

Country Profile: Malta

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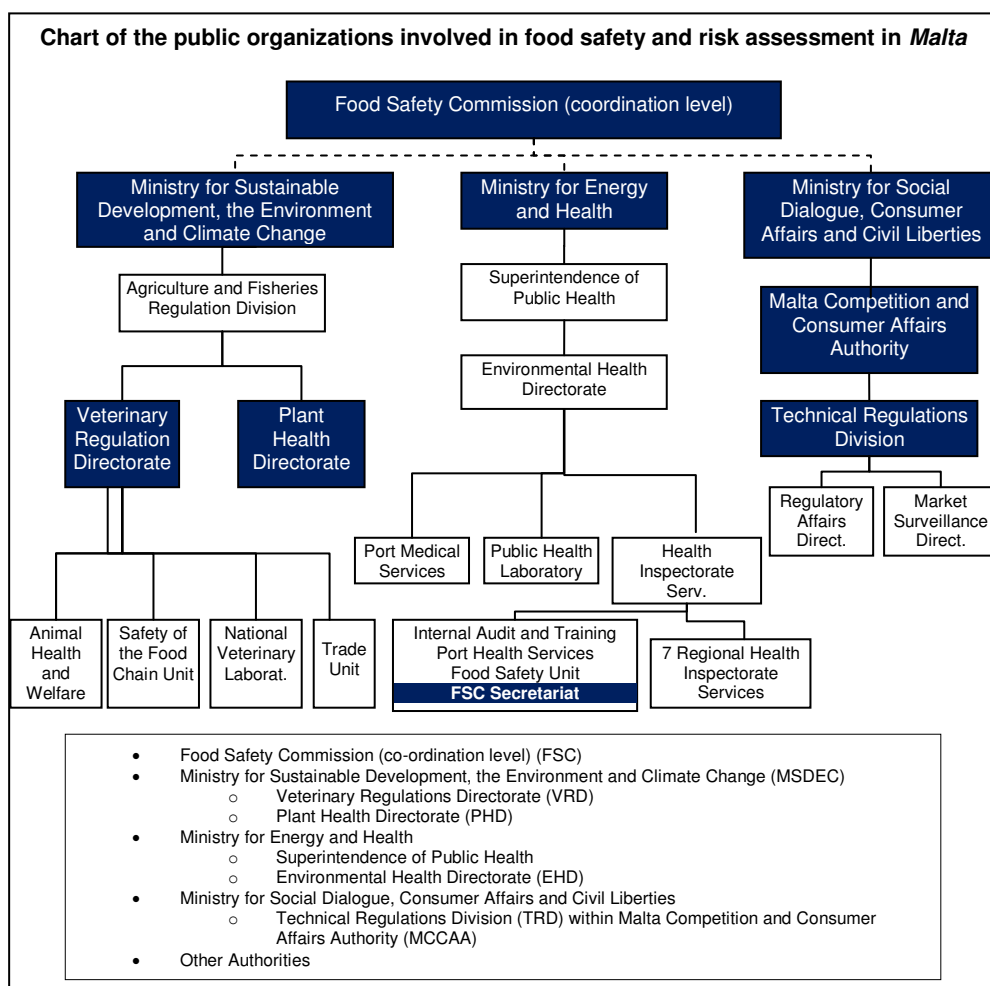
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Country Profile: Maltaⁱ

I – Key priorities for risk assessment

- Emerging risks
- European Union Member State cooperation for risk assessment: plant protection products, chemicals, botanicals in food supplements, novel foods, substances used in food contact materials and GMO varieties used for human consumption.
- Tools for risk assessment

II – Major public actors involved in food safety (including risk assessment, management and communication)



Two Ministries have the main responsibilities for food safety, animal health, animal welfare and plant health in Malta

- the Ministry for Sustainable Development, the Environment and Climate Change (MSDEC) which includes the Veterinary Regulations Directorate and the Plant Health Directorate within the Agriculture and Fisheries Regulation Department.
- the Ministry for Energy and Health (MEH) which includes the Environmental Health Directorate (EHD) within the Superintendence of Public Health.

The Technical Regulations Division (TRD) within the Malta Competition and Consumer Affairs Authority (MCCAA) (under the portfolio of the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties) acts on behalf of MSDEC for plant protection products, and on behalf of the Ministry for Energy and Health for food risk assessment;

Co-ordination between these two Ministries on food safety issues takes place through the Food Safety Commission (FSC), which is an independent Government co-ordinating body established under the Food Safety Act of 2002. The FSC reports to and advises the Minister for Energy and Health.

Generally, Malta has a national centralised system. Due to the small scale of the services, the offices at central level are responsible not only for policy and co-ordination but also for direct implementation of controls.

Main public organisations involved in food safety and roles - Malta

Organisation	Main areas of remit (in term of risk assessment/ management/ communication)	Risk assessment	Risk management	Risk communication
FSC – Food Safety Commission	Co-ordinating function			x
Ministry for Social Dialogue, Consumer Affairs and Civil Liberties MCCAA – Competition and Consumer Affairs Division	Risk communication			x
Ministry for Social Dialogue, Consumer Affairs and Civil Liberties. TRD – Technical Regulations Division	Risk assessment	x		x
Ministry for Energy and Health. EHD – Environmental Health Directorate	Risk management		x	
Ministry for Energy and Health. Health Promotion and Disease Prevention Directorate				x
Ministry for Sustainable Development, the Environment and Climate Change PHD – Plant Health Directorate	Risk management		x	

Main public organisations involved in food safety and roles - Malta

Organisation	Main areas of remit (in term of risk assessment/ management/ communication)	Risk assessment	Risk management	Risk communication
Ministry for Sustainable Development, the Environment and Climate Change. VER – Veterinary Regulation Directorate	Risk management		x	
Ministry for Sustainable Development, the Environment and Climate Change. Malta Environment and Planning Authority	Risk management		x	

Regulation (EC) No. 178/2002 is the central legal foundation for food legislation in Malta. In the case of infringements of food law, the courts decide on measures under the Food Safety Act (Chapter 449)

In Malta, there is institutional separation of risk assessment from risk management.

Risk assessments are not normally published.

Malta participates in the EU policy making processes and in the relevant European Agencies and Bodies.

Malta also participates in the work of Codex Alimentarius.

Food Safety Commission (FSC)

Website: <https://www.gov.mt/en/Services-And-Information/Business-Areas/Health%20Services/Pages/Food-Safety-Commission.aspx>

The Food Safety Commission (FSC) is an independent statutory body, set up to co-ordinate the functions of all Competent Authorities responsible for food safety in Malta. The Commission is chaired by the Superintendent of Public Health within the Ministry for Energy and Health. Directors of Authorities responsible for food safety throughout the food chain and covering the areas of risk management, risk communication and risk assessment are represented within the FSC.

These include the Environmental Health Directorate (EHD), Veterinary Regulation Directorate (VRD), the Plant Health Directorate (PHD), the Technical Regulations Division (TRD) within the Malta Competition and Consumer Affairs Authority (MCCAA), the Malta Environment and Planning Authority (MEPA), and the Office for Consumer Affairs within the Malta Competition and Consumer Affairs Authority, and the Directorate of Health Promotion and Disease Prevention. Each competent authority has signed a Memorandum of understanding with the FSC.

The Food Safety Commission Secretariat (FSCS) organises the activities of the Food Safety Commission in order to satisfy its commitments as laid down by the Food Safety Act. The Food Safety Commission Secretariat co-ordinates the work of the FSC members regarding their obligations vis-à-vis the official control of foodstuffs. It acts as the link with local and international organisations, the food industry and individuals for the benefit of the consumer. The outcomes of FSC meetings are recorded and consensus is required before a decision is taken. The decisions or recommendations coming from these meetings are not legally binding for the competent authority. However, the FSC could advise the Minister of Health to take certain actions if necessary.

Competent authorities may organise *ad hoc* meetings with other authorities if and when needed, including Customs Services and Police Administrative Law Enforcement Section.

Due to the small scale of the services in Malta, the offices at central level are responsible not only for policy and co-ordination but also for direct implementation of controls (except EHD).

In summary, the FSC is responsible for monitoring, co-ordinating and reviewing all practices, operations and activities relating to food by:

- applying the precautionary principle on identifying risks to consumers;
- monitoring the enforcement of relevant legislation;
- administering the Rapid Alert System for Food and Feed (RASFF);
- formulating and implementing policies and strategies;
- providing advice to the Minister responsible for Public Health;
- carrying out studies, research and investigations;
- ensuring proper records and registers are kept;
- issuing guidelines as necessary.

Veterinary Regulations Directorate (VRD)

Belongs to the **Ministry for Sustainable Development, the Environment and Climate Change (MSDEC)**

Website: <http://vafd.gov.mt/home>

Within the Veterinary Regulations Directorate (VRD), the Heads of the Units report to the Director supervising the work of their sections. Manuals, standard operating procedures and guidelines are prepared by officers within the sections, reviewed and approved by the head of sections, unit or the Director. Internal and external training is prepared according to an internal procedure. Monthly management meeting are organised and minuted.

Food and feed

The main objective of the Veterinary Regulation Directorate is to ensure that there is a comprehensive and integrated system of official controls from 'farm to fork' which contributes to protecting public and animal health and safeguarding consumer interests. The aim is that such a system contributes, in particular, to the following objectives:

- reduces food-borne illness;
- limits and monitors the risks to consumers from chemical contamination
- helps consumers make informed choices by running information campaigns
- protects consumers from food fraud and illegal practices
- improves collaboration with various competent authorities
- prepares national implementing legislation if and when required

These objectives are closely linked to specific key strategic and targets of the Directorate.

Animal health and animal welfare

The specific objectives of an effective system of official controls in the animal health and animal welfare sectors is to protect public and animal health, promote the welfare of animals, prevent, control and eradicate disease.

These objectives link closely with achieving specific key Directorate's strategic and business plans and targets.

Plant Health Directorate (PHD)

Belongs to the **Ministry for Sustainable Development, the Environment and Climate Change (MSDEC)**

Website: <http://www.agric.gov.mt/plant-health-dept-profile?l=1>

The Plant Protection Board (PPB) was set up in 2008 as a statutory advisory board and is constituted in terms of the Plant Quarantine Act (Cap. 433). All the various stakeholders are represented on this Board. Consultations and discussions on phytosanitary matters are taken care of by this Board. In addition the PHD may issue a consultation process to other relevant competent authorities and stakeholders not represented on the Board.

The main objectives of the Plant Health Directorate are

- to prevent the spread and introduction of primarily quarantine pests of plant material and plant products but also of pests and diseases affecting quality and to promote appropriate measures for their control;
- as the Maltese National Plant Protection Organization (NPPO), to co-ordinate and regulate activities to control the introduction and dispersion of major pests and diseases harmful to plant production and to encouraging the production of good quality and healthy plants, as foreseen in the International Plant Protection Convention (IPPC) and the European Union's legislative provisions;
- to monitor the market of propagation material in the Maltese territory with the aim of having available in circulation high quality propagation and planting material. This Directorate also deals with plant variety rights and the conservation of plant genetic resources;
- to prevent the entry of harmful organisms through examining imported consignments from third countries through identity and physical checks, and accompanying documentation;
- to monitor and carry out surveillance of intra-trade EU commodities (plant and plant products) and local production of plants and plant products to maintain the plant health status of Malta.

Superintendence of Public Health: Environmental Health Directorate

Belongs to **Ministry for Energy and Health (MEH)**

Website: <https://www.gov.mt/en/Services-And-Information/Business-Areas/Health%20Services/Pages/Environmental-Health-Unit.aspx>

Between EHD regional offices and units there is a direct line of command and co-ordination of activities. EHD provides regional offices and units with national plans, implementing rules and SOPs, guidelines and training. It also organises co-ordination meetings with management to

discuss general problems. In addition to this, EHD initiate monthly meetings with local units, and organise regular seminars.

The main objective of the Environmental Health Directorate is to promote and safeguard the well-being and health of the public from adverse environmental effects.

The Environmental Health Directorate strives to be the leader as an official control body in the fields of environmental health and food control. The aim is to have in place a workforce that:

- is aware of the needs of the Directorate's stakeholders
- has a sense of responsibility and belonging
- is accountable
- is able to work in a flexible and professional manner.

The Environmental Health Directorate leads programmes that promote the attainment of the highest standards of public health and hygiene by addressing risk factors associated with environmental hazards. The Directorate is responsible for safeguarding the health and well being of the public through the enforcement of legislation derived from the European Union, National and International legislation.

Functional units of Environmental Health Directorate include the Health Inspectorate Services, Public Health Laboratory, and Port Medical Services.

Technical Regulations Division (TRD) within Malta Competition and Consumer Affairs Authority (MCCAA)

Belongs to the **Ministry for Social Dialogue, Consumer Affairs and Civil Liberties**

Website: <http://mccaa.org.mt/en/regulatory-affairs-directorate>

The main objectives of the Malta Competition and Consumer Affairs Authority within the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties are the attainment and maintenance of well-functioning markets for the benefit of consumers and economic operators. Other objectives are:

- to promote and enhance competition;
- to safeguard consumers' interests and enhance their welfare;
- to promote voluntary standards and provide standardization related services;
- to promote the national metrology strategy;
- to promote the smooth transposition and adoption of technical regulations; and
- to perform such other function that may be assigned to it under this or any other law or regulations.

The Technical Regulatory Division within the Malta Competition and Consumer Affairs Authority (under the portfolio of the Ministry for Social Dialogue, Consumer Affairs and Civil Liberties) acts on behalf of MSDEC for plant protection products, and on behalf of the Ministry for Energy and Health, for food risk assessment.

Other authorities

Other authorities with responsibilities in relation to food safety are:

- the **Office for Consumer Affairs** within the Malta Competition and Consumer Affairs Authority (Ministry for Social Dialogue, Consumer Affairs and Civil Liberties) - responsible for safeguarding consumer interests as envisaged by the provisions of the Consumer Affairs Act;
- the **Health Promotion and Disease Prevention Directorate** within Ministry for Energy and Health is responsible for food safety and nutrition policy in the context of health promotion;
- the **Environment Protection Department** within the Malta Environment and Planning Authority (MEPA) responsible for environmental issues (packaging waste, environmental impact of agricultural activity) and for genetically modified organisms.

III – Food safety alerts management in Malta

1. Does the competent authority (or authorities) for food safety have an established mechanism to evaluate and react to food safety crises (crises management mechanism)?	Yes
2. If the reply to Q1 is yes, does this mechanism include a committee or a body with pre-determined representatives?	Yes, a committee with pre-determined representatives exists and it can include additional members if needed for a specific crisis
3. If there is an established mechanism for crisis management (the reply to Q1 is Yes):	
3a. Do actors with risk assessment capacity participate directly in this mechanism?	-
3b. Do actors with risk management capacity participate directly in this mechanism?	-
3c. Do actors with risk communication capacity participate directly in this mechanism?	-

Mechanism to evaluate and react to a food safety crisis

This mechanism is in virtue of Article 13 of Regulation (EC) 882/2004 with respect to crisis management and the implementation of a contingency for feed and food, and the measures to be taken especially with respect to the channels and procedures for sharing information between the relevant parties as required by paragraph 2(c). A list of the administrative authorities to be engaged as required by article 13, 2(a) and their powers and responsibilities as required by article 13, 2(b) is also attached as annex 6.

Top Down approach

When information of a national crisis is received from a Head of Department, Political figure or any other high ranking official within the Public Service, the information is normally passed on to one of the National Crisis Coordinators. Action taken is dependent on the urgency and nature of

the crisis. If the crisis is within the remit of the entity represented by the national crisis coordinator, action is taken and limited within that entity. Should the crisis involve more than one entity, the national crisis coordinator communicates with the other national crisis coordinators and together decide on a way forward. If the crisis is widespread and requires that an urgent meeting of the Food Safety Commission be convened in order to discuss and decide on any action required, the secretary of the Food Safety Commission is contacted and a meeting convened at a very short notice, even within the same day. The Food Safety Commission can and will invite any other entity to be present for such a meeting.

Bottom Up approach

If information of a national crisis is received at a regional office, either through EHOs within regions or within any other regional office of the various entities scattered around the island, the officer receiving the information will inform his immediate superior and the information is passed up the chain of command until one of the national crisis coordinators is informed. Action taken will follow the procedure mentioned for the top down approach.

Contingencies arising after office hours

The Health Inspectorate Services within the Environmental Health Directorate implements a round the clock, 24/7 On-Call Duty roster covering the whole of Malta as well as Gozo. With such an on call system, 13 Environmental Health Officers are kept on standby duty after office hours should a contingency arise. Officers normally perform on call duty on a weekly basis and a copy of the On Call Duty Roster is sent to operator of Mater Dei Hospital. Once Mater Dei Hospital is alerted with a food related contingency, the Senior Environmental Health Practitioner on call duty is immediately informed who in turn informs the Director for Environmental Health. Action taken is commensurate with the extent of the contingency and the procedure adopted for the top down approach is then implemented.

Also included on the on call duty roster is an official who has 24/7 access to the Rapid Alert System on Food and Feed (RASFF). Should a contingency develop via RASFF, the official on call duty informs the Director for Environmental Health and action taken is again commensurate with the urgency of the case. The official on call duty on RASFF will inform RASFF should a local contingency involve other member states.

IV – Characteristics of the food sector in Malta

The number of food premises that are registered with the Food Safety Commission is 8126.

Number of enterprises:

% of the industrial sector: N/A

% of the industrial workforce: N/A

% of industrial turnover: N/A

Top subsectors (in terms of number of enterprises):

The top 5 food categories (no. of establishments) are:

1. Catering Establishment - 2930
2. Retailers - 2430
3. Miscellaneous - 1494 (Importers first seller, wholesalers, food transport, temperature controlled vehicles, cold stores, stores, reception halls, vending machines)
4. Hawkers - 762
5. Manufacturing - 459

The top 5 sub-categories are:

1. Snack bar/cafeteria/takeaway - 1103
2. Restaurant - 728
3. Grocery includes self-service, mini market etc. - 773
4. Temperature controlled vehicle – 518
5. Bar – 462

The number of registered Food Handlers having non-expired cards (licenses) is 36388.

Top subsectors (in terms of turnover): N/A

V – Civil Society Organisations

Consumers' Association Malta

Website: <http://www.camalta.org.mt/site/home.php>

In Malta there exists one consumer association (Consumers' Association Malta; CA Malta). This association acts as a representative for the local consumers on several national boards, amongst them, the Malta Competition and Consumer Affairs Authority (MCCAA), the Medicines Committee and the Consumers' Affairs Council which is a national board whose primary focus is to advise the Minister responsible for consumer affairs on policy and legislation. CA-Malta also represents consumers on other boards mainly the Users' Boards of Public Utilities as well as representing the local consumers in international fora especially at EU level.

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