

SUBJECT GUIDE

FOOD LAW AND ETHICS

MODULE	CONTENT	YEAR	TERM	CREDITS	TYPE
Management and Quality of the food industry	Food Law and Ethics	4º	1º	6 (Theory 4,5- Practice 1,5)	mandatory
<b>LECTURER(S)</b>			<b>Postal address, telephone nº, e-mail address</b>		
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<b>DEGREE WITHIN WHICH THE SUBJECT IS TAUGHT</b>					
Degree in Science and Food Technology			Degree in Human Nutrition and Dietetics Degree in Law		
<b>PREREQUISITES and/or RECOMMENDATIONS (if necessary)</b>					
Basic knowledge in Food Science					
<b>BRIEF ACCOUNT OF THE SUBJECT PROGRAMME (ACCORDING TO THE DEGREE ¿??)</b>					
This course is an introduction to Food law and ethics. We study the basic legal concepts, the food legislation most relevant, and the ethical rules for the profession.					
<b>GENERAL AND PARTICULAR ABILITIES</b>					
<p>It is expected that students achieve the following objectives:</p> <p>a) Identify the position of Food Law. b) Understanding the sources of law, remember the core provisions related with the program. c) Understand the organization and distribution of the power.</p>					



- d) To use correctly the legal terms included in the program.
- e) Understand the rules of operation of the Public Administrations in the food sector.
- f) Understand the legal responsibilities in the food sector.
- g) To acquire legal knowledge necessary for the development of their profession.
- h) Understand the ethical rules and assess the ethical implications in his performance as a professional.

## **OBJECTIVES (EXPRESSED IN TERMS OF EXPECTED RESULTS OF THE TEACHING PROGRAMME)**

## **DETAILED SUBJECT SYLLABUS**

### MODULE I. BASIC LEGAL CONCEPTS (Department of Administrative Law)

#### LECTION 1. - INTRODUCTION TO FOOD LAW.

The law. The particular legal sciences. Legal systems. Legal rules. The legal system. The sources of law. Fundamental rights. Food Law.

#### LECTION 2. - INTERNATIONAL FOOD LAW.

Political-administrative dimension of international organizations related to food. International food standards and regulation of international trade in food. The International Food Law and the European Union.

#### LECTION 3. - EUROPEAN FOOD LAW.

The institutions of the European Union. The structure and content of European Union law and the European Food Law. The relationship between European Union law and national law. Judicial review of the European Food Law.

#### LECTION 4. - ADMINISTRATIVE FOOD LAW.

Public Administration: concept, organization and skills. Administrative activity in food safety: limitation (limiting rules, authorizations, communications and responsible statements, information, administrative inspection, orders and prohibitions), promotion and public service. The administrative act.

#### LECTION 5. - LEGAL RESPONSIBILITIES.

The administrative, civil and criminal responsibilities. The liability of the Public Administration.

#### LECTION 6. - THE SYSTEM OF WARRANTIES.

Non-judicial controls (complaints, grievances and alternative disputes resolution, and administrative resources). Judicial controls (civil, criminal and administrative litigation).

### MODULE II. SPECIAL FOOD LAW AND ETHICS (Department of Nutrition and Food Science).

#### LECTION 7. - FOOD QUALITY.

Quality standards. Standardisation bodies. Terms and concepts associated: CE, Certification and Accreditation.

#### LECTION 8. - OFFICIAL CONTROL OF FOOD.

General principles of food control. Inspection. Sampling. Control of personal hygiene. Examination of written and documentary material. Verification and outcomes. Self technique.

#### LECTION 9. - FOOD AND LABELLING INFORMATION.

Food information to consumers. Labelling, presentation and advertising. Nutritional labeling. Ecological labeling.

#### LECTION 10. - MARKETING OF FOOD.

Nutrition and health claims made. Commercial communications. Legal regime for use.

#### LECTION 11. - FOOD INNOVATION.

New foods. Genetically modified foods. Functional Foods. Design food. Other foods. Application Procedures, Authorisation and Marketing. Regulation.

#### LECTION 12. - ETHICS.

Origin. Concept. Fundamental principles. Practical application. Codes of ethics.

#### PRACTICAL AGENDA:

Practical study of the act of each lection.  
Study and practical handling of these regulations.

## **READING**

### **BASIC READING:**

- COSTATO, L., y ALBISINI, F. (2012). European Food Law. Cedam. Italia.



- BOURGES, L.A. (Coor.).(2013) UE: Sociología y Derechos Alimentarios. Aranzadi, Madrid.
- RECUERDA GIRELA, M.A. (Dir.) (2011). Tratado de Derecho Alimentario. Aranzadi, Cizur Menor (Navarra).
- RECUERDA GIRELA, M.A., (2013). Código de Derecho Alimentario. Aranzadi. Cizur Menor (Navarra).
- VAN DER MEULEN, B.; VAN DER VERDE, M., (2009). European Food Law Handbook. Wageningen Academic Publishers. The Netherlands.

#### **ADDITIONAL READING:**

- ANÓNIMO (1980). Symposium sur le contrôle des denrées alimentaires (Rome, 12-15 septembre 1978). Commission des Communautés Européennes, Bruxelles, Belgium.
- BARROS, C. y otros (1992). Criterios a tener en cuenta en un proyecto de ordenación alimentaria. EYPASA, Madrid.
- BIGWOOD, E.J. y A. GERARD. Objetivos y principios fundamentales de un derecho comparado de la alimentación. Vol 1: Introducción y ámbito general de aplicación. Vol. 2: Elementos de motivación y elementos de cualificación. Vol. 3: Elementos estructurales y elementos institucionales. Vol. 4: Elementos de control y de sanción y conclusión. Ensayo de síntesis de un derecho moderno de alimentación. SID-Alimentaria, Madrid.
- BERGKAM, L. Food regulation and consumer protection an over view. *World Food Regulation Review*, núm. 1 (1991), 14-19.
- DEBOYSER, P. (1989). Le droit communautaire relatif aux denrées alimentaires. Storyscientia. Bruselas.
- DERACHE, J. (1990). La seguridad alimentaria. Reglamentación europea. Toxicología y seguridad de los alimentos. Barcelona.
- Comisión Europea. (2011). El ABC del derecho de la Unión Europea. Luxemburgo.
- FAO (1976). Orientaciones para el establecimiento de un eficaz sistema nacional de inspección de alimentos. FAO, Roma.
- FAO (2004). Comisión del Codex Alimentarius. Manual de procedimiento, 14ª ed. FAO, Roma. Versión electrónica disponible en [http://www.codexalimentarius.net/web/procedural\\_manual.jsp](http://www.codexalimentarius.net/web/procedural_manual.jsp)
- FAO (1992-). Codex Alimentarius. 2ª edición. Varios volúmenes. FAO, Roma. Versión electrónica en <http://www.codexalimentarius.net/>
- FONTAINE, P. (1990) La declaración de Schuman (1950-1990). Una nueva idea para Europa. Documentación europea. Luxemburgo.
- FRANCISCO POLLEDO, J.J. (2002). Gestión de la seguridad alimentaria. Mundi-Prensa, Madrid.
- GERARD, A. (1975). Elementos del derecho de la alimentación: estructura, principio y disposiciones esenciales. FAO, Roma.
- GOODBURN, K. ed. (2001). EU Food Law, a practical guide. Woodhead Publishing Ltd., Cambridge, UK.



- Legislación Alimentaria. Código Alimentario Español y disposiciones complementarias (2006). Tecnos, Madrid.
- KLAUS-DIETER BORCHARDT. (2000). El ABC del derecho comunitario. Dirección General de educación y Cultura. Comisión Europea. Bruselas.
- LIÑAN NOGUERAS, D.J. (2011). Textos jurídicos básicos de la Unión Europea. La ley, Madrid.
- LOSADA-MANOSALVAS, S. (2001). La gestión de la seguridad alimentaria. Ariel, Barcelona.
- MANGAS MARTIN, A; LIÑAN NOGUERAS, D.J. (2012). Instituciones y derecho de la Unión Europea. Tecnos, Madrid.
- MATTERA, A. (1991). El Mercado Único Europeo. Sus reglas, su funcionamiento. Civitas, Madrid.
- RECUERDA GIRELA, M.A. (2006). Seguridad alimentaria y nuevos alimentos. Régimen jurídico-administrativo. Aranzadi, Cizur Menor (Navarra).

#### Webs

- <http://www.boe.es>
- <http://eur-lex.europa.eu/es/index.htm>
- <http://eur-lex.europa.eu/es/legis/latest/index.htm>
- <http://eur-lex.europa.eu/COMIndex.do?ihmlang=es>
- [http://ec.europa.eu/enterprise/tris/index\\_es.htm](http://ec.europa.eu/enterprise/tris/index_es.htm)
- <http://www.codexalimentarius.net/>
- <http://www.mapa.es>.
- <http://www.msc.es>.
- <http://www.aesan.msc.es/aesa/web/AESA.jsp>
- [http://ec.europa.eu/dgs/health\\_consumer/index\\_en.htm](http://ec.europa.eu/dgs/health_consumer/index_en.htm)
- [http://curia.europa.eu/jcms/jcms/j\\_6/](http://curia.europa.eu/jcms/jcms/j_6/)
- <http://indealbruselas.googlepages.com/glosalim>
- <http://aibadaredeco.googlepages.com/home>
- <http://www.agra-net.com/portal/puboptions.jsp?Option=menu&pubId=ag092>
- <http://www.aenor.es>.
- <http://www.iso.ch/welcome.html>.
- <http://www.cenorm.be>.
- <http://derechoconsumo.blogspot.com/>
- <http://www.iaclaw.org/index.html>.

