Legal action over dioxin poisoning in Belgium

Coca-Cola products hit by new contamination scandal

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The European Union is poised to take legal action against the Belgian government for its handling of the dioxin poisoning affair. EU Farm Commissioner Franz Fischler said the case went beyond Belgium's failure to provide a timely warning to other EU states about the potential hazard from dioxin-contaminated animal feeds and food products.

The EU Commission ordered a four-day inspection tour between June 8 and 11 to investigate the dioxin contamination and the Belgian government's handling of it. The preliminary report by the nine inspectors, accompanied by two other scientific experts, has produced damning evidence of complacency and cover-up by the Belgian authorities. They have also found a criminal disregard of health and safety regulations by companies operating in the animal feed supply industry.

The inspectors' report accuses the Belgian authorities of dragging their feet before "taking stock of the size of the problem". This was compounded by a lack of information, or indeed misinformation, provided to consumers and the EU bodies responsible for health and agriculture.

They state, "The source of the dioxin contamination in Belgium is still not clear. Both hypotheses on how the contamination of the fat at the beginning of the feed chain may have occurred, whether by a leak in the heating system or by a mistake during the collection of oils therefore, have to be maintained."

The inspectors also point to the fact that "the protective measures taken by the Commission against the dioxin contamination are still not being fully applied [in Belgium]. The inspectors also noted shortcomings in the control of the feed production chain and criticised the general co-ordination and the information flow of the Belgian authorities which led to a great confusion among consumers."

Belgian daily *Le Soir* reports, "The lack of a reaction by the authorities to the news of the contamination on April 26 involved a considerable waste of time lasting several weeks." No crisis centre was set up to deal with the problem. Once the general public began to become aware of the potential health dangers, the arrangements announced were "fragmented, incomplete and sometimes contradictory, evolving by the hour, without any perceptible guidelines", *Le Soir* writes. The authorities were "overtaken" by events, which "generated total confusion for the consumer".

Their inspection has revealed "serious omissions, in particular concerning the implementation of community [EU] measures regarding the use of animal waste".

The preliminary report points to two probable causes of the dioxin contamination. First, a leak in an oil-fired heating system could have allowed heating oil to escape into the circuits used for the production of animal fats at the plant run by Verkest. "It is certain that at least an equal quantity of heating oil contaminated greases, without these being withdrawn from the circuits used to manufacture feed-stuffs. The oil was of a type authorised until the end of the 1960s which could contain PCB, and consequently dioxins."

Second, Verkest had added to the animal grease recycled oils whose origins cannot be safely established. It is thus "extremely probable that chemical substances have at one time or another contaminated batches of recycled oils".

Belgian authorities were originally informed on March 19 that there was a problem, but did not reveal the scale of the hazard until the end of May. "This initial lack of a response contrasts with the haste which characterised the management of the crisis since May 28," the EU preliminary report contends.

Verkest, based in Flanders, enjoys a virtual monopoly in the Belgian trade in fats and greases intended for animal feeds. It exports to several bordering countries including France, Luxembourg and Holland. The inspectors' preliminary report accuses Verkest of fraud regarding the

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content of its products: “the composition of greases for the animal feeds ... included up to a third of recycled oils”. The inspectors also point the finger at the transport company employed by Verkest, whose tankers “were never cleaned between each loading”.

The suspect oils used by Verkest mainly came from another company now under suspicion, Fogra, based in the south of Belgium. Fogra is accused of disregarding EU legislation concerning the processing of animal waste products.

The regional authorities in Wallonia have the company listed as “waste reprocessors”, whereas it actually reprocesses animal waste from slaughterhouses and abattoirs, as well as cooking oil used in fast-food outlets, and from other agricultural and food industry sources in Belgium, France and Luxembourg. The wrong classification means that the company does not have to adhere to the much stricter regulation governing the processing of substances used in the food chain. This affects such essential standards as the provision of distinct “clean” and “soiled” sectors, and the necessity to regularly clean and disinfect plants and equipment, as well as the vehicles used to transport the products. The inspectors report that the liquefaction process Fogra used to collect the greases “inevitably generates contamination by undesirable chemical substances”.

The Belgian government has been given 10 days to respond to the preliminary findings. The European Union Commission meets on June 23, when it will decide the scope of the legal case it will mount against Belgium.

The scandal continues to impact on the Belgian agriculture and food sectors. *Le Soir* wrote on Thursday, “The Belgian dairy sector is on the edge of asphyxiation”. Despite some companies being given a clean bill of health, the economic situation of Belgian producers of milk and milk products has “become less and less bearable”. Renaat Debergh, the secretary-general of the Belgian Confederation of the Milk Industy, said: “The survival of the whole of the Belgian milk industry is threatened today. Because of the persistent indecision of the European authorities, a whole sector is at the edge of bankruptcy.” He said that three firms have already shut down and some 600 staff laid off. The jobs of up to 6,000 who are employed in this industry could be affected.

Earlier this week, more than 100 Belgian children were hit by sudden illness after drinking Coca-Cola products. The symptoms produced by the suspect drinks include nausea and headaches. A number of those affected have been hospitalised. Belgian Health Minister Luc Van den Bossche said the ban on the sales of Coca-Cola beverages announced on Thursday would continue, as the source of the contamination was still unknown.

The authorities were quick to order the withdrawal of a range of suspect soft drinks produced by the company in Belgium. A similar ban was also made in France and Holland where exports from the Belgian plants are widely sold.

On its web site, Coca-Cola reports that “after thorough investigation, no health or safety issues were found.” It attributes the problems to the use of a “defective” supply of the carbon dioxide gas used at its Antwerp plant. It also claims that a wood treatment agent used on transportation pallets had caused an “offensive odour on the outside bottom of the can”.

The manufacturers of the gas, Swede Aga Gas, denied Coca-Cola's claims that “bad” CO2 was to blame. The company said the gas was perfectly normal and they had samples of the batch that was delivered to Belgium to prove it. This caused Coca-Cola to change tack. According to a report in Friday's *Le Soir*, “Coca-Cola's report transmitted to the Ministry of Health reckoned that ‘chlorine products used to clean automatic drink dispensers' could be the cause of the illnesses”.

Coca-Cola makes over 75 percent of its profits from overseas sales of its products—some 20 percent in Europe alone. The Asian and Russian crises of the last year hit Coca-Cola sales hard, which were down 10 percent at the end of 1998 and in early 1999. Although the Belgian market represents just 1 percent of Coca-Cola's sales, the company is desperate to ensure its multibillion-dollar European market is not hit by a scandal involving the safety of its products.

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