufacturer using two sources of meat, from two different suppliers, to make that burger, and were they being mixed? Is that what was happening?

Chairman: Can the Deputy-----

Deputy Simon Coveney: I can be helpful here. When one looks at the records - this is not a scientific thing - one can establish what goes into burgers by looking at the ingredients records, assuming one has been given accurate information. That obviously has to be verified. With any burger - this is an example of a batch of samples with ingredients going into individual burgers, some of which tested positive - one will see different meats going in from different sources. When the overall product is tested, one can establish the amount of bovine DNA versus equine DNA in terms of the meat content, but different batches have different ingredients-----

Deputy Éamon Ó Cuív: But the-----

Deputy Simon Coveney: -----and there are many different suppliers. Some people think that Silvercrest slaughters. It does not. Silvercrest is a processing facility, and all of the 200 million burgers per year that it processes are made up of ingredients that come from lots of different sources, including other factories - meat cuts and low-value meat, in most cases, that are made into burger material and sent frozen into the frozen stores within Silvercrest. They are then taken out and it is decided to mix a batch. The appropriate ingredients are put into the mixer and these go through the system to be turned into a burger. The reason our investigation took some time was that we had to try to match up the ingredients going into individual batches, which change every half hour, and try to correlate ingredients that were testing positive for equine DNA with burgers that were testing positive to try to find a common problem ingredient, which is where the Polish-labelled material came in. That is how the burgers are made up.

With regard to the rest of the industry, it is important to say that it is unusual for a burger to contain only 63% meat. Most burgers have a much higher meat content. Of all the burgers we tested this time, 63% was the lowest meat content. I understand that in contracts between burger manufacturers and their clients, there is a requirement to hit a certain percentage of meat in all burgers and obviously that should be adhered to, but it is not always adhered to. That is how the system and the process works.

Deputy Éamon Ó Cuív: The answer to the question I asked is “Yes”. A mixture of various meats goes into the burger. If the equine DNA percentage was as high as 29%, can we take it that, in all probability, at least one of the ingredients was pure equine?

Professor Alan Reilly: The Polish product was described as beef trim. Somebody had mixed in some horse tissue or horsemeat into that beef trim at a fairly high level. That is the bottom line.

Chairman: To be helpful, the tests that were made public yesterday on the held batches at Rangeland Foods Limited and the company in the North showed a horsemeat content of 75%. That is probably the best indication of the content.

Deputy Simon Coveney: That is for all intents and purposes pure horsemeat.

Chairman: That is probably the best indication of the level of equine content in those mixtures. It may not be 100% but it could be up to 75%, or perhaps 79%.

Deputy Martin Ferris: The Minister spoke about an ingredient trader who was involved in dealing with the companies that were mentioned. I assume that trader supplied ingredients to Silvercrest and Rangeland. Has this individual trader any connection with ABP?

Deputy Simon Coveney: Not that I am aware of, apart from the fact that he was supplying product to Silvercrest. Last Friday, the FSAI, along with a local authority vet, entered that specific trader's premises and office and acquired all of his files and computer disks so he is very much part of the investigation. I understand he has been named in the media but that is not as a result of anything we have said. Obviously, we need to establish what he knew and when he knew it. That is happening this afternoon and I understand he is being very co-operative.

Deputy Thomas Pringle: I thank the Minister and Professor Reilly for coming in today to address the committee. I have a number of questions, some of which are for Professor Reilly and some for the Minister. In his contribution, Professor Reilly stated that the survey was carried out against the background of increasing prices of raw materials using food and feed manufacture and the global sourcing of ingredients, which can lead to a temptation to cut corners and substitute cheaper raw materials for higher-priced ingredients. In the previous paragraph, he said that the decision to test for DNA in the meat products was guided by a combination of scientific risk assessment and common sense. Did the FSAI have any prior knowledge in advance of initiating the testing programme given the explanation in that paragraph and the scientific risk assessment? Given the amount of beef, pork and sheepmeat processed in this country, why did the FSAI not test for sheepmeat when it was testing for the DNA and why did it select horsemeat instead of sheepmeat? I would have thought that if there was cross-contamination, it would be quite possible for it to involve sheep.

In respect of lessons to be learned, the final page of Professor Reilly's presentation stated that a key lesson for the food industry is that there should be robust supplier control and verification of supply, that when purchasing raw materials for inclusion in processed meat products, it is necessary to ensure that all ingredients are lawfully declared, and that knowledge of primary and secondary suppliers is essential. I would have thought this would have been standard in the food processing sector in this country. I wonder why Professor Reilly felt it necessary to include that as a lesson to be learned given the size of Silvercrest. One would imagine that it would have had robust procedures in place and would have been required by its customers to have those procedures.

The Minister has been quoted in newspapers on 2 February 2013 talking about the very poor management at the Silvercrest facility and how he was going to work hard to win back the contracts that have been lost. Is the intention to win back the contracts under Silvercrest, given that its facility is very modern, as the Minister stated? How could he have faith in ABP to put in place management that would be responsible in that facility? Is it appropriate for the Minister to work to get contracts for a facility and management that have shown such a breach of trust?

The Minister outlined in his contribution the number of infections that take place. I previously worked in a meat factory where one would regularly see vets inspecting the product. There were over 7,000 infections in 2011 in the meat sector. How robust is the auditing process given that the management at the Silvercrest plant was so poor and deficient? I understand the

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vets would look at the ingredient processes and whether ingredients were being sourced and used in the proper way. Is one of the lessons to come out of this that the auditing process needs to be looked at and revamped?

Why does the Minister now feel it necessary to involve the special investigations unit and the Garda? What has changed in the past few days to make him think he needs to involve them in the investigation?

Senator Mary Ann O'Brien: I thank the Minister and Professor Reilly for coming before the committee. I have questions for both of them. Has the Minister and his Department knowledge of how long these bulking agents that have affected our precious beef industry been used in these processing plants? Following on from the Minister's statement and one of his earlier comments, why would Silvercrest buy from Poland through three different channels - a meat trader in Ireland, one in the UK and directly? Has anybody in the Department measured the commercial gain or margin that would have been gained by the likes of Silvercrest by putting 29% equine material into a beefburger? If we lived in France, what would be the difference in price per kilo between beef and horsemeat because we need to educate ourselves in this area?

Is testing on all our meat processors being stepped up and are any other processes or meat traders under suspicion at present? I admire the investigation that the Minister is pushing and the fact that he brought in the fraud squad. The law is the law but if I have a big contract with Burger King, say my product is 100% beef but do not give it to Burger King, I have not broken the law. I will probably just lose my business. Once the Minister finishes his investigations, I hope there will be consequences and I want him to ask whether there will be consequences for the companies involved. They are not just affecting themselves and their own livelihoods; they are affecting the entire Irish beef industry.

We confirmed that Silvercrest does not slaughter its own animals but we must note that it only makes up 4% of the ABP food group. That is an enormous beef industry. Previous speakers asked us to make sure there were no connections between any of its other companies in these investigations. Could the Minister confirm the report in *The Irish Times* and let us know how things are going with Poland? According to the report by Derek Scally, who is in Warsaw, there is upset in Poland. The article stated:

“Such accusations not grounded by any sound evidence are unacceptable, regardless of what they pertain to,” Stanislaw Kalemba, Poland's minister for agriculture told *The Irish Times*. He noted how many recent food scares ended with the first countries named as culprits later cleared.

Could the Minister clear up the situation between himself and Poland? When will we have exact evidence and when will Poland put up its hands up and say it was responsible?

Deputy Simon Coveney: I consistently said as late as last night that I am not condemning all Polish food and putting a question mark over it. Much of the food imported from Poland into Ireland is of very high quality and comes from certified plant. We have a very large Polish population in Ireland and many members of it import food. Other food companies import product from Poland in the same way as they do from other countries in the EU. That is what a common market is all about and because of that common market, we have a large food industry which is predominantly based on exports. We should not give out about food that is imported into Ireland when we export nearly 90% of the food we produce.

The problem is that all of the ingredient we tested - the only ingredient that has consistently

tested positive for significant amounts of equine DNA - is labelled as coming from Poland. We have the paperwork to show that much of that product was paid for and sourced either directly from Poland or through meat traders from Polish companies. We would like to work closely with the Polish authorities on this. We have invited them to come to Ireland so that we can show them all the evidence in our possession showing how all of this Polish-labelled product is regarded as the source of our problem. I have to be open and transparent about the test results. We have released a large number of test results at different times. We have had to inform people of the origin of the product that tested positive. All the data shows that there is one common thread, which is that it is all labelled as Polish product. If we can establish that someone is tampering with that product between the time it leaves Poland and its entry into a facility such as Silvercrest or Rangeland, we need to do so without delay. There are different ways the product can come into Ireland - either directly from a company or through two different meat traders. The end result is the same, which is that the meat has tested positive for equine DNA. Therefore, it is not unreasonable to draw the conclusion that there is a problem with product coming from Poland. I do not say this lightly. We informed the Polish authorities before we went public on this, at veterinary, Department and ministerial office level. My direct counterpart does not speak English and I do not speak Polish so, without wishing to state the obvious, it is difficult for us to have a conversation on the telephone. What I would like to see happen is for senior Polish investigators and vets to come to Ireland, to sit around a table with our team and with the Food Safety Authority of Ireland and to go through all the evidence we have in an effort to piece together how this could have happened. That is an open invitation and I hope they will avail of it. Our only interest is in getting to the bottom of what happened.

On the questions about ABP companies, other ABP companies supply product to Silvercrest or have done so. ABP owns a large number of plants in Ireland, including slaughterhouses. However, none of that other product has tested positive for equine DNA. ABP is a big company which is responsible for 25% of the Irish beef industry and also 25% of Britain's beef industry. I can only go on the data such as the records I receive from the investigation by our team. All of the problem product containing equine DNA was imported, and all was labelled as coming from the same country, albeit from a number of different traders and companies.

There is a market for meat just as there is for every other commodity. Meat is a commodity which is traded across borders. There are and should be systems in the European Union to ensure that a common standard for inspection and traceability is in place in every European country. The existence of common regulations for the food industry is one of the benefits of living in the European Union. However, it is clear there has been a breach of regulations in this case. Somebody is selling rogue product and is doing so knowingly. That is the focus of the investigation. In response to the simplistic argument that we should not import anything from other EU member states when we have a significant beef industry of our own, it should be remembered that we also have a significant export industry that requires extra imported product if there is not sufficient Irish product to fill orders. It takes a lot of product to produce 200 million burgers in a year.

I am unable to give the exact price differential but I will provide those figures if they are available in the data we have collected. I suspect that is commercially sensitive information and the Department does not have it.

There have been references to bulking agent. This product was all labelled as beef meat trimmings, which is a different product from bulking agent. On the question of why the Department asked the Garda Síochána and the special investigations unit to investigate at this stage,

we are now at a different phase of the investigation. The first investigation was to establish whether the finding of 29% horsemeat in a burger, as highlighted by the Food Safety Authority of Ireland, could have been a freak result or whether there was something systematically wrong at Silvercrest. We established the fact that this was an imported product which should not have been going into the manufacture of burgers. Given the information from Rangeland, considering some of the meat traders involved and given the vocal concerns expressed in the media by the Polish authorities, we want to establish who knew what and when and if fraud or criminality was involved. The Garda Síochána can provide very helpful experience to the investigation. When this process is finished, members will ask me whether criminal activity was involved and if anyone will be brought to court and punished for the damage they have done to the industry. I need to be able to answer all those questions. The special investigations unit has significant experience, as has the Garda Síochána, the Food Safety Authority of Ireland and my Department's officials and vets. The combination of all that experience and knowledge will help us to get to the bottom of the matter as quickly as possible. We do not want this investigation to last forever. Damage is being done to our reputation. I hope Professor Reilly is correct in saying that at the end of this process, the robustness of our systems - which raised the red flag about this issue in the first place, worked out how it could have happened and put procedures in place to ensure it does not happen again - will allow us to continue to make the claim that we have the best systems for food safety anywhere in the European Union.

Deputy Pringle asked why this problem was not identified during the auditing process. The Department audits companies to establish whether they meet the required food safety and traceability standards. We do not carry out testing for equine DNA, but that may change in the future. We do not check the contracts with companies such as Tesco to ensure a manufacturer supplies what it has agreed to supply, such as the percentage of meat in burgers or Irish-sourced beef. That is a commercial relationship between suppliers and their customers. Our auditing system is concerned with ensuring that the rules are complied with in the factory so that consumers are protected as regards food safety and traceability.

Silvercrest is one of the largest and most modern burger production facilities in the world. It is a really impressive plant to the eye. We could not identify any compromise on food safety as far as we could see. However, it is clear that horsemeat was getting into the system and there was poor management of contracts with significant and valuable customers.

Professor Alan Reilly: On the question of whether the Food Safety Authority of Ireland had any prior knowledge of what we found, we did not have such knowledge. It is that simple. In collaboration with our counterparts at the European Food Safety Authority and other food safety agencies around Europe, we look at emerging risk analysis. We try to do horizon-scanning in an effort to identify what could be the next risks associated with food which will need to be dealt with. A broad category of risk is associated with substitution and the sourcing of cheap ingredients from different parts of the world. Some previous food scares have been associated with such ingredients. We are looking at the opportunities for species substitution - using one species and calling it another. For example, products labelled as wild Atlantic salmon were really farmed Scottish salmon. We had to uncover this but we did it through DNA analysis.

The Deputy said he would have imagined robust supplier control would have been in place. Indeed, I would have imagined the same. However, events have demonstrated that the supplier control systems in place are not adequate and it has led to the problem we have. A supplier bought beef trim at face value but did not go into forensic detail of what was contained in the frozen block of meat purchased from Poland. There is a requirement on the industry to look

at what it is actually buying and ensuring there is no cross-contamination at processing plants. Plants will have to make sure if they push pork through in the morning and then beef in the afternoon that the facility is cleaned down between the two processes. Otherwise, there will be cross-contamination.

The Minister has spoken to the food industry on this specific point. We are also working with the food industry in developing protocols for introducing this DNA analysis testing to ensure this scandal does not happen again. We must learn from what has happened and put systems in place to ensure it does not happen again. DNA analysis of ingredients, particularly mixed ingredients, will ensure one is buying what it says on the tin and will be a sensible approach for the food industry. It will add an extra layer of control and greater consumer protection. Tesco has said such analysis will be the norm for it from now on. We are talking to Tesco about what would be acceptable to it with respect to the protocols we are trying to introduce. We are also talking to the industry to get its buy-in. We are consulting with stakeholders in developing protocols that will ensure robust supplier control is in place and greater consumer protection.

Deputy Thomas Pringle: Why does the Food Safety Authority of Ireland not test for sheepmeat?

Professor Alan Reilly: To be quite honest, we were not particularly interested in sheepmeat. Having looked at some of the results we got back, there were traces of sheepmeat in one or two of the composite products which were supplied from the Netherlands. Again, one has low traces of these species in these products. There is no commercial advantage from that type of contamination; it just happens in the processing conditions. For us, sheepmeat was not an issue. We chose three species - beef, pork and horse.

Deputy Thomas Pringle: When will the contracts lost by the Silvercrest be won back?

Deputy Simon Coveney: Let me be straight with Deputy Pringle. I cannot give him the detailed answer he wants because there are ongoing discussions which we hope will be helpful in securing the jobs at Silvercrest. They are commercially sensitive at this point. If contracts are to be rebuilt to allow the infrastructure at Silvercrest to be providing large volumes of burgers to clients, something fundamental needs to change to facilitate that. I have been working with the industry and the clients concerned to find a way to do that. We have made some progress but I am not in a position to be able to give the Deputy any more detail on it.

I can assure the Deputy that we have not forgotten about the 140 or so people working at Silvercrest who are innocent victims in this. Likewise, it was the same problem last night for people working in Rangeland who had nothing to do with this scandal. We are working with the industry from an Ireland Inc. point of view. We want to be supplying large customers like Burger King and Tesco in the UK. It is my job to facilitate progress to do this. When I am in a position to give more detail on this, I will do so.

Deputy Pat Deering: I welcome the Minister and Professor Reilly to the committee. Over the past 20 years much hard work has been done by stakeholders in the meat industry to bring it to be worth €2 billion and much more to the economy. Farmers, the primary producers, have had to endure on-the-spot inspections which could result in penalties for minor incidents. There does not seem to be the same level of inspection in the meat processing plants like Silvercrest. Are the monthly audits unannounced or is prior notice given? Has any processing plant endured any penalties for failing to comply with standards?

Ireland exports 500,000 tonnes of beef every year. Why do we need to import 45,000 tonnes? If that amount of beef is available, why should Silvercrest have gone to Poland to import this particular contaminated product? Is it not available here or is the Irish equivalent too expensive? We have heard much talk about the middlemen meat traders. Is there a list of these traders? Are they registered and licensed? What regulatory system is in place for them?

I welcome the Garda investigation into this matter. Has it a particular timeframe? Everyone will agree the sooner this particular issue is taken off the agenda, the better. From the Minister's perspective, there are many important negotiations going on in Europe which will have consequences for the country's future. It is important this issue is brought to a conclusion as soon as possible. While it is important the investigation is detailed so as to get to the bottom of this matter, a definite timescale should be in place.

Ireland's reputation is very much at stake in this regard. The Minister summed it up when he said the management of Silvercrest left a lot to be desired. How long has this management team been in place? If it has been such a bad team, how has it survived so long to bring us to the stage of doing serious damage to the industry and bringing the whole industry down around it?

Deputy Michael McNamara: I thank the Minister and Professor Reilly for their candour. Professor Reilly stated research is required to determine if there are thresholds below which cross-contamination is unavoidable. What does this mean to the ordinary consumer? For example, if I use a knife to cut beef, simply wash it under the tap and use it to cut pork, will that lead to cross-contamination?

We are hearing much about beef trimmings used in these burgers. What exactly are beef trimmings? Would beef trimmings typically be used in homemade burgers made on the premises of a butcher anywhere in the country?

Professor Alan Reilly: First, I will deal with the DNA issue and what is an unavoidable level. We need to establish what is unavoidable. When one is using mitochondrial DNA one can detect even ten or 100 cells. That is the level of equine, porcine or beef material one can detect. We do not wish to introduce a testing regime to put the industry in a straitjacket in which it cannot operate. There must be some form of tolerance in industry to allow the use of the same premises for processing different species and to allow some form of unavoidable crossover. We must establish this and get agreement with other trading partners in Europe such that we can all work to a given standard.

The most practical way would be to consider the quantification system. The quantification method used in this test involved nuclear DNA. There is a good deal less nuclear DNA in a cell than mitochondrial DNA; there is probably 10,000 times more mitochondrial DNA. Quantification is a less sensitive method. If we are to use that method with a limit of quantification of 0.1, it could become the standard for crossover contamination and it would be a practical measure. We must try to get European-wide agreement for that way of thinking. There is something else the industry could do. If there is unavoidable contamination with different species a business could label a product in a certain way. For example, the label could indicate that a given beef burger was manufactured in a premises that also processes pork. That would give a consumer some indication.

It is different when it comes to the strict faith groups. For example, for Muslims in the case of halal meat there is no limit of crossover. One must ring-fence halal food in production. For example, if one is processing halal beef, it must be processed in a premises altogether separate

from any other species such as pork and so on.

These issues have all been thrown up by the study we carried out. We need to hold a broader discussion industry-wide with stakeholders to try to reason things out and determine what the industry norm should be. What our testing system has done will raise the bar for consumer protection. Tesco has already gone down the road and committed to introducing this form of testing. There will be greater protection for consumers.

Deputy Michael McNamara: Is it possible to use the kitchen knife analogy?

Professor Alan Reilly: One could detect traces with a kitchen knife. If one sliced beef with a knife and then one sliced pork with it, one could possibly detect some cells. However, we are discussing commercial conditions in which tens of tonnes of meat go down a processing line and people clean out the line afterwards. However, what degree of cleaning is necessary? How likely is a person to leave behind traces? Any system that is eventually adopted will have to have built in this type of testing within each processing facility, probably once or twice per year. After cleaning down, an operator must consider the traces left behind such that it can give guarantees to its customers that there will be no such crossover contamination.

To answer Deputy McNamara's question, if after slicing meat I gave the knife a good clean I would probably get rid of any contamination, but if I only gave it a quick wipe it may be different. Perhaps under commercial or industrial conditions one might not employ the same strict hygiene that one would have in one's own kitchen.

Deputy Simon Coveney: A question was asked about beef trimmings. Essentially, they are the bits and pieces of the carcass that remain when the prime cuts are removed. It is basically the cheap meat that does not have a market of itself. From what I have seen in the cold storage facilities in factories such as the plant in question, beef product is pushed together and then traded as an ice block of product. One reason we have been able to test samples that go back some time is that the factories have storage facilities that are run at -20° Celsius, or colder in some cases, and this allows them to store such blocks of product that arrive in refrigerated containers. Then they are used while the production process mixes the various ingredients to make the type of burger that the factory is supplying.

I wish to back up what Professor Reilly said. If a person applies DNA testing of the type applied to a murder scene, which might involve examining under a person's fingernails or testing whether there is DNA on a telephone and so on, one will pick up tiny traces of anything and everything. We need to figure out how to use this technology to ensure that if people are adding ingredients inappropriately then we can spot it quickly through testing. At the same time, we have to accept that food is not manufactured or produced in the same type of environment as an operating theatre in a hospital or a laboratory. That is not how these plants work, even if they are power-hosed, deep-cleaned, sanitised and so on. There must be some threshold which is not unreasonable and which will not cause a food scandal any time a factory is under that threshold. However, we must also have a threshold above which the consumer has a right to know. The industry accepts that this is the direction we are going now and we need to put in place a protocol to make that happen.

Deputy Michael McNamara: Does a normal butcher have beef trimmings at his or her disposal?

Deputy Simon Coveney: Yes, some of them probably would. If a butcher is deboning

in his or her butchery, he or she will have leftover meats. This stuff is not necessarily bad for people. In the case of soups, sauces, chicken stocks and so on, one is eating material which has been either flavoured by or involves a good deal of the product in question. It may not look particularly nice or we might not like the idea that we are eating desinewed meat, but it is not necessarily bad for people. There is no health risk necessarily as long as we do all the tests for food safety. However, that is different to selling something to a consumer and labelling it as something when, in fact, it is something else. That is essentially what has happened here.

Chairman: What is the position on Deputy Deering's questions?

Deputy Simon Coveney: I am unsure how long the management at Silvercrest Foods has been in place. I imagine the management system has changed and evolved over time. Clearly the management in recent times has not been supplying to its customers what it should have been supplying under contract, and that is what I mean by bad practice. It is not necessarily a breach of the law but it has resulted in Tesco and Burger King moving away from that facility for supply. It is not simply a horsemeat issue and both companies made that clear in their statements. I do not wish to get into the issue of bad management. If there is a breach of the law, then we will get involved.

The reputational issues have caused a good deal of damage and that is rather frustrating for someone such as me and for many other people in the food industry who are trying to build a reputation on the back of good practice.

Many meat traders are also meat suppliers and have a trading arm as well as a production facility. There are also middlemen meat traders who buy and sell on meat, somewhat like meat brokers. They are licensed as businesses but there is no particular licence that our Department gives them to operate. Perhaps that is something we need to consider. Let us wait and see the final results of the investigation. The inspections are carried out randomly. Our chief veterinary officer, Martin Blake, is responsible for sending vets to inspect plants on a random basis. They take random or targeted samples, depending on what we are looking for, on a regular basis. Both of the companies in the eye of the storm, Silvercrest and the company announced yesterday, are inspected on a monthly basis. There is, however, a difference between plants that slaughter meat, to which vets are permanently assigned to inspect slaughtering practices and test meat before and after animals are slaughtered, and plants in which only processing is done, such as the aforementioned plants. We randomly inspect processing plants.

Beef exports are worth €1.9 billion to Ireland. Exports of frozen burgers, mainly to the UK, are worth approximately €200 million. It is a big business, even if it is relatively small in the context of the overall beef sector. That does not mean it cannot cause reputational damage when things go wrong.

Chairman: Was a timeline set for the Garda investigation?

Deputy Simon Coveney: It will continue for as long as it takes. For obvious reasons, we have put the team under pressure to get results as quickly as it can, but I am not going to rush it regardless of what people may say. Similarly, we have not rushed the Silvercrest investigation. I suspect legal cases and litigation over compensation will be pursued at the end of this process. Before we establish the facts we need to gather sufficient evidence to develop a credible case, backed up by testing and the interviews that are ongoing. The sooner we can draw this to a conclusion the better, but I want to be able to stand over the final results.

Deputy Pat Deering: Has any factory or processing plant been penalised in the past year?

Deputy Simon Coveney: I do not know whether that has happened in the past year, but I understand plants have been told to suspend production and have lost certification for certain types of production at different times. I will have to revert to the Deputy regarding the last 12 months because I do not have the figures.

Senator Susan O’Keeffe: I ask forgiveness if I do not scratch my head about some of what has happened. I am, however, puzzled as to why the Department was not notified earlier than January. I appreciate the need to ensure the tests were correct before the Food Safety Authority could announce publicly that a problem had arisen but I do not know why the Department would not at least be informally notified about the unexpected presence of equine DNA. *The Sunday Times* reported in May 2012 that it had been following lorry loads of horses to abattoirs in Ireland, Britain and Europe and that it had observed abattoirs being opened up late at night to receive horses for slaughter. We should not have been surprised that horsemeat was in the system in the wrong way and I am concerned that the Department did not learn about the matter earlier.

How old were the boxes of frozen meat which were carefully tested and what state were they in? Had they been thawed and refrozen? Was there any evidence of tampering with labels or did the authority not look for that information given that, in fairness, it was on a DNA chase rather than a label-tampering chase? Surely the boxes were examined by somebody, however. Are standards in place in the Department for the length of time that frozen meat can be stored? There have been stories about meat being thawed and refrozen or relabelled. The announcement by Polish officials that they tested the plants in that country last week but found no trace of equine DNA would not be surprising if these boxes were older than six months. Perhaps the plants have been cleaned up but there appears to be a discrepancy.

I appreciate the description given of beef trim. Does the market trade in trim to the extent that it can be divided into lean trim and scrag trim or better trim and worse trim? I understand that is the case but I am open to correction.

Is the Minister satisfied with the progress thus far? I recognise that the process is painful and slow but here we are in February with a number of questions still unanswered. I am concerned about the length of time this investigation has taken. I appreciate the Minister’s dilemma but I wonder if he has a shortage of manpower. Was the special investigation unit deployed on foot of the aforementioned report in *The Sunday Times*? What sort of expertise does the unit contain in regard to horsemeat and potential imports of meat from Poland?

If somebody puts a sticker containing the word “Taoiseach” on my back, it will not make me Taoiseach. A label can be put on anything. How knowledgeable is the Minister at this stage in regard to the level of labelling carried out? His officials will be aware that the capacity to alter labels has existed for many years. I am not surmising or speaking about cloud cuckoo land. I know it can be done and that paper trails can be adequately altered. Is there any evidence of such practices and what are the Minister’s views on it?

People in the industry have said it is an open secret that Silvercrest was a mess prior to this incident. I appreciate that departmental officials were not based permanently at the plant because it did not slaughter animals, but the Department certainly maintained a presence. Silvercrest is not obliged to share certain information due to commercial sensitivities but I am concerned that the matter has come to this. Did anybody employed by the Department make a

complaint of any description about Silvercrest? Perhaps somebody noted that extra boxes were being delivered, that the stores were open late at night or that people were being paid overtime apparently without need. The Minister will know exactly what I am speaking about. Was such behaviour brought to the Department's attention and, if so, was anything done about it? If nothing was done, why not?

The Polish officials have been invited here, but is it a matter of invitation at this stage? Should they not be on the next flight? I appreciate the problems of interpreting between English and Polish but I am sure we could find some interpreters to help out. I am extremely concerned that they have not been here already and that this is a toing and froing scenario. I know we cannot cross all the t's and dot all the i's on the same day, but I am concerned that we are still at an invitation phase.

Chairman: That is right. The Minister said in his contribution that before he went public with the findings that the source was Polish, he contacted the Polish authorities at three different levels.

Senator Susan O'Keeffe: That is correct and I understand that. However, the information has come to light that there is a Polish connection to this.

Deputy Simon Coveney: With all due respect, we cannot instruct Poland to do anything. It is a separate country and it makes its own decisions.

Senator Susan O'Keeffe: I appreciate that. What I was saying is that I am concerned at the status of the invitation. Will the Minister clarify whether he thinks they are about to come or whether it was only an invitation to come. Are they or are they not going to come? I appreciate the Minister must act according to protocol.

I have a number of other questions, but I am aware other people may wish to come in. I would be happy to finish now and come in again later.

Chairman: Okay.

Senator Michael Comiskey: I thank the Minister for his attendance and Professor Alan Reilly for providing all the information. Coming from a farming background, I am aware of the regular and robust inspections conducted by Bord Bia and the Department and of the penalties imposed where there is a lack of compliance and wonder whether the same thing happens within the food industry. Is the Minister confident that all of the sources have been identified at this stage? This has dragged on for some weeks and is he happy all of the sources of the horsemeat DNA have been identified?

Is it the case that because supermarket chains and retail outlets are forcing down the cost of food to such an extent, people in the industry must try to get the cheapest inputs possible? Is that the problem? This brings us to the importance of country of origin labelling. It is vital product is clearly labelled as to whether it is fully Irish and if so it should be labelled as such.

Deputy Simon Coveney: I will take those questions in reverse order. As regards labelling, if a product is a pure meat product, it must have country of origin labelling wherever it goes and there must be full traceability right back to the farmyard. Ireland has better traceability than any other country of which I am aware in terms of its systems and how they work. The problem arises with processed food. When multiple ingredients are going into the food, there is no requirement for country of origin labelling under current EU labelling rules. Perhaps that is

something that should change. I would certainly like to see some change there, but that would bring challenges as it is not as simple as it may seem.

With regard to the loose comment that this has been dragging on for a number of weeks, it is important to point out that within 11 days of us starting our investigation, we established the source of the problem. Nobody else had managed to do that. ABP, Tesco and Burger King could not do it, despite the fact they were all trying. In a plant of that scale and size and given the testing resources we had available to us and the time needed to test, check and verify the results, it took time to get the facts right so as to ensure we could stand over them. It is true another week has passed since then, but we are now focused on the supply chain and I hope the Garda and the special investigation unit can be helpful in that regard. I have explained why I brought them in.

With regard to why the Polish side is not here, I must be careful I do not extend my decision making capacity beyond Ireland. Our job is to try to get to the bottom of what happened here. We sent as much information as we have available to Poland so that they could see this is not a case of us pointing the finger without significant information to back it up. We want to work with them to solve this problem and to find out who is responsible, whether those responsible are in Ireland or in Poland or somewhere in between. We cannot get away from the fact that we have details of containers that came from Poland over a three-day period in one case and over a ten-day period in another. Those records are now being examined again and are very much a part of the investigation as to how they came here, the transportation company involved, whether the container seals were intact and all of the other standard issues when investigating this type of activity.

The comment was made that everybody knew Silvercrest was an open mess. I did not know that. Certainly everybody did not know that. Our inspection team, which has been visiting Silvercrest on a monthly basis for some time, did not know that. Therefore, it was not commonly known. We must be careful with our language. People's livelihoods and jobs are on the line. I will certainly not stand over or protect practices that are inappropriate and when there is bad management, I am happy to expose it. My understanding is that Silvercrest operated on a two ten-hour shift basis and people came and went. Large volumes of burgers were being produced in what is a very modern plant. I agree there was some bad management and the company must answer for that now. Horse DNA came in through product that should not have come there and we must now establish whether people knew about that. I have no evidence now to suggest they did. I will not cast aspersions on anybody, regardless of who they are, unless I have evidence to back them up.

The Department does not have a shortage of manpower to deal with this issue. Many of the people involved in this investigation are women and there is no shortage of human resources involved.

There was a question on whether there is a difference between the types of trimming used. There is and there is a grading system based on the percentage of visible lean, whether it is 80% or 90%. The grading system has an impact on the price. Members can see an example in the document of a product that came in from Poland, which is described as frozen beef trimming 80:20. This refers to the visible lean reading. With regard to the age of the frozen beef trimming after which it should not be used, I think the period is 18 months. All of the products we tested were supplied in 2012, with the exception of one batch from 2011. Perhaps Professor Reilly can give more detail on that. I can provide the exact date, if required, later.

I have taken a real and personal interest in the issue of the slaughtering of horses. Since I have come into this Department, the Government has done more for the horse sector, in terms of animal welfare, IDs, the passport system and microchipping, than we have seen done for a long time. We have changed, enforced and improved the regulations. There was evidence in the past that horse passports could be purchased far too easily and they were advertised for sale in a way that suggested something was not right. We have seven certified bodies in Ireland which can issue horse passports. We removed one of the certified bodies, the Irish Cob Society, last October, because we were not happy there was proper governance there. Until now, we had a permanent meat inspection presence from the Department in the factories we certified, but none of those is still in operation. The only two certified equine slaughter houses remaining have, until recently, been supervised under the responsibility of local authorities. However, I have changed that and we are now taking responsibility for those into the Department.

I have heard it said, particularly by the head of the Ulster Society for the Prevention of Cruelty to Animals, that large numbers of horses were being exported out of Ireland, presumably for slaughter. I subsequently asked the special investigation unit to meet him and to go through any evidence he has on which we can follow up by investigating any wrongdoing, any smuggling of horses or anything else inappropriate that may be going on.

It is important to understand that a number of unwelcome issues arise during times of recession. An example of that is the dramatic increase in the number of horses being slaughtered in Ireland in recent years. There has been a reduction in the number of horse owners who can afford to continue to keep their animals. There has been a steady increase in the number of Irish horses being slaughtered. We have the data to show that when horses are slaughtered here for human consumption, all of that meat is exported. A horse is not allowed into the human food chain unless it has a passport and is microchipped and identified. It must be identified within six months of birth, or within the year of birth. We are enforcing those rules now. I am not saying everything was perfect in the past.

If anyone has evidence to suggest that something continues to be seriously wrong with regard to the slaughtering of horses, I need to hear about it and see it. I cannot act on hearsay. We need to be careful in what we say and write and ensure it can be backed up with evidence. One will not get an agriculture Minister who is stronger on animal welfare issues than I am. I know that horse welfare, in particular, is a sensitive topic for many people. We are following up on the accusations that have been made. *The Sunday Times* has published a number of articles on this issue. We have provided the journalist concerned with a great deal of information on what we have been doing in this area. The list is longer than the list I have just outlined. It is important to say that in many ways this issue is separate from the issue we are investigating here. There is not yet any evidence to suggest that any product supplied to Silvercrest or Rangeland by an Irish factory, boning hall or processing facility has tested positive for equine DNA.

Of course there could have been label-tampering in this instance. That is part of the investigation. We will work with the Polish authorities on that. If that is the case, we will have to uncover it and get to the bottom of exactly what is happening. It is important to say there is a great deal of evidence to show that product was ordered, paid for and delivered from Poland. If the product was tampered with, we will get to the bottom of that in time. I think I have answered most of Senator O’Keeffe’s questions.

Senator Susan O’Keeffe: I also asked whether any of the officials from the Department who worked at Silvercrest had ever reported anything and, if so, whether those reports had been followed up.

Deputy Simon Coveney: I am not aware of any such reports. I am not aware that any breaches of the law, or of food safety standards, were uncovered at Silvercrest. That is really what we were there to look at.

Senator Susan O’Keeffe: Had they reported the presence of horsemeat?

Deputy Simon Coveney: Obviously, we have sifted through all of the paper and computer records to see if there is any evidence to suggest that horsemeat could have been knowingly imported. There is no evidence to suggest that. If such evidence emerges in time, it will be a very serious issue. There is no evidence to date to suggest that is the case.

Chairman: Does Professor Reilly have anything to add?

Professor Alan Reilly: I would like to make two points about how long meat can be stored. The industry norm is that it can be stored at -18° Celsius for approximately six months and at -30° Celsius for approximately two years. The Senator asked why we did not tell anyone sooner. I thought I dealt with that in response to Deputy Ó Cuív’s questions. If we had made this known sooner, in the absence of full knowledge or the full results, I think we would have done immense damage.

Senator Susan O’Keeffe: With respect, I asked why it was not made known informally to the Minister. I understand completely why it was not made public.

Professor Alan Reilly: On 21 December, we asked the Department to take samples of raw materials from the Silvercrest plant. I asked the officials in question not to mention this to anyone - to keep it to themselves for now - because we did not know what was going on. We were in the middle of an investigation. We are living in an era of social media. If there had been a small hint of what was going on, it would have gone around the world 20 times before I got home that evening that there was a horsemeat problem with Irish products. One could imagine what would have happened, especially with some of the journalists we have now. Even within the authority itself, the investigation was limited to a small number of people. We did not want anything to leak out because of the immense damage it could cause.

Senator Susan O’Keeffe: What about the Minister?

Professor Alan Reilly: The Minister’s officials were informed that the investigation was ongoing but were told not to do anything because nothing needed to be done. We could have said we were investigating a problem, but what would have happened if the problem had turned out to be nothing? One of the things the Food Safety Authority has to do is advise Ministers. We are not going to go in with a cock-and-bull story that sends a Minister off on a wild goose chase. We are going to get sound scientific evidence before we lay the information before a Minister.

Senator Pat O’Neill: I would like to compliment the Minister, Professor Reilly and both bodies. I do not think this thing could have been rushed. We had to make sure we had all the facts before we brought them into the public domain. My sympathies are with the people involved in Ballybay and Castleblayney. The livelihoods of the workers are being threatened. Farm families will suffer if this situation has an impact on the beef industry. Professor Reilly summed it up when he said that trust is the most important thing in any industry and especially in the food industry. We must bear this in mind, given that we have spent years building our reputation.

BURGER CONTENT INVESTIGATIONS: DISCUSSION

Most of my questions have been asked. The Minister said that 7,189 inspections were carried out in 2011. There is a difference between the type of inspection carried out by the Department and the kind of inspection carried out by the Food Safety Authority of Ireland. Since 2005, the authority has done DNA testing on chicken fillets, on smoked, wild and farmed salmon and on fish products. In 2012, it decided to do DNA testing on meat products. Professor Reilly said:

The survey was carried out against a background of increasing prices of raw material used in food and feed manufacture and global sourcing of ingredients. This can lead to a temptation to cut corners to substitute cheaper raw materials for higher-priced ingredients.

Professor Reilly also said that this was a random test. Was there a high level of suspicion with regard to certain products that were in use in this country? Was the authority tipped off that other products may have been in use in this country? Was that why it decided to test certain products from certain plants? The retailers have a duty here too. When a retailer tells a plant to source or supply a burger for 9 cent so it can be sold for 20 cent, it should appreciate that it has a duty of care with regard to what goes into the product. If one tries to drive the price down, one will get a cheaper product.

The final question I would like to put to the Minister relates to the Garda inspection. I welcome the decision to call the Garda Síochána into this. We would hope that nobody in Ireland - in the plants or in the meat trade - is tied into the Garda investigation. If it transpires that this is entirely a Polish problem, what level of co-operation with the Polish police can we expect? I appreciate that it is early in the process. If the Garda needs to access records in Poland as part of its investigation, is there any agreement with the police or the ministry in Poland that will enable it to establish certain facts?

Senator Paschal Mooney: I would like to echo the welcoming comments that have been made. I thank the Minister and Professor Reilly for their comprehensive statements and replies. I will pick up on one or two things that have been touched on. Like Senator O'Neill, I have to say I have not heard any great understanding of the worries of the Silvercrest workers and families in all of this. The Minister has said on the record that Silvercrest's state-of-the-art plant is currently operating at 50% of its capacity. This would seem to suggest it is a jewel in the crown, irrespective of what has been happening in this regard. In the Minister's opinion, what will be the future of the plant? When the investigations are completed, will the Department have any responsibility towards the workers and towards the plant itself, or is that for the owners, from whom we have not heard very much at all?

On a point touched on by Senators Comiskey and O'Neill, does the Minister consider that this has once again pointed out the pressures that are being placed by the supermarket multiples on food producers and processors? Senator O'Neill talked about pricing. When this issue broke, a number of family butchers contacted the Joe Duffy show to point out that even in a small family butchers, which would have low costs, the minimum cost of producing a full Irish beefburger is about €2 - that was the best price at which they could produce and sell it. Despite this, Tesco was selling the - let us say - questionable burgers at €1 for six burgers. Surely there is a moral dimension to this as well. Have the multiples questions to answer? I am not suggesting for one moment that they knew what was going on. However, it seems to me that the pressure is such on Silvercrest and the other processors that they knew they needed to keep their costs down to such a degree that they probably had to bring in less than 100% beef because it was cheaper. I am not saying that is the case; I am just asking whether this could be one of the reasons this has happened.

There is a question mark to be raised over the supermarket multiples, which were very quick to withdraw millions of products from the shelves, although the Minister had repeatedly stated there was no health hazard or food safety element whatsoever. Initially, they had planned to destroy those burgers, which also created a lot of public controversy at the time, and I understand they are now thinking of recycling it as pet food. Is it not rather a sad observation that, in the environment in which we are currently living, where a recent report showed that over half of the food consumers purchase is thrown away, we are now talking about burgers that are safe for human consumption, irrespective of perception or the yuck factor, being recycled into animal food? Does the Minister have any comment as to whether this is the best way of dealing with the issue, considering one half of the world is starving while the other half is throwing away half of all food purchased?

Deputy Simon Coveney: I will answer Senator O'Neill's questions first. With regard to whether we will be looking for co-operation from the Polish authorities if there is a police investigation that spans a number of different countries, to be honest, it is too early to give an answer to that. What I hope will happen is that either we will send a team to Poland to talk through all of our findings, or they will send a team here. I would like to have more interaction with the Polish authorities in regard to the investigations and testing they are carrying out following what has happened. We would like to work in partnership to get to the bottom of this. In the absence of that, for the moment, we are continuing to keep connections open with the Polish authorities on a daily basis but we are also proactively going after this investigation to try to establish the facts. For all the reasons members have outlined today, we do not want this issue to drag on a day longer than it needs to.

With regard to Silvercrest, although I am not sure if Senator Mooney was present, I said earlier that I had been working with the broader industry and with the companies that were supplied with product from Silvercrest, particularly the larger ones, to try to ensure we can keep that business in Ireland. I do not want to give any more detail on that because there are some sensitive discussions going on at the moment which I do not want to damage. We are trying to make progress on that and I assure the Senator that the staff at Silvercrest are very much part of our plans in terms of trying to find an answer that can allow that plant to stay open and producing from what is probably the best piece of infrastructure of its type in Europe and arguably in the world. We are working on that. As soon as I can be more open about it, I will happily say that. I am confident we will find a solution but I do not want to over-promise and not deliver. None the less, it would be wrong to say we are not doing anything. In fact, we are doing a lot.

With regard to pressure from the multiples, there is an idea that the buying power and tight margins of the retail multiples, which are driving down prices, have somehow caused this. That is no excuse for what has happened here. Whether one is producing a very cheap product or a fillet steak, the same food safety standards should apply and the same traceability standards should apply if it is appropriate for that product. We have regulations in this regard. What is happening here is that different products are being produced with different ingredients at different values. For example, burgers that are being made for Burger King are actually very high-end product and cost significantly more to produce, and, as a result, the producer is paid significantly more for them. Companies such as Burger King want to source beef in Ireland because of the quality of our beef and the guarantees around it in terms of sustainability and all the other things we have built up in our sector. There is also a market for low-cost burgers. There are people who go to supermarkets who cannot afford to buy the high-end products. There is no food safety risk in buying cheaper product. Yes, it is lower value meat, and it is probably a bit tougher and contains off-cuts and trimmings, but it is perfectly safe. People are in the mar-

ket for that because it is all they can afford to buy or it is all they want to spend on that type of product. It is these low-cost frozen burgers which are under the microscope here.

It is important to repeat the point that this is not an issue of investigation across the broader beef industry in Ireland. This is a specific product - frozen beefburgers that are cheaply produced and sold for very low margins at high volume-----

Senator Paschal Mooney: Is the Minister completely dismissing price pressure?

Deputy Simon Coveney: No, I am not. I am just saying that, in this investigation, it is no excuse for what happened.

Senator Paschal Mooney: I am not suggesting that.

Deputy Simon Coveney: We are here to talk about the investigation. On the broader issue, there has been a growing problem in the past ten years. If one looks at what food producers get from the end price in the supermarket of product sold at retail level, ten years ago they would have got more than 30% of that price, whereas they now get less than 20%. That is not a trend that is sustainable into the future. However, we need to address that with broader policies at EU and national level. One will see, for example, the Government introducing in the next few weeks new legislation with regard to mandatory codes of practice between food suppliers and large multiples. That, in some ways, is a separate issue to the issues we have here. A company as large as Silvercrest should be able to produce burgers at the very highest of standards regardless of what it is being paid for them.

Senator Paschal Mooney: We are talking about six burgers for €2.

Deputy Simon Coveney: They should not be supplying them if they cannot provide them with the guarantees that are needed from a safety and contractual point of view. That is the marketplace; that is how it works. I am not comfortable with the fact that producers are under pressure - at times, huge pressure - to supply product at very tight margins but we cannot use that as an excuse for what has happened here.

Senator Pat O'Neill: Professor Reilly was to deal with my question on DNA.

Professor Alan Reilly: We did not have a tip-off for this study. We initially went out and took burgers from nine different manufacturers. When the burgers came back, we focused on those companies where we found burgers to be positive for equine DNA. I included the information in my presentation relating to the focus on cheaper ingredients and global sourcing to give the general background as to what informs the types of study we carry out. There was certainly no tip-off.

Deputy Martin Heydon: I will not repeat questions that have been already asked. I acknowledge the extensive testing carried out by the FSAI and the role of Department officials in this process. It is a very complex area, as the reports have outlined to us. It is important for us to bear in mind that DNA testing is what brought this to light. This was not brought to State organisations and highlighted by an outside body; it was a State organisation that highlighted it through the testing process. It is important to note this from a consumer confidence perspective.

Farmers, as primary producers, have built a reputation on traceability. There is a significant cost to farmers, who also put in time in respect of paperwork and keeping records in addition to the significant level of examination that happens through cross-compliance and other on-farm

measures. How does that level of on-farm inspection compare with the level of investigation of food processors? Does the same level of scrutiny exist further down the line? We talk about traceability from farm to fork and I am happy that from farm to farm gate, our primary producers are pretty impeccable. It is then very frustrating for farmers to see that the actions of processors can damage the reputation of an industry key to their livelihoods. I say this while accepting that this material was not for the Irish market and that DNA testing found minute traces in most instances.

Is the system of risk assessment for secondary processors the industry norm for other countries? Is risk assessment the form of investigation used? I know we have an open market but I would not be overly happy that as the largest exporter of beef in Europe and the fourth largest exporter of beef in the world, processors here are going to Poland to access this material. Is that because it is cheaper or due to quantity? Retailers are putting on the pressure in respect of lower prices in this market but I accept the Minister's point about the forthcoming consumer and competition Bill and welcome the mandatory code of conduct that will be introduced because it will be a key component. It is probably not directly associated with this issue but it is in the mix as well.

The Minister said he raised the matter with meat processors. What kind of interaction has he had with them and what has been their response? Bord Bia initially said it was happy that the market reaction to this was fairly negligible across Europe and anecdotally with consumers in Ireland. Has that changed as the story has developed or is there any sense that there has been an impact here in terms of market reaction?

What struck me about Rangeland and the product coming from Poland was the fact that it was frozen. I know it was in a large block and I heard it said earlier that the testing mechanism involved drilling into that block. Does that product have to be defrosted before it is used to make a burger? Is it then refrozen, and are there issues around that? Could the Minister clarify how that process works?

One thing that struck me when the Silvercrest story broke and we heard about the discovery of 29% horse DNA in one of the burgers was that the specific burger had a meat content of 63%, which is very worrying. I accept the Minister's earlier point that this would not be the norm. He said that many contracts require a minimum meat content. Is that purely a matter for contracts or is it one for law? Is it something we need to look at? If one goes into one's local butcher, the home-made steak burgers one will get at the higher end are probably 97% or 98% beef, with the exception of a bit of parsley and onion or something to make up the difference. At what point does a burger stop being a burger if one is getting down to very low meat content levels? Do we have a threshold below which producers cannot go?

The Minister said last night on television that the Rangeland story was not a huge surprise considering what he found out along the way. Does he expect us to get to the bottom of this fairly soon, so that we can draw a line under it? I accept completely that time has to be taken, this has to be done properly and that we must dot the i's and cross the t's, but the drip, drip effect of news is damaging. We must strike a balance between making sure everything in the investigation is right and making sure it does not drag on any longer.

Chairman: Senator Ó Domhnaill is next. Does he wish to let Deputy Ó Cuív add something quickly?

Senator Brian Ó Domhnaill: Yes.

Deputy Éamon Ó Cuív: I have some very specific questions. Was there a worry about the possibility of horsemeat contamination that prompted the specific testing for equine material? The Minister mentioned that specific testing for equine material was carried out. If the FSAI thought such contamination was the most unlikely thing in the world it probably would not have done so. Was there a worry that prompted that?

Does he accept that if we took a very small random sample from all factories producing beefburgers, one of which is producing 200 million burgers a year, one would have a better chance of winning the national lottery or the EuroMillions than of getting a positive result if this was not a pervasive and continuous practice? Therefore, we must extrapolate that the likelihood is that this was quite continuous and pervasive.

The next question is technical. Is it possible by DNA matching to determine the origin of the horsemeat? My understanding is that it is sometimes possible to say that DNA comes from a certain breed in a certain area and in that way, one could find the source of the horsemeat independent of labelling. Would it be possible, by taking DNA samples from horses in Ireland or Poland, to eliminate any rumours that are circulating?

The Minister did not tell me when the Department of Health, as the parent Department, was informed. Things have changed in the past few years. When I was a Minister, if there was anything that might have become a problem, one was informed about it on a confidential basis and one kept it to one's self. I was told many things that might have been problems but turned out not to be and that was the end of it. I was a bit surprised the Minister was not told earlier about it. It is a change of practice.

Deputy Simon Coveney: All of Deputy Ó Cuív's comments were directed at Professor Reilly so I will let him get his thoughts together and I will deal with Deputy Heydon's questions. We are all very familiar with the inspection system and the system of traceability for farmers. In respect of how that compares with the risk assessment and inspections we have in factories, the truth is that there are many more inspections in factories than there are of farmers. This is how it should be, because of the volumes of food going through. We are required under regulation to inspect up to 4% of farms that draw down the single farm payment. Otherwise, we lose the single farm payment in what are called disallowances, so we are required to do that. There are other inspections on farms and it is because of those inspections that we can stand over the food produced on Irish farms, command higher prices for it and carve out new markets all over the world.

In respect of inspections in factories, we have a permanent presence in slaughterhouses. We do a risk assessment of all other processing facilities and depending on the results of those assessments, as is consistent with EU regulations, we put in place an inspection system that meets that risk and goes way beyond what is required of us in terms of the number of inspections. As already stated, in 2011 we carried out more than double the number of inspections required of us in respect of our sector.

There has been a great deal of comment - much of this is understandable - as to why a country such as Ireland which produces a great deal of beef would be importing beef product, even low-end trimmings. Of the ingredients that go into Rangeland's burgers, 89.7% comprise Irish beef. The company imports some other product from a number of EU countries. The product from Poland comprises 3.5% of the material which goes into its burgers. These products represent a very small percentage of the ingredients used but they have caused a major problem. It is important to reassure farmers and people who are interested in and have knowledge of the

food supply chain in Ireland that the vast majority of meat used in this instance and in the case of Silvercrest consists of Irish beef.

On market reaction, I will be receiving another update from Bord Bia this evening. The research it has carried out to date - which is mainly focused on Ireland, the UK and, to a certain extent, other EU member states - strongly suggests that both the media coverage and consumer concerns are, by and large, confined to Ireland and the UK. It also indicates that consumers are smart enough to be able to isolate this issue to one product - it relates, after all, to cheap frozen burgers - as opposed to making a connection to the broader Irish beef industry. Bord Bia's research was conducted in the cities of Manchester and London in Britain and in Mullingar in Ireland. For the purposes of the research, people were interviewed in shops and on the streets in order to try to obtain some market reaction and supply me with the information I require in order to identify what we need to do to respond to this problem.

A question was asked on whether the ingredients are thawed out before being used to make burgers, which are then frozen. The answer in this regard is "No". I learned this when I visited Silvercrest and examined the systems used there. Essentially, what happens is that frozen product is brought into the plant and is kept in cold storage at approximately -20° Celsius. The product is then lifted out in blocks and placed in mixing bins. The ingredients are mixed up in a frozen state and are never thawed out. The pace at which the material moves through the cycle ensures that it is never allowed to thaw out. This means that the burgers are put together while the ingredients are frozen. When they are completed, the burgers are placed in a deep-freeze state in order to prevent them from sticking together. Under this process, the burgers are frozen to a temperature of -50° Celsius and they become rock-hard. They are then separated into groups of six and packaged up. As a result of the deep-freeze system, they do not stick together. What I have just outlined is very much a layman's description of what I saw when I visited Silvercrest. One of my concerns in respect of this matter related to a belief that material that went onto the line and was thawing out but was not fully used would be thrown back into the mixing bins. However, I need not have been concerned because, as far as I could see and given the way the process works, the material never thaws out. That is the way it is supposed to work. I apologise if I have provided too much detail in respect of what happens during the mixing process but I am of the view that it is of interest in light of the matters we are considering.

There are no regulations with regard to required meat content in a burger. Many artisan food companies put cheeses, spices and many other ingredients into burgers, which is as it should be. This is why people have contractual relationships with their customers.

I stated that what emerged yesterday was not a surprise because we were aware that the same product used by Silvercrest had also been sold to other companies. That product came from the same sources and had similar labels attached. It was provided by a meat supplier who had supplied similar product to Silvercrest. I was not surprised that the product in question tested strongly positive for equine DNA. I would actually have been surprised if this had not proven to be the case. That is why I stated that it was not a new or significant revelation. Unfortunately, there is now a new company involved but the actual product is the same one that caused the problem at Silvercrest.

In the context of a timeline, as soon as we can have this matter dealt with in a comprehensive fashion we will do so. Our team will be working intensively to get it done. Everyone is very conscious of the damage that this matter is doing while firm conclusions are not forthcoming.

Professor Alan Reilly: Risk assessment is required under European regulations and under

domestic laws relating to food. The food control system should be based upon risk assessment. It is part and parcel of what we do in the context of categorising food premises according to risk. This is used in determining the number of occasions on which they are inspected and so on. That is all required under EU legislation.

On the question of whether we were worried, I can state that we were considering the matter. In hindsight and as matters progressed, we became more concerned with regard to equine DNA in burger samples. With regard to the sample whose meat content comprised 29% equine DNA, we were looking at a plant which produces 200 million burgers each year, and we found one burger containing that level of equine DNA at the plant. The Deputy is correct in stating that in light of the probabilities involved, this was the equivalent of winning the EuroMillions. Our discovery of a burger containing 29% equine DNA was really the basis of the statement we issued. The trace amounts of pork and equine DNA were explainable in terms of crossover, etc., but the burger to which I refer alerted us to the fact that a problem existed that we would be obliged to address. In light of how matters have developed, I am of the view that we made the correct decision.

The Deputy inquired when the Department of Health was notified. We informed our colleagues in the food unit of the Department of Health at a meeting on 7 December last. We told them that an investigation was being carried out but that there was no action required. We asked them to keep the matter confidential for the time being. Essentially, that was the message.

The Deputy also asked whether DNA matching could be used in order to focus on where the horsemeat came from. There are research techniques that can be used in this regard. I refer, for example, to using stable isotopes in order to discover the provenance of different food materials. This might work with equine material and we are looking into the matter.

Chairman: Under normal practice, I am supposed to allow the actual members of the committee to conclude first. Deputies Martin Ferris and Ó Cuív wish to ask some supplementary questions. However, I will conclude this part of the meeting with Senator Ó Domhnaill and Deputy Conlan.

Senator Brian Ó Domhnaill: I do not wish to rehearse matters with which the committee has already dealt. However, there are one or two issues on which I wish to focus. The Department and the FSAI employed DNA testing for the first time in 2012. I presume this was not done on a whim but was rather based on the assumption that there may have been an issue. If one considers the official figures for horses that are being slaughtered legally for their meat in this country - albeit for the export market - one can see that they increased sixfold from approximately 2,000 in 2008 to around 12,000 in 2011.

Deputy Simon Coveney: The figures are actually much higher than that. I can supply them to the Deputy.

Senator Brian Ó Domhnaill: There is a very respected organisation in the North of Ireland, namely, the Ulster Society for the Prevention of Cruelty to Animals, which estimates that 70,000 horses have disappeared from the island of Ireland during the past 18 months and that they either ended up in the UK food chain or were at least slaughtered in that jurisdiction. Will the Minister comment on this matter? In light of the information I have just provided, will he indicate whether there is a need to carry out further investigations or engage in further co-operation with his counterparts in the Six Counties, England, Scotland and Wales in respect of this issue?

I wish to focus on the percentage of horsemeat in burgers and the sample which contained 29% equine DNA. How many burgers containing that level of equine DNA were produced by Silvercrest? Is there any estimate or indication in that regard? Have the retained samples in Silvercrest Foods been removed from the factory and examined? I assume that they are samples of frozen food so they have a shelf life of 12 months and retained samples would be held on-site. Have they been checked? Assuming that the retained samples have been checked, how long has the practice been in place at both plants and in England?

Obviously there is a cost associated with monitoring. If the industry introduced DNA monitoring tomorrow morning the producers or processors would have to pay for it. Does the Minister think that it should be compulsory for processors to carry out DNA tests? Does he think that legislation should be introduced to compel processors to carry out DNA testing on-site, and to retain records, similar to a Hazard Analysis and Critical Control Points, HACCP, food safety system?

Is there a reason that the Department of Agriculture, Food and the Marine, in conjunction with the Food Safety Authority of Ireland, but perhaps more for the Department, never engaged in DNA testing at the processing plants? Will the Minister revisit monitoring now? DNA tests have been carried out on chicken and foods for human consumption prior to 2012. It appears odd to me that no DNA testing for horsemeat content was done until 2012 when DNA testing has been carried out on chicken fillets, smoked salmon, smoked fish and so on since 2005. Was there a reason for doing that?

I have a question on the suppliers regarding the ingredients that we spoke about today, the fillings, trimmings and so on. Is there a list available of all of the suppliers of ingredients into the State? Does it name the factories from where the ingredients come? If not, why not? Is there a need to carry out a technical and comprehensive review of all of the suppliers of ingredients into the Irish State? Ultimately the matter is of concern to Irish consumers but little has been said about them. There has been talk about the multiples and the processors but it is the consumers who ate the horsemeat burger that we should be concerned about. Consumers went into Tesco or one of the burger outlets and bought what they thought to be a beefburger because that was what was printed on the label. It later transpired that the burgers contained horsemeat. If the law is not tight enough to protect the consumer then it must be revisited urgently.

I listened to the Minister earlier when he outlined that there may be a need to revisit the consumer protection laws. If the consumer is not sufficiently protected by the current consumer protection legislation then it must be revisited urgently. We cannot have a repeat of the scenario whereby a consumer enters a retail outlet, whether it is a fast food outlet, Tesco or any shop, and purchases a food product that is clearly not what it says on the tin. Pigmeat is one thing but a horsemeat product and horse DNA is a different matter.

I commend the Food Safety Authority of Ireland on its testing regime. It clearly outlined that there was no food safety risk associated with the particular product in this instance. However, horsemeat is not what individual consumers here seek to buy in supermarkets even if it is only 10% or 29% because horsemeat is unsafe. Food safety experts in Scotland and leading environmental health officers in England have clearly stated that horsemeat is not made for human consumption. There is also the issue of the reputation of Irish meat that is exported to 62 million people in the UK. A real job of work needs to be done to rebuild that reputation. The steps taken now must be thorough and there must be no wriggle room. Those that are found to be culpable must face the full rigour of the law. I hope that the Minister will make every resource available, through his Department and the Garda Síochána, to ensure that the final outcome is

swift and fast because four months have passed. I appreciate that technical tests must be carried out but the consumer deserves to see that a final outcome is reached as soon as possible.

Chairman: I call Deputy Conlan because he has waited a while to comment.

Deputy Seán Conlan: I compliment the food safety authority on its investigation and carrying out the initial DNA tests. I also compliment the Minister. I have had discussions with people who work in the industry. I live beside the Silvercrest plant and a few miles from the Rangeland plant so I am greatly concerned about protecting the jobs and local economy. Obviously I want to also protect farmers, their beef products and the Irish food processing industry. The Minister and the FSAI have been proactive and responsible in carrying out tests.

If we do not get co-operation from the Polish authorities will the Minister go to the Commission and the Council of Ministers to seek the introduction of DNA testing as the industry norm across Europe? I have heard many people talk in irresponsible terms. I heard one member mention the term continuous and pervasive industry practice but we have no evidence of that. It is irresponsible to lay that at the door of Silvercrest. An issue arose and the product was tested. I understand that a solution has been found by the Department in terms of rigorous testing in the facility on a weekly basis, a deep cleaning of the facility, a change of management structure, and ensuring that only Irish and British beef is used at the facility. The Silvercrest plant is now the safest plant in the world, it is certainly the safest plant in Europe.

People have talked about the safety of eating horsemeat but eating horsemeat is a cultural norm across Europe and it is not unsafe. The FSAI tests on 19 December found that there was no evidence of bute or any chemical in the horsemeat. Therefore, it is not a food safety issue. It is a food labelling issue. We need to ensure that food safety is of paramount importance.

In terms of the Rangeland product, the company approached the Department to ensure that tests were carried out. We must be responsible when debating the issue because livelihoods are at risk if we cannot ensure that contracts will be maintained. I compliment the Minister on what he has done so far in terms of talking to the multiples and the farmers concerned. I want him to make sure that whatever has to be done will be done at departmental level to ensure that there is consumer confidence in the products produced by these facilities. The multiples must also have confidence in the product and a scenario like this can never happen again.

If the Polish authorities do not co-operate then I ask the Minister to seek to introduce DNA testing as the norm across Europe. I do not blame the authorities in Ireland because regularly testing DNA is not standard anywhere in Europe. That is my understanding. DNA testing is a new test that was introduced in Ireland because we are proactive when it comes to ensuring that food is safe and traceable. To ensure that there is accurate food labelling we need to insist that DNA testing is introduced as the norm, thus assuring consumers that when they buy a product which states that it is 100% Irish or British beef then that is what they get. Consumers need to be reassured that burger content is not a safety issue. There was no evidence of bute or any other chemicals found in any of the burgers tested. There has been a lot of scaremongering about the food safety of the product. It is not a safety issue but a labelling one and we must continue to stress that.

A number of measures have been put in place to deal with the issue. Can the Minister inform us what else can be done to get the multiples back on board in order to retain jobs and protect the local economy?

Chairman: I shall allow two more members to contribute after the Minister replies.

Deputy Simon Coveney: Stephen Philpott, who heads up the Ulster Society for the Prevention of Cruelty to Animals, USPCA, has expressed serious concerns about the trade in horsemeat. I recently heard him speaking about this on radio. The following morning I got someone from the Department to telephone him directly. There have been two, if not more, meetings since then between him, someone from my office and the special investigations unit to follow up on his concerns and get evidence upon which we can act. As well as that, we have engaged with the authorities in Northern Ireland and in the UK on the movement of horses. We will continue to do this. There will be no one more eager and proactive than me in exposing wrongdoing, if it is there. I need to act on evidence rather than rumour, however. After I read an article on this matter in *The Sunday Times*, I asked for a note to be put together on what we have done to reassure people on the horse movement issue. I will e-mail it to all committee members. If they want briefings on it, they can come back to me.

We have gone from 4,347 horses slaughtered in 2009 to nearly 24,000 last year. This is because people can no longer afford to keep horses. There is a significant problem with the abandonment of horses which is why there is a strong section on abandonment in the new animal welfare Bill. Local authorities have been given resources, along with new regulations, to deal with this problem. We are taking the accusations seriously but we have to build a case around it.

On the question of how many burgers that contained 29% of equine DNA were produced by Silvercrest, processors are required to keep library samples of batches that go through their systems. They keep them in cold storage for some time, so if there is a consumer problem there will be a sample to access. We tested the library samples from the same time as the 29% equine burger was produced. We tested a sample burger produced half an hour afterwards which actually tested 20% equine DNA. We also tested a burger produced half an hour before but there was not even trace element of equine DNA. What we suspect is that the ingredient product essentially had chunks of horsemeat in it which led to high levels of equine DNA in the burgers but in a sporadic way. It is a bit like crumpling up a packet of biscuits. Most of the biscuits are in small pieces but there are larger chunks. In the same ice block one will get trace elements of equine DNA and then suddenly a 75% spike. This suggests horsemeat is being added in an inconsistent way which is not good.

DNA testing will be part of our regulatory system. We need to work with the Food Safety Authority of Ireland, FSAI, the industry, retailers and consumer groups to put in place a practical and implementable system that will establish what is in food products and one that gives real value. This discussion began yesterday morning in the Department.

So far, from the data I have seen, all of the companies that have supplied product into the system that have tested positive for equine DNA are EU-certified companies. Accordingly, they should be subject to the same regulations as our companies are. We need to be in a position to trust systems in all European countries because we have an open market. The open market is a significant advantage to Ireland to sell its products. From what I know, the Polish authorities are implementing the regulations. However, one cannot regulate for a fraudster. If someone is deliberately putting horsemeat into the mix for profit, then the regulations cannot solve the problem. It is an enforcement issue.

It is important to note our systems uncovered this fraud. Much of the product was going to the UK yet it was the Irish systems that uncovered this from front-testing products from retail outlets in a targeted way. This is proof – partial proof anyway – that our systems are robust

and working in uncovering fraud. We need to go through the ugliness of the trail to get to the bottom of this and see who was involved. This has resulted in newspaper headlines that are not good for the Irish food sector. So be it but we need to get to the bottom of it and move on afterwards.

I appeal to members not to claim this investigation as having already taken four months. As we established today, this investigation began on 15 January 2013 and we are now at the start of February. This was after the FSAI established there was a problem which it did in a professional and thorough manner. Once that was established, then the investigation began. The accusation that this has been going on for four months does not stand up to scrutiny.

I understand Deputy Seán Conlan's concerns about the jobs at Silvercrest. As the local Deputy, he is under pressure from families associated with the firm who want to know what the future holds for them. However, we have to be uncompromising in getting to the bottom of this for the sake of the entire food industry which employs over 200,000 people and has the potential to be a key driver for growth in the economy. In the meantime, I am also focusing on finding a way we can create a future for Silvercrest and its workers, as well as winning back contracts that have been lost as a result of this contamination. That is all I can say on the matter for the moment. There are industry players who are actively participating in trying to facilitate this. Hopefully, we will have positive news on that in the coming days.

Deputy Martin Ferris: Has the Polish company that supplied the contaminated trimmings had any connection with horsemeat produce? How long has this company supplied Silvercrest or any other Irish meat processing company? Are other companies in Poland supplying similar produce such as trimming and fillings and do they have a connection with ABP Food Group?

Chairman: Senators Susan O'Keeffe and Mary Ann O'Brien are next to contribute.

Senator Susan O'Keeffe: I know that the figures for Rangeland Foods only came out yesterday and appreciate the Minister may be unable to indicate the position. However, the company has stated the meat it imports is only used for exports. Had Silvercrest been asked six months ago, it would have stated it used Irish beef only. I wonder how much store we can put in such statements. What will the Minister put in place to establish that such a claim is, in fact, true? That is a serious concern.

I raised another query previously. I realise the Minister has stated he was not entirely clear on the labels used. However, I asked whether there was any evidence of meat having been frozen, thawed and re-frozen when it was being examined. I do not believe my related question was answered, but many questions were put.

What is the position in the United Kingdom plant which was also involved in the equine DNA case? What is the position of the Food Standards Agency in the United Kingdom? The Minister, kindly, showed us an 80:20 trim. Will he clarify exactly what this means, as the explanation passed me by?

What other meats should the Food Safety Authority of Ireland test for now? It is not a very nice question, but in the circumstances we ought to ask it. There has been no mention of mechanically recovered meat and its role in the burger meat case. I am unclear on whether this is because it has not been tested for or because it was simply not part of the conversation. What are the observations of the delegations on the tests available, if any, for mechanically recovered meat?

Senator Mary Ann O'Brien: I wish to comment passionately on how proud we are of our food safety standards, the Food Harvest 2020 strategy and everything to do with our food production. It is something positive to take away from this discussion because it is tough going. However, we were the ones to spot the problem.

Senator Paschal Mooney raised some interesting points. I implore the Minister to think futuristically about the price of food and consider engaging in dialogue with all of the multiples which have got into a bind.

Let us consider the produce in question. The number of burgers involved was eight and I happen to know the price in sterling - eight burgers for £1. I have attempted to work out the margin and estimate that Silvercrest was probably selling at 7p per burger or £1.38 per kilo. However, it is difficult to know, as I am unsure of the tonnage or per kilo price throughout Europe for beef trimmings. I realise the make-up of cheaper patties does not include the meat used in quarter pounders and so on.

I have discussed the issue with friends of mine involved in the meat industry who make ready meals. They have nothing to do with Silvercrest. They maintain that Asda is selling two portions of lasagne for £1, or 50p each. That must stop somewhere. We would all welcome dialogue with the multiples, which is necessary on behalf of the consumer. A price of £1.38 per kilo does not stack up.

Deputy Simon Coveney: Senator Mary Ann O'Brien commented on the price of food. My understanding is that the price of the eight burgers was €1.59, but I will stand corrected.

Senator Mary Ann O'Brien: It was £1 sterling.

Deputy Simon Coveney: Either way, it is a ridiculously cheap product. That is why the product used is primarily beef trimmings, the type of product that does not have a home anywhere else. It is very much at the bottom of the market. However, as I stated, that is no excuse for not having standards.

Senator Mary Ann O'Brien: Dog food has a higher price per kilo, which is frightening.

Deputy Simon Coveney: That may be the case. We are considering a code of good trading practice at EU level. The conversation is taking place at EU level among Ministers and there is a good deal of pressure from farmers, primary producers and small food companies producing good quality products. Such players are feeling the squeeze by large multiples which have significant buying power and can drive down prices, especially in the horticulture sector, among others. This is something to which we need to find a solution, but it must be an EU-wide solution. If we come up with an Irish solution, retailers will simply source product from outside Ireland elsewhere in Europe. We must address this issue collectively. It is an ongoing debate in the context of the Common Agricultural Policy reform process and we are looking to support producer organisations to collectively bargain on price in order that there can be economies of scale and they can bargain with retail outlets and so on.

I understand Senator Susan O'Keeffe has good knowledge of this area and why she is sceptical about some of the practices engaged in, given the research she has conducted. On the 80:20 trim, it refers to 80% visible lean meat and 20% fat. Professor Reilly or one of the veterinary specialists will correct me if I am wrong, but that is my understanding. The higher the visible lean meat content, the less fat in the product.

BURGER CONTENT INVESTIGATIONS: DISCUSSION

Undoubtedly, there will be a significant role for DNA testing in the future to provide reassurance for the consumer and our larger clients also. Tesco has stated it will insist on DNA testing. I have already offered to other companies which will potentially source from Silvercrest that we will introduce DNA testing at the plant, on a daily basis if necessary, to reassure them. We will introduce it in a more systematic way than what we have in place, but either way, it needs some thought and work. Perhaps we might come back to the committee to get the input of members.

The straight answer to the question of whether there was evidence of frozen meat thawing and then being re-frozen is no, but I cannot definitely say it was not happening. However, we did not see any evidence which suggested it was happening.

There was a question about mechanically recovered meat. There were ingredients containing mechanically recovered meat from a different EU country on which there was a spotlight earlier in the investigation, but there was only small trace elements of equine DNA in the sample. We quickly came to the conclusion that it was not the problem product and we reported the findings to the appropriate authorities.

Another question was related to a specific test to check for mechanically recovered or de-sinewed meat, as I term it. I will outline the process for those not familiar with it. When all of the main cuts are taken from a carcass, there is some meat stuck between the bones. The meat content is removed from the carcass or bone using a pressurised system. As I understand it, this is regarded as de-sinewed or mechanically recovered meat. There is nothing wrong with it in terms of food safety issues, but I realise people do not especially like the thought of that process being used.

Senator Susan O’Keeffe asked me a question about Rangeland, but I am unsure what it was because I only have the word “Rangeland” written down. To be honest, we do not yet have detailed files from Rangeland, as we have only just gone in. I do not have reports back on auditing and so on, but we will have them soon. Therefore, I will be cautious in what I say about Rangeland to be fair to the company and ensure I am accurate in what I say. Rangeland Foods approached us to assess its products because it was concerned about them.

Senator Brian Ó Domhnaill: Do the retained samples give any indication of how long the problem has been ongoing? Have the burgers been seized by the Department or do they remain in the ownership of the company? A lot of people are asking that question. From a food safety point of view, why did DNA testing of processed meats only begin in 2012? Was the November sampling the first occasion on which this test was used?

Chairman: That was asked earlier. Does Professor Reilly wish to respond?

Professor Alan Reilly: It is simple: we did not test previously. We have focused on other categories of food, such as farmed fish and wild Atlantic salmon, cod and other fish products in batter, and honey. This was the first time we investigated the species going into meat products. My colleagues from the Department can answer the question about the length of time these practices might have been ongoing but the results from the UK indicate that 17.1% equine DNA was found in a burger produced for the Co-op in April 2011. The Department may have data going back further than that.

I share members’ concerns about consumer protection. Our job in the Food Safety Authority is to protect consumers’ health and interests. In protecting consumers’ interests, we must en-

sure foods that are on the market are labelled correctly. That was the rationale for investigating this area. We do not at present plan to investigate other meats. Our focus should be on putting systems in place to ensure this does not happen again.

With respect to the UK, we are in daily contact with our colleagues from the Food Standards Agency in both London and Northern Ireland to share intelligence. They are carrying out a similar study to ours and we shared our methods with them. They will be investigating similar types of product for sale in UK markets. Members will have read newspaper reports over the weekend regarding halal pies supplied to UK prisons. That is part of their work. Essentially they are taking a lead from us in doing similar work. Some of the larger supermarkets and companies are conducting similar testing processes.

Senator Susan O’Keeffe: Has anything emerged from the investigation into Dalepak that might be different or would add to our sum of knowledge?

Professor Alan Reilly: Nothing has emerged from that investigation. The company used some of the Dutch product that we identified as containing low or trace levels of equine DNA. That was the reason for the findings in regard to it. The Food Standards Agency is more concerned about pork in products that are specifically marketed to religious groups in the UK.

Deputy Simon Coveney: As I did not answer Deputy Ferris’s questions earlier, I will answer them now and then comment on Senator Ó Domhnaill’s questions. Rangeland’s three samples indicate the involvement of two different companies based in Poland. Certainly the labels suggest these companies delivered product through a meat trader arrangement. Both of these companies also delivered to Silvercrest. One of the companies is a deboning plant which brings in material from four or five different slaughtering houses. All of those plants are EU-certified. I understand the Polish authorities are currently testing product from these plants.

I wish to correct a comment I made earlier. Use of the term “mechanically recovered meat” is inappropriate because it is illegal to mechanically recover meat. The proper term is “desinewed meat”. It is important that we do not discuss something that is illegal if it is not happening, although I think we can be forgiven as amateurs in this game.

Product from these companies has been coming to Ireland for a couple of years in respect of Silvercrest. We do not know whether the problem existed six, ten or 18 months ago. Our investigation is focused on the burgers produced in January, which confirmed the existence of a problem in the system and explained how the finding of 29% equine DNA in a burger could have occurred. We have some library samples from the batch but we still do not have any of the ingredients that went into that burger. Our focus has been on the burgers produced in January because we have the ingredients that went into them. It is likely to be the same, for obvious reasons.

The burgers are being moved out of the plant today, under supervision. I understand they are going for rendering, if that is the correct terminology. We are trying to allow Silvercrest to move on from this affair. Jobs, families and livelihoods are seriously affected and any new customer who sources from Silvercrest will want to start from scratch with a plant that has been sanitised and deep-cleaned and is operated according to an entirely new structure. We are proceeding on this basis for the reasons I outlined earlier. As we still have 140 different samples of burgers and ingredients, I not sure we will gain anything by keeping large volumes of this product in cold storage.

BURGER CONTENT INVESTIGATIONS: DISCUSSION

Chairman: After four hours and 50 minutes, we are burgered out. I thank the Minister, Professor Reilly and their colleagues for their full and frank engagement. We agreed before the meeting started to proceed along a line of questioning that would try to establish the facts rather than be political or provoke a negative impression of the Irish industry. We are collectively concerned with moving on from this incident at the earliest opportunity. I commend members on engaging in that spirit. It is clear that the process needs to be concluded as quickly as possible and must be evidence-based. We must all agree that decisions need to be made based on evidence rather than on anything else.

Towards the end of the discussion, the Minister touched on something in which I firmly believe - namely, the importance of labelling. If there is an issue with establishing the source of this problem - it seems from the investigations on our side that it is Polish - there is a role for proper labelling. In the case of any labelled product that has been certified through another EU member state, either the European people with responsibility for safety or the Directorate General for Health and Consumers has responsibility to take some ownership of it, because we cannot cross legal or policing boundaries. This may not be a police issue for Poland. It could affect some other country. The problem is that we do not know. Therefore, we must use the authorities responsible for labelling. We must go after the label if it is the labelling that is wrong.

The issue of the relationship between cheap ingredients and price has been raised. Input costs are increasing and there is significant competition between multiples and retailers. We had an agreement to bring in a number of the multiples over a period beginning in two weeks' time but, unfortunately, in light of this issue they have said they want to defer these meetings, although we cannot see the rationale behind that. Competition is something that drives people, despite the best will in the world, to see if they can cut input costs. If the input costs can be cut by doing something that does not compromise food safety but does cut standards, they face that temptation constantly. It is important to point out that nothing that has happened in this regard has threatened, as far as we can establish, food safety. That must be commended. We should also emphasise that this problem was self-diagnosed and was determined within the State. As the Minister and others have said, while ongoing investigations were being made, it was our systems that discovered it.

Senator O'Brien put it well when he said the beef industry is something of which we should be proud. The likes of Silvercrest and secondary processors add value to the industry. We have said for years that we want to move from primary production and from just selling slaughtered animals to the UK or elsewhere to adding real value. Therefore, it is in our interest, if Silvercrest is the most modern plant in Europe, that it be put back into commission as soon as possible. That is the sum of my observations.

I thank all Members who attended and I thank the Minister, Professor Reilly and all the team for engaging with us today. Unfortunately, this engagement was delayed, but it was worth waiting for.

I remind members that because next week's meeting clashes with Question Time, it has been deferred to the later time of 3.30 p.m.

The joint committee adjourned at 6.55 p.m. until 3.30 p.m. on Tuesday, 12 February 2013.