

Position paper

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The areas of conflict between food quality and food safety

Proposals for policy-makers and the public

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1. Outline of the issue

Food is a basic necessity of life and the quality aspiration of our industry is to create and produce foods that give us life. They can reconnect people to their world and bring them into harmony with their world. Food allows people to go through their lives with vigour and purpose. This includes protecting the environment and avoiding social harm. Production must therefore be carried out in a way that is environmentally sustainable. Food should be "vibrantly" nutritious, promote health, be part of a healthy lifestyle and diet and support performance. This means that our products sustain the future.

Our understanding of food involves much more than just guaranteeing the absence of harmful substances or other risks. The authorities see it differently, and in politics and the media too, the aspect of safety often dominates when it comes to food.

This exclusive focus on safety in conjunction with the concept of preventative consumer protection is putting increasing pressure on food companies and, worse still, runs counter to our original quality efforts.

The entirely personalised concept of health cultivated today obscures the fact that there is no healthy individual without a healthy environment. So, when weighing up individual health risks, they have to be balanced against the environmental impact on society as a whole. "Healthy soil, healthy plant, healthy animal, healthy human being."¹ Only if the Earth is in good health, in other words if the environment is still intact, will it benefit the individual in the long term.

¹ Eve Balfour "The Living Soil" (Faber & Faber 1943)

The fear of individual health risks has, to some extent, the potential to limit the sustainability of the planet.

- If the discussion about the supposedly harmful effects of secondary plant substances such as pyrrolizidine alkaloids (PA) and tropane alkaloids (TA) contained in a number of weeds causes the last weed to disappear from the fields, what then remains of the quality claim of providing vibrant, nutritious foods while at the same time promoting biodiversity? ²
- If free-range facilities for chickens, pigs and cows regularly come under pressure due to contamination risks from industrially released environmental toxins, how are we going to fulfil our long-term promise to establish animal-friendly farming methods? ³
- If the use of manure/manure compost on vegetable crops has to stop six months before harvesting due to the accompanying bacterial flora, how are we going to grow vegetables organically? ⁴
- If the limits for arsenic in rice for baby food ⁵ are set so low that it is then virtually impossible to use whole grain rice for baby food?
- And what happens if the capacity for risk assessment goes so far that even in a naturally reared, non-formed ham, it is necessary to use various detection methods to search for foreign bodies? ⁶

When it comes to food, we are increasingly losing the ability, as a society and individually, to carry out a free harm/benefit analysis. This is also demonstrated by the debate about spices (cinnamon, basil, tarragon, fennel). Everything appears to be driven purely by fear of contaminants and this is translated into company behaviour influenced by a fear of liability. This "fear-based mentality" coupled with the growing lack of expertise and loss of the ability to make judgements based on reality is resulting in a consistent deterioration in guidance for consumers, businesses and public authorities. To take the pressure off the responsible institutions, the total regulation of food is being establis-

² Federal Institute for Risk Assessment (BFR) press release "Gehalte an Pyrrolizidinalkaloiden in Kräutertees und Tees sind zu hoch", 18/2013, 15.07.2013

³ Weber R, Hollert H, Ballschmiter KH, Kamphues J, Blepp M. "Untersuchung/Relevanz von PCB-Quellen für Rindfleisch: Boden – Futter – (Punkt)Quellen; pp Fachgespräch „Eintragspfade von PCB in Rindfleisch" Bonn, 5. February 2013

⁴ Global Gap news release, 17 December 2015

⁵ The limits for arsenic are enshrined in law in the Contaminant Regulation (EC) 1881/2006. The Annex contains the corresponding requirements for baby food in section 3.5.4

<http://www.bfr.bund.de/cm/343/arsen-in-reis-und-reisprodukten.pdf>

⁶ <https://www.ifs-certification.com/index.php/de/standards/23-ifs-food-de>

hed. At the end of this process, synthetic food will be given preference over naturally produced food, because it is manageable and therefore seemingly less risky.

2. The terms "quality" and "safety" are becoming confused

In consumer protection policies, the terms "quality" and "safety" are often used synonymously and therefore misleadingly in the political and regulatory spheres. The concept of preventive consumer protection - reduced to an individualised concept of health, in conjunction with the increasing discovery of new "contaminants" in foodstuffs, as well as consistent improvements in analytical techniques - is constantly leading to new problems for the authorities, companies and citizens. Things that were eaten and enjoyed yesterday are now carcinogenic and can no longer be eaten.

A strong or almost exclusive focus in the quality debate on the absence of contaminants, i.e. the lack of negative influences, leads to crucial positive quality characteristics being considered as "nice to have". They are then seen as unnecessary and certainly not as a serious criterion for the assessment of high-quality food.

What this perspective misses out entirely is that food is there to feed people, to promote health and performance, in short, to give "life". These qualities are apparently replaced by the guarantee of the absence of harmful substances. The consequence of this is synthetic food for people in a synthetic world. Calling into question the natural basis of food means nothing less than dehumanising mankind.

3. The perceived risk

In public debates, the use of chemical terms in relation to food automatically leads to negative associations and defensive reactions.

As a consequence, those responsible for consumer protection in politics and public authorities, as well as associations, feel compelled to act or to comment with no realistic consideration of the actual situation. In this environment, making announcements quickly becomes more important than whether they are high-quality or correct. Action for its own sake and the pressure to comment are reinforced by today's communication technologies.

Technological progress allows us to measure ever smaller numbers, creating the feeling of being exposed to an ever greater threat. Wherever a number appears, it seems, there is also an alleged cause. If these numbers are then used as justification for preventative and precautionary measures, action is taken quickly without good reason. An analysis of the actual situation and a robust harm/benefit analysis do not take place sufficiently often.

4. Why we are losing track of what is real

Our examples make it clear that mankind had come to think of itself as outside of nature. The new credo seems to be that only the complete mastery of nature guarantees our safety. The inevitable consequence of this model is the production of synthetic food that is completely controlled by humans.

Such an "unrealistic" attitude requires that mankind no longer sees itself as part of nature. Modern man separates his own corporeality from the "I", viewing the body as a prison to be moulded and potentially frail. "The strangeness of one's own body, through which nature confronts us, is founded not only in its factuality, but rather in its autonomy: the body confronts the "I" as an other, as a disconcerting spontaneity"⁷. Böhme believes that this is the root of fear and thus the cause of alienation of mankind from his own corporeality. It is the progression of mankind "thinking of itself as outside" and "working itself outside" of nature that has been grounded in the cultural process for centuries.

The renunciation of reality, the creation of a fictitious, detached reality of the "self", is the intellectual reason behind the fundamental errors. It also relates to the debate around quality and safety that we discuss in this paper.

In a falsely conceived world, with an unrealistic way of thinking, the challenge becomes attaining "normality". On the contrary, "normality" slips away as a theoretical construct and as a practical approach, because in real life, we cannot find our way to reality.

This leaves us disoriented and desperately trying to create a synthetic exclave for ourselves outside of nature. It is perfectly clear that the project of synthesising human existence must fail, because in all the misguided efforts we always inevitably remain what we are: human beings.

"Where does the stated new (modern) man stand in his world"? He no longer finds himself in the normality of omnipresent living nature, which is "naturally" characterised by renewal and decay⁸, but where he is integrated into the whole and feels at home. This, including his own physicality, becomes an unreasonable risk, a safety risk that should be eliminated at all costs. "The body is the nature that we ourselves are"⁹, yet modern man is finding it increasingly difficult to tolerate this, with his dependence on unpredictable nature.

We are afraid of the nature that surrounds us and of our corporeality, that is, of the nature that we ourselves are. We have become so alien to ourselves that primary needs such as eating and drinking are no longer just a "natural" matter of fact. They are becoming a subject of fear, an intellectual endeavour, a question of will.

⁷ Gernot Böhme 2003; Leibsein als Aufgabe, die Graue Edition Zug/Switzerland

⁸ Fragment über die Natur, Johann W.v.Goethe 1781 in the Journal oder Tagebuch von Tiefurt

⁹ Gernot Böhme 2003; Leibsein als Aufgabe, die Graue Edition Zug/Switzerland //2002 Die Natur vor uns, die Graue Edition Zug/Switzerland

5. Consequences for the food industry

The consequence of thinking of ourselves as outside of nature and the principle of prevention have the result that an "initial presumption" - no matter how absurd - can lead to far-reaching consequences for society and economic stakeholders. The authorities are playing an increasingly unfortunate role, whereby they tend not to make any decisions themselves, but warn of liability risks for non-compliance and pass effective judgments on companies via media publicity. It is right that responsibility lies with the companies. However, freedom must be "tolerated" by the authorities and responsibly managed by companies.

- First of all, this has the direct consequence that, for example, foodstuffs that were consumed a few years ago with no objections suddenly have to be discarded. A substantial destruction or drop in utilisation of foods is taking place. On the other hand, the issue of "food waste" is vociferously debated in political circles.
- As a result of this, small and medium-sized companies are being overwhelmed by the constantly changing contamination problems (microbiological, agents, residues, etc.) and the resulting bureaucratic and economic consequences. On the other hand, the promotion of SMEs is trumpeted.
- Conflicts of interest between safety and quality are increasingly being observed. These affect small and medium-sized companies and their customers in particular. Quality objectives of environmentally sustainable, near-natural forms of production come under pressure.

In debates, it is becoming less and less possible to act only after a detailed analysis of the situation and the actual risks and an analysis of the possibly competing harm and benefits. The word "precautionary" illustrates the dilemma. It is not about concern in cases where a problem is clearly understood and actually occurs. Rather, in this case, "preventative" measures are taken without the issue being fully understood and before a proper risk assessment or even a harm/benefit analysis has taken place.

6. Examples from the organic sector

A very good example is the issue of dioxin in the fat of suckler calves. It is indisputable that dioxin should be viewed extremely critically. On the other side of the equation is a free-range system that is almost symbolic of animal welfare. It is perfectly clear that in our near-ubiquitous dioxin-contaminated environment, animals raised via mother animal husbandry (it also applies to goats and especially sheep) have increasingly high contamination risks for dioxins compared to animals reared indoors. However, practically no harm/benefit analysis takes place here. Thus, a general limit for dioxins was established, regardless of the respective method of husbandry.

Another example is the discussion around PA (pyrrolizidine alkaloids), especially in various weeds. Until a few years ago, the presence of these substances was still unknown.

They involve a large number of different substances found in about 500 native plants. Toxicologically, only a few of these substances have been properly assessed up to now. Nevertheless, considerable pressure is already being exerted on all parties involved. This is precautionary. It is clear that these substances are introduced into crops mainly via weeds.

This creates a massive conflict of interest between the goal of combating biodiversity loss and the elimination of PA in products. Ultimately, it results in the use of herbicides, which then create new contamination risks. But there is practically no talk of this second, almost inevitable aspect.

Global Gap¹⁰ last year pushed for regulation of the use of manure and manure compost in the cultivation of fruit and vegetables. The intention was to limit the use of manure/manure compost, firstly six months before harvesting for products that do not come into contact with the soil. Secondly, to three months for products that come into contact with the soil.

The reason is the avoidance of pathogenic micro-organisms on the crop. The impact on organic, near-natural vegetable production would be dramatic. The natural processes of nutrient metabolism in the soil are reduced to the possible presence of pathogenic micro-organisms. The nourishment of the plant via the soil metabolism becomes a risk. The only "safe" alternative is thus to transform the nourishment of the plant into a system using synthetic nutrient solutions on sterilised substrates or mineral wool. This requirement was initially withdrawn by Global Gap.

Recently, the limits for arsenic in baby food¹¹ have been set so low that it is now virtually impossible to use whole grain rice for baby food. Of course, that also means abandoning the proven benefits of whole grain rice, including its nutrient density, the minerals, trace elements, vitamins and fibre it contains. Should this result in the abolition of wholefoods for infants?

The strongly substance-oriented approaches adopted which focus on risks and not on qualities, have the potential to cause a "loss in quality".

7. Risk assessment and harm/benefit analysis

Living means constantly carrying out harm/benefit analyses. Whether I drink a glass of beer, start a new relationship, drive to a friend's house at the weekend or start a business, I am constantly balancing potential risks with possible benefits.

¹⁰ Global Gap is a private certification for food safety: <http://www.globalgap.org/de/>

¹¹ Global Gap news release, 17 December 2015

"When there are conflicting goals, rational harm/benefit analysis and sound decision-making in terms of one's own interests, the common good and fairness is one of the primary achievements of experience-based moral judgement."¹²

Risk assessment, along with an estimation of the benefits, is the prerequisite for a knowledge-based harm/benefit analysis.

Based on the risk analysis, the risk assessment evaluates whether the risk posed by a product, service or the operation of a production facility is acceptable under the given social conditions and whether any residual risks are justifiable.

It is precisely this double layer of potential benefit and possible risk that have to be kept in mind and balanced against each other. How this analysis is carried out is then either the result of one's individual orientation or, at the national level, the result of socio-political processes.

It is clear from this what it means when in a risk/benefit debate, the emphasis is placed entirely on the risks (safety) and the benefit side or the side of lost benefits (quality) is not considered. In this case, no harm/benefit analysis can take place because the benefit considerations are all obscured. What remains is simply risk minimisation at any price.

Therefore, harm/benefit analysis based on the two poles of "risk" and "benefits" plus the degree of freedom is always a prerequisite for making sound judgements. It must therefore also be clear what kind of effects risk minimisation creates on the benefits side, for example due to reductions in the benefits (impact assessment).

8. Important distinction

To avoid any misunderstanding, it should be made clear once again that it is of course very important to limit potentially negative influences on food as much as possible. However, this can only happen within the bounds of a holistic harm/benefit analysis.

And various different cases need to be considered. Whenever we have to deal with natural influences or ubiquitous contaminants, i.e. where there is no polluter or no longer a polluter, or where we are dealing with conflicting objectives, we need to take sensible measures to minimise them, taking into account the "quality" context.

With regard to licensing, for example of agrochemicals, we believe that discussion of the risks is essential as part of the licensing process. However, the emphasis placed here distracts from the actual solution approach. This relates to potential contaminants that are deliberately manufactured and used. Consistently applied product liability for manufacturers and users (as well as for any contamination occurring and other consequential damage) would quickly and effectively help to avoid contamination and thus also risks to the environment and people.

¹² Maximilian Forschner: Güter, in: Otfried Höffe: Lexikon der Ethik. 7th edition. Munich, Beck 2008,

9. Conclusions

AöL proposes that the food safety debate should be discussed in the context of society as a whole. In addition, the consideration of the quality goals should be deliberately cultivated in order to achieve better harm/benefit analyses.

We hope that the authorities, in cooperation with companies and consumer organisations, will become more involved in the debate around risk assessment. Harm/benefit analysis must take place openly. It must be disclosed and discussed before the decision is taken. It should also take into account the normality of past food use.

We want policy-makers and the media to dare to bring this extensive, differentiated debate to the outside world. Purely publicity-based arguments carry considerable risks and fall short in terms of food quality and safety.

We need a discussion that will give food companies clarity on what notions of quality modern consumers have besides the freedom from contaminants, so they can align their company activities with these requirements.

We would like all the parties involved to think about the damage that can be caused by fear and disorientation - for individuals and for society. We encourage everyone to assume more collective responsibility for the sustainable orientation of our societies.

Ultimately, it is about the question of how much freedom our society dares to have, where the individual has to take responsibility, and on which issues it is actually necessary for the state to apply its duty of care.

Background:

This position paper was prepared as part of the AöL's annual theme for 2016. It is based on a podium discussion and a World Café, in which the AöL members focused on the topic of "Quality and Safety".

AöL position paper

The Assoziation ökologischer Lebensmittelhersteller (Association of Organic Food Manufacturers) is an alliance of 97 food companies. Its members from Germany, Austria, Switzerland and the Netherlands generate organic sales of more than 3 billion euros. The core focus of its work is the representation of political interests as well as the promotion of exchanges and cooperation between the members.

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