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# Food Safety: A Matter of Taste?

Katharina T. Paul

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Food Safety Policy in England, Germany, the Netherlands,  
and at the Level of the European Union



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## TABLE OF CONTENTS

<i>Acknowledgements</i> .....	v
<i>List of Abbreviations</i> .....	vii
<b>CHAPTER ONE: INTRODUCTION</b> .....	<b>1</b>
1.1 DIVERSITY AND CONVERGENCE: BEYOND A COMPARATIVE APPROACH.....	3
1.2 TREMBLING COWS, SHAKY BOUNDARIES: THE STATUS OF FOOD (SAFETY) IN THE EU .....	5
1.2.1 <i>The status ante quo</i> .....	5
1.2.2 <i>What's in a border? The transgression of two boundaries</i> .....	8
1.2.3 <i>Crisis after crisis: An overview of major food scares</i> .....	11
1.3 THE APPROACH .....	13
1.3.1 <i>A new lens: The importance of meaning</i> .....	13
1.3.2 <i>Case selection</i> .....	14
1.4 OUTLINE OF THE STUDY.....	15
<b>CHAPTER TWO: FOOD SAFETY AS AN OBJECT OF INQUIRY: LOGICS OF CONTESTATION</b> .....	<b>19</b>
2.1 INTRODUCTION: FOOD (SAFETY) AS A CONTESTED ISSUE.....	19
2.2 THE LITERATURE ON EUROPEANIZATION .....	20
2.2.1 <i>From EU Integration to Europeanization</i> .....	20
2.2.1 <i>Moving beyond the Europeanization literature</i> .....	24
2.3 THE EUROPEANIZATION OF FOOD (SAFETY): CRISIS AND INSTITUTIONAL DEVELOPMENT .....	28
2.3.1 <i>Food (safety) as a Europeanizing object of inquiry</i> .....	28
2.3.2 <i>Food scares as institutional crisis</i> .....	29
2.4 THE ROLE OF SCIENCE IN FOOD (SAFETY) GOVERNANCE .....	34
2.5 THE CONSUMER IN FOOD (SAFETY) POLICY .....	38
2.6 TRUST IN FOOD, POLITICS, AND SCIENCE .....	40
2.7 FOOD (SAFETY) AS A COLLECTIVE EXPERIENCE OF RISK .....	44
2.8 CONCLUSIONS.....	47
<b>CHAPTER THREE: A DISCOURSE-ANALYTICAL APPROACH</b> .....	<b>49</b>
3.1 INTRODUCTION .....	49
3.2 THE CENTRAL UNDERPINNINGS OF DISCOURSE ANALYSIS .....	52
3.3 FROM STRUCTURALIST LINGUISTICS TO POSTSTRUCTURALIST DISCOURSE THEORY	58
3.3.1 <i>Saussurean linguistics and deconstruction</i> .....	58
3.3.2 <i>Towards a delimitation of poststructuralism</i> .....	61
3.3.3 <i>Key terms in discourse theory</i> .....	62
3.4 POSTSTRUCTURALISM AND POLITICAL ANALYSIS: BUILDING BRIDGES .....	65
3.4.1 <i>Policy, discourse, and practice</i> .....	65

3.4.2 <i>Discourse, agency, and dislocation</i> .....	68
3.4.3 <i>Towards a performative approach</i> .....	71
3.4.4 <i>Performance, speech acts, and the act of writing</i> .....	75
3.5 HOW TO ANALYZE MEANING: FROM CONCEPTS TO METHODS.....	83
3.5.1 <i>Research questions</i> .....	83
3.5.2 <i>Data collection</i> .....	84
3.5.3 <i>Ordering the data</i> .....	86
TABLE 3.1 POLICY DISCOURSE ACROSS CONTEXTS: CLUSTERS OF PRACTICE .....	87
3.5.4 <i>Identification of discourses</i> .....	88
3.5.5 <i>Analysis as an iterative process</i> .....	90
3.5.6. <i>Challenges and reflections</i> .....	91

## **CHAPTER FOUR: MAD COWS AND ANGRY CONSUMERS. THE REINVENTION OF FOOD (SAFETY) AND FARMING IN ENGLAND..... 94**

4.1 INTRODUCTION .....	94
4.2 A HISTORY OF FOOD (SAFETY) POLICY IN ENGLAND .....	94
4.2.1 <i>Food (safety) since the nineteenth century</i> .....	94
4.2.2 <i>Post-war food (safety) policy</i> .....	97
4.2.3 <i>From productionism to the 'new food movement'</i> .....	99
4.3 THE CHANGING GOVERNANCE OF FOOD (SAFETY) .....	103
4.3.1 <i>The history of BSE</i> .....	103
4.3.2 <i>BSE and initial institutional interventions</i> .....	106
4.3.3 <i>The meaning of FMD and continuing institutional rearrangements</i> .....	109
4.4 CHANGE AND CONTINUITY IN FOOD (SAFETY) POLICY DISCOURSE IN ENGLAND.....	113
4.4.1 <i>Good Governance</i> .....	114
4.4.2 <i>Consumer protection</i> .....	120
4.4.3 <i>Public health</i> .....	127
4.4.4 <i>Environmental sustainability</i> .....	132
4.4.5 <i>Market efficiency</i> .....	139
4.5 CONCLUDING REMARKS .....	145
TABLE 4.1 ENGLISH FOOD (SAFETY) POLICY DISCOURSE: KEY NOTIONS .....	146

## **CHAPTER FIVE: 'NATURE' IN CRISIS. FOOD (SAFETY) POLICY IN GERMANY .....150**

5.1 INTRODUCTION .....	150
5.2 A HISTORY OF FOOD (SAFETY) POLICY IN GERMANY .....	151
5.2.1 <i>Food (safety) since the nineteenth century</i> .....	151
5.2.2 <i>Post-war food (safety) policy</i> .....	155
5.3 THE CHANGING GOVERNANCE OF FOOD (SAFETY).....	159
5.3.1 <i>BSE as an external problem</i> .....	159
5.3.2 <i>The discovery and interpretation of BSE</i> .....	163
5.3.3 <i>Institutional Interventions</i> .....	166
5.4 CHANGE AND CONTINUITY IN GERMAN FOOD (SAFETY) POLICY DISCOURSE.....	171

5.4.1 <i>Good governance</i> .....	171
5.4.2 <i>Environmental sustainability</i> .....	178
5.4.3 <i>Market efficiency</i> .....	187
5.4.4 <i>Consumer protection</i> .....	190
5.4.5 <i>Public health</i> .....	200
5.5 CONCLUDING REMARKS .....	205
TABLE 5.1 GERMAN FOOD (SAFETY) POLICY DISCOURSE: KEY NOTIONS .....	207
<b>CHAPTER SIX: FROM ‘POLITICS IN THE STABLE’ TO STABLE POLITICS: FOOD (SAFETY) POLICY IN THE NETHERLANDS.....</b>	<b>210</b>
6.1 INTRODUCTION .....	210
6.2 A HISTORY OF FOOD (SAFETY) POLICY IN THE NETHERLANDS .....	211
6.2.1 <i>Food (safety) in the 19<sup>th</sup> century</i> .....	211
6.2.2 <i>Post-war food (safety) policy</i> .....	214
6.3 THE CHANGING GOVERNANCE OF FOOD (SAFETY) .....	217
6.3.1 <i>BSE and other domestic food scares</i> .....	217
6.3.2 <i>Institutional rearrangements and (non-)interventions</i> .....	223
6.3.3 <i>Continuing institutional rearrangements</i> .....	225
6.4 CHANGE AND CONTINUITY IN DUTCH FOOD (SAFETY) POLICY DISCOURSE.....	226
6.4.1 <i>Good governance</i> .....	227
6.4.2 <i>Market efficiency</i> .....	233
6.4.3 <i>Environmental sustainability</i> .....	239
6.4.4 <i>Consumer protection</i> .....	247
6.4.5 <i>Public health</i> .....	252
6.5 CONCLUDING REMARKS .....	257
TABLE 6.1 DUTCH FOOD (SAFETY) POLICY DISCOURSE: KEY NOTIONS .....	258
<b>CHAPTER SEVEN: THOUGHT FOR FOOD (SAFETY) AT THE LEVEL OF THE EU .....</b>	<b>262</b>
7.1 INTRODUCTION .....	262
7.2 THE INCREMENTAL DEVELOPMENT OF AN EU APPROACH .....	263
7.2.1 <i>Food (safety) as national matter and the free market principle</i> .....	263
7.2.2 <i>The expert-based policy approach</i> .....	265
7.3 THE CHANGING GOVERNANCE OF FOOD (SAFETY) .....	266
7.3.1 <i>The Medina Report and the role of the European Parliament</i> .....	266
7.3.2 <i>A first proposal for a European agency</i> .....	268
7.3.3 <i>(Green and White) paper work at the European Commission</i> .....	269
7.3.4 <i>General Food Law: From farm to fork</i> .....	271
7.4 CHANGE AND CONTINUITY IN EU FOOD (SAFETY) POLICY DISCOURSE.....	272
7.4.1 <i>Good governance</i> .....	273
7.4.2 <i>Environmental Sustainability</i> .....	280
7.4.3 <i>Market efficiency</i> .....	285
7.4.4 <i>Consumer protection</i> .....	289

7.4.5 <i>Public Health</i> .....	294
7.5 CONCLUDING REMARKS .....	300
GRAPH 7.1 NODAL POINTS AND EUROPEANIZING ACTOR CONSTELLATIONS.....	301
<b>CHAPTER EIGHT: CONCLUSIONS .....</b>	<b>305</b>
8.1 RECAPITULATING: FROM PUZZLE TO APPROACH .....	305
8.2 DYNAMICS OF DISCURSIVE CHANGE AND CONTINUITY .....	307
8.2.1 <i>Good governance</i> .....	307
8.2.2 <i>Environmental sustainability</i> .....	308
8.2.3 <i>Market efficiency</i> .....	310
8.2.4 <i>Consumer protection</i> .....	311
8.2.5 <i>Public health</i> .....	313
8.3 CONTRIBUTIONS, LIMITATIONS, AND FURTHER AVENUES FOR RESEARCH.....	316
<i>Studying institutions</i> .....	316
<i>Studying Europeanization</i> .....	318
<i>(Policy) discourse analysis</i> .....	321
<b>BIBLIOGRAPHY.....</b>	<b>324</b>
<b>PRIMARY SOURCES .....</b>	<b>337</b>
<b>APPENDIX A: INTERVIEWS.....</b>	<b>351</b>
<b>APPENDIX B: CONSULTATION OF NEWSLETTERS.....</b>	<b>363</b>
<b>APPENDIX C: DISCURSIVE CLUSTERINGS IN POLICY DISCOURSE.....</b>	<b>367</b>
<b>SUMMARY .....</b>	<b>373</b>

### List of Abbreviations

AID	Auswertungs- und Informationsdienst für Ernährung, Landwirtschaft und Forsten (Information Center for Nutrition, Agriculture, and Forestry), Germany
AgV	Arbeitsgemeinschaft der Verbraucherverbände (Federal Consumer Association), Germany
BDL	Bund der Landwirte (Farmers' Union), Germany
BEUC	Bureau Européen des Unions de Consommateurs (The European Consumers' Organization), Brussels
BfR	Bundesinstitut für Risikobewertung (Federal Institute for Risk Evaluation), Germany
BgVV	Bundesinstitut für Gesundheitlichen Verbraucherschutz und Veterinärmedizin (Federal Institute for Consumer Health Protection and Veterinary Medicine), Germany
BGA	Bundesgesundheitsamt (Federal Health Office), Germany
BMG	Bundesministerium für Gesundheit (Federal Ministry of Health), Germany
BML	Bundesministerium für Ernährung, Landwirtschaft und Forsten (Federal Ministry for Nutrition, Agriculture and Forestry), Germany
BMVEL	Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft (Federal Ministry for Consumer Protection, Nutrition, and Agriculture) (2001-2005), Germany
BMELV	Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz (Federal Ministry for Nutrition, Agriculture, and Consumer Protection) (2005-), Germany.
BSE	Bovine Spongiform Encephalopathy



BVL	Bundesamt für gesundheitlichen Verbraucherschutz und Lebensmittelsicherheit (Federal Office for Consumer Health Protection and Food Safety), Germany
CAP	Common Agricultural Policy
CBL	Centraal Bureau Levensmiddelen (Central Retailers' Association), The Netherlands
CIAA	Confédération des Industries Agro-alimentaires de l'Union Européenne (Confederation of the EU Food and Drink Industry)
CMA	Centrale Marketing-Gesellschaft der Deutschen Agrarwirtschaft (Central Marketing Agency of German Agricultural Industries), Germany
COGEGA	General Committee for Agricultural Co-operation in the EU
COPA	Committee of Professional Agricultural Organizations in the EU
DBV	Deutscher Bauernverband (Farmers' Union), Germany
DEFRA	Department of Environment, Rural Affairs, and Food, UK
DG AGRI	Directorate-General for Agriculture, Rural Development and Fisheries, European Commission.
DG SANCO	Directorate-General for Consumer and Health Protection (DG Santé et Protection des Consommateurs), European Commission.
EFSA	European Food Safety Authority
EP	European Parliament
EU	European Union
EUREPGAP	Euro Retail Produce Working Good Agricultural Practice
FMD	Foot-and-Mouth-Disease
FSA	Food Standards Agency, United Kingdom
GFL	General Food Law in the EU
GMOs	Genetically Modified Organisms
HACCP	Hazard Analysis and Critical Control Points
LEI	Landbouw Economisch Instituut (Agricultural Economics

	Research Institute), The Netherlands
LNV	Landbouw, Natuur, en Visserij (Ministry of Agriculture, Nature, and Fisheries); since 2002: Landbouw, Natuur, en Voedselkwaliteit (Agriculture, Nature, and Food Quality), The Netherlands
LOHAS	Lifestyle of Health and Sustainability
LTO	Land- en Tuinbouw Organisatie (Agricultural and Horticultural Association), The Netherlands
MAFF	Ministry for Agriculture, Food, and Fisheries, United Kingdom
MBM	Meat-and-Bone-Meal
NACNE	National Advisory Committee on Nutrition Education, UK
NFU	National Farmers' Union, UK
nvCJD	New Variant of Creutzfeld-Jakob-Disease
OVO	Onderzoek, Voorlichting, and Onderwijs (Research, Information, and Teaching)
QS	Qualitätssicherung Stufenübergreifend (Quality Assurance Scheme Across the Food Chain), Germany
RASFF	Rapid Alert System for Food and Feed
TAB	Büro für Technikfolgen-Abschätzung beim Deutschen Bundestag (Federal Office for Technology Assessment), Germany
TSE	Transmissible Spongiform Encephalopathies
VWA	Voedsel en Waren Autoriteit (Food and Consumer Products Authority), The Netherlands
VWS	Ministerie van Volksgezondheid, Welzijn, en Sport (Ministry of Public Health, Welfare and Sports), The Netherlands
VZBV	Verbraucherzentrale Bundesverband (Consumer Association), Germany



## CHAPTER ONE: Introduction

Food safety has become a subject of public as well as academic debate over the past decade, ever since a series of food scares placed the safety of a range of foods, and particularly meat, (back) onto the policy agenda across Europe. This study begins its journey in the early 1990s in rural England and from there will move on to Germany, the Netherlands, and finally, the policy setting of the European Union (EU). In each of these four contexts, food safety policy came to be a contested policy field as a result of a series of food scares, such as the discovery of the possible link between the cattle disease Bovine Spongiform Encephalopathy (hereafter BSE), which, according to the current scientific consensus, developed out of industrial feeding practices, and a new variant of Creutzfeld-Jakob-Disease (hereafter nvCJD), its fatal human counterpart.

The series of food scares, however, were taken up in divergent ways across the contexts to be studied here. To begin with, German and Dutch authorities as well as the European Commission long considered BSE to be a British problem that could be confined to national boundaries by means of import bans. When domestic cases of the disease were discovered in Germany, however, BSE was broadly received as a symptom of the ills of industrialized agricultural food production, and politicians consequently called for an Agricultural Turnaround (*Agrarwende*). In England, where BSE, also known as ‘mad cow disease’, hit the hardest in numerical terms, calls for ‘putting the consumer first’ dominated the BSE episode as well as criticisms of a ‘policy culture of secrecy’. Both in Germany and in England, policymakers reacted with a promise to remove the influential agrarian lobby from food (safety) policymaking. In contrast, upon the discovery of BSE in the Netherlands, the Dutch authorities understood BSE to require more efficient coordination and improved safety controls and dismissed the German call for a de-intensification of food production. Despite these *divergent* interpretations of what these threats to food safety stood for, however, food safety now constitutes one of the most harmonized EU policy areas.

This study explores the reasons for which the very same risks are taken up in divergent ways across national contexts and over time, and why, in spite of this divergence, we have also seen the rapid and successful mobilization of a common, transnational, EU-based policy approach in the domain of food safety. The paradox between divergence on the national level and apparent convergence at the level of the EU motivate the central research questions of this study:

1. How has food safety been taken up as a policy issue in England, Germany, and the Netherlands since the 1990s?
2. How can we explain the different ways in which food safety has been taken up across the national contexts?
3. How can we explain the emergence of a transnational policy approach, given the divergence on the national level?

In my approach to these questions, I begin with the assertion that food safety is not a coherent concept with a single meaning but takes on different connotations depending on the context in which it is articulated. In other words, food *safety* does not solely refer to the technical qualities of an end-product (such as the hygienic handling of meat). Transcending micro-biological qualities of a particular product, food safety denotes the control of every step ‘from farm to fork’: the way a farm animal is raised and fed; where it is transported and by what means; the way it is slaughtered and consequently turned into sausage, ham, pork chops, or dog food; the way meat is subsequently distributed; checked for its safety; who finally consumes it and how, and on the basis of whose nutrition advice.

Throughout their travels, foodstuffs hence take on a variety of connotations, and the policy fields that are touched upon during those travels along the ‘food chain’ have increasingly been merging. Food safety becomes linked to agricultural policy, then to environmental problems, is then set in relation to public health as well as consumer protection policy, and, finally, turns into a policy issue of individual health, too, when the fight against rising obesity rates becomes a subfield of food policy. While ‘food policy’, for the purpose of this study, denotes the broader frame of reference, I refer to the object of inquiry as *food (safety)* - with parentheses - throughout this thesis in order to do justice to the dynamic and fluid nature of what food (safety) policy stands for and how it has developed over the past decade.<sup>1</sup>

In recognition of this fluidity and the contextual contingency of the meaning of food (safety), as a preliminary definition, food (safety) policy can be understood as a *policy discourse*, denoting ‘a specific ensemble of ideas, concepts, and categorizations that are produced, reproduced and transformed in a particular set of practices and through which meaning is given to physical and social realities’ (Hajer 1995: 44). At the same time, a discourse analysis is a political analysis, as it helps us consider the dominant positions of certain actor formations that

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<sup>1</sup> When referring to institutional responsibilities that concern controls for food safety in the strict sense (e.g. measures to prevent food poisoning), however, I leave out the parentheses. At times, I will refer to the construction of distinctions between food safety and food quality, hence also leaving the term spelled out.

are informed by and together push for particular discourses in a hegemonic manner while others remain marginal.

In line with interpretive approaches in policy analysis (cf. Fischer 2003; Fischer and Forester 1987; Hajer 1995; Hajer and Wagenaar 2003; Wagenaar forthcoming; Yanow 1996; Yanow and Schwartz-Shea 2006), the concept of discourse (with its emphasis on meaning), notably, is not limited to its linguistic connotation, i.e. sets of words, or the utterances of individual persons. Instead, I view discourses as embodied in particular, material practices, through which they become reproduced and contested. For instance, on the concrete, empirical micro-level of an organization or institution, discourses can be identified in the organization's declared aims (e.g. the mission of a given consumer association or a governmental food safety agency), the range and nature of its activities, and its strategic (non-)participation in coalitions and alliances.

Accordingly, this study draws on written and spoken material from governmental food (safety) agencies, members of the food and feed industry, and non-governmental organizations (hereafter NGOs), including policy documents, reports, minutes of meetings and parliamentary debates, speeches, press releases, and newsletters. Beyond qualitative document analysis, this study draws on over 60 interviews with governmental officials, scientists, journalists, nutritionists, members of the food and farming industry, and NGOs in the areas of environmental protection and consumer advocacy (see appendix A for the list of interviews conducted). Rather than beginning from the commonly assumed distinction between policymakers, scientists, members of the industry, and citizen groups as separate actor-categories in the policymaking process, the primary aim of these interviews was to 'parse' the logics that define actors' modes of operation and to infer the relative strength of rival discourses that inform the policymaking process, both at a national and at the transnational level of the EU. In other words, this thesis begins by identifying discourses, not pre-given actors. Below, I provide additional motivation for and explanation of the two-fold focus of this study.

### **1.1 Diversity and Convergence: beyond a comparative approach**

Within the existing literature on the effects of the food scares, scholars have either constructed single-country case studies - i.e. addressed 'food safety crises' in a given country - or contextualized those in a comparative framework. Most frequently, both these types of studies have been based on the analysis of one single food scare – most commonly BSE (e.g. Millstone and van Zwanenberg 2005; Oosterveer 2002; Loeber and Hajer 2007; Vos and Wendler 2006). Beyond comparison, studies have increasingly focused on the transnational, global dimension of food (safety) issues (e.g. Oosterveer 2007), and some scholars have specifically addressed the

process of European integration in this area (Ansell and Vogel 2006; Vos 2000; Oosterveer 2002; Loeber and Hajer 2007).

While studies in these fields have generated important questions and insights, a key aspect has not been discussed: how to explain the parallel developments of, on the one hand, a growing transnational policy discourse in this policy area and, on the other hand, the different ways in which food (safety) has been taken up as a policy issue in individual policy contexts. To begin with, the divergence across countries requires a comparative framework that can account for the differences in interpretation. At the same time, rather than focusing on a single food scare, a diachronic approach is necessary in order to assess the relative significance of one or another food scare and the ways in which earlier experiences of food scares (and other experiences related to food) can shape the experience of later ones. Likewise, a study of the apparent convergence at the level of the EU requires an approach that is sensitive to empirical detail in developments over time.

The existing approaches to Europeanization offer some insights but only limited tools for the development of such a two-fold approach. In much of the scholarship, Europeanization refers to the impact of EU policy on the domestic level (for instance, Risse, Cowles, and Caporaso 2001). Such a ‘top-down’ or ‘download’ view of Europeanization, however, leaves us with little consideration for the discursive specificities of national contexts, and tends to presume a ‘natural’ development of EU policy whenever the nature of a particular policy issue ‘objectively’ requires transnational cooperation. The second main strand of this scholarship conceptualized Europeanization as a ‘bottom-up’ mechanism. In this view, member states seek to ‘upload’ their preferences and ‘interests’ onto the transnational level, as a result of which Europeanization of particular policy fields will take place. Chapter two will engage with this literature in more detail, but for now it suffices to note that this study is situated in between these two extremes as it considers both divergence on the national level and convergence at the transnational level. While mindful of the circumvention of some of the theoretical contradictions between the two conceptual extremes, in this study, the term Europeanization generally denotes the successful development of a transnational, EU-based approach whereby particular events, phenomena, and ‘facts’ are *re-narrated* and the meaning of ‘food safety’ and thereby rearticulated as transnational issues in a specific vocabulary. In contrast to other scholars of Europeanization, however, I do not take EU policy discourse as a given in its degree of harmonization. In fact, the very observation of (regulatory) harmonization in light of the heterogeneity discernible at the level of individual countries leads me to scrutinize and question the apparent ‘harmony’ at the level of EU policy discourse.

By analyzing food (safety) policy as a case of *Europeanization*, this study offers both empirical and conceptual contributions to the existing literature. This study demonstrates that Europeanization is not a process that will ‘naturally’ occur when a given policy issue requires such a policy approach. Instead, this thesis posits that Europeanization hinges upon the negotiation of common, shared understandings around events, phenomena, or discoveries. It is therefore crucial to investigate what these ‘shared understandings’ are, and to reconstruct the development of the vocabulary on the basis of which seemingly pre-defined actors in the policy process, such as scientists, members of the industry, policymakers, as well as environmental campaigners and consumer organizations, have come to communicate about ‘food safety’ in a transnational setting. While refraining from hypothesizing causal relations, this study offers new ways to study the formulation of policy in contentious areas. Taking such insights further, the reader may infer claims regarding the quality of interaction and vocabulary required in transnational policy discourse that forms the backdrop of both policy formulation and implementation.

In order to further delineate the object of inquiry for this thesis, the next section discusses, first, the features of the pre-BSE policy infrastructure in general terms, highlighting the special status of agricultural food production in European integration, the role of the industry, and the related institutional infrastructure. Second, in subsection 1.2.2, I capture the return of food (safety) onto the policy agenda across countries as the result of two ‘boundary transgressions’: the national/transnational boundary and the distinction between animal health and human health (that is, the species barrier). Subsequently, subsection 1.2.3 recounts the most prominent food scares since the 1990s, as they will structure the presentation of the discourse analysis in the empirical chapters of this thesis.

## **1.2 Trembling cows, shaky boundaries: the status of food (safety) in the EU**

### *1.2.1 The status ante quo*

This subsection discusses the central features of the pre-BSE policy infrastructure on the transnational level for the purpose of better understanding the disruptive impact of the food (safety) issues that marked the 1990s and early twenty-first century. The aim is to provide the reader with an initial snapshot of the status ante quo, as food (safety) and agricultural food production carried very specific meanings in Europe after WWII, and these meanings were to shape the development of an EU-based food (safety) policy approach, too.

Until the 1990s, food (safety) was typically a matter of national regulation in the EU, and regulatory styles as well as the historical development of food (safety) regulation (including food



safety standards, the role of public health agencies, and consumer advocacy) varied across contexts for a considerable period of time, certainly until the arrival of the EU single market. Although the European Commission had been preoccupied with regulating foodstuffs since the 1960s, its efforts remained driven by the technically defined economic objective to secure the free movement of goods within the internal market. EU intervention in this largely nationally regulated policy field was therefore reserved for particular instances where food (safety) regulation was considered to be a potential trade barrier.

Beyond the effect of the internal market principle, the development of a broader food (safety) policy approach was hampered by the fact that EU institutions were not designed to deal with food (safety) or consumer protection, let alone public health (Vos 2000). The development of food (safety) policy at the EU level was hindered by inefficient institutional coordination, given that responsibility for food (safety) was compartmentalized between Directorate-General (DG) VI (Agriculture), DG III (formerly Internal Market, then Industry), and the Consumer Protection Service, and the Directorate for Health and Safety (DG V).

An additional feature of the pre-BSE regulatory infrastructure concerned the position of scientific experts. A lack of synergy and coordination among the dispersed scientific committees reproduced an exclusive and insufficiently transparent system of expertise. Moreover, the committees' exemption from clear supervision rendered them unaccountable and prone to political pressures from national member states and industry actors. When BSE was first discovered on the European continent in 2000, the institutionalized authority of scientific experts was called into question, and experts were charged with dishonesty, incompetence, and with working in the interest of the food industry, rather than for consumers. While these accusations occupied a particularly important role in the post-BSE policy discourse in the English context, one can also observe them in Germany and the institutional context of the European Parliament (hereafter EP).

Beyond inefficient coordination, lack of institutional design, and the overriding principle of free trade, the specific status of agricultural production in post-WWII Europe marked the slow development of an EU-based food (safety) policy. Building on the post-war shared understanding that food security, nutrition, and agricultural productivity would constitute the primary policy priorities, the Treaty of Rome establishing the European Economic Community (EEC), signed on 25 March 1957, already comprised the foundational provisions of the Common Agricultural Policy (hereafter CAP). The relationship between the Community authorities and the representatives of the agricultural sector was left unaddressed by the Treaty, but the Commission expressed its interest in close cooperation early on and invited

representatives of agricultural organizations to attend the 1958 Stresa Conference (Italy) as observers.

The most far-reaching agreement reached at the Stresa conference was to support agriculture by means of guaranteeing that the prices that farmers would receive for their products would not fall below a certain level. In addition to the position of member states, the CAP was influenced by transnational industry actors, too - for instance, by the Committee of Professional Agricultural Organisations (COPA), an EU-based agricultural lobbying group which was founded in as early as September 1958. This lobby organization, notably, was not only present at the founding conference in 1958 in Stresa but has since continued to view itself as a partner in policymaking, rather than a lobby group (EU11-FA; cf. Grant 1993).<sup>2</sup>

Long before the discovery of BSE on the continent, therefore, agricultural (food) policy occupied a 'special status', which came to be reflected in the number of administrators allocated to the former DGVI, as well as in the extraordinarily influential policymaking role of the Council of Ministers in this domain (Chalmers 1999).<sup>3</sup> Due to this 'special status' of the CAP, for a considerable period of time, food and agricultural production was neither linked to food (safety) nor to consumer protection or public health. Equally, concerns regarding environmental sustainability did not become integrated into agricultural policy until later, as chapter seven will show, and a focus on sustaining an efficient and productive internal market remained dominant until food (safety) was taken up as a more broadly defined transnational issue in the late twentieth century.

A notable exception was the EP, where consumer protection featured more strongly in policy discussions than in other EC institutions. At the dawn of the BSE crisis, the food (safety) infrastructure had also started to show some signs of change; for instance, the area of consumer protection had been firmly institutionalized in the 'independent' Consumer Policy Service in 1989. Yet this institutional move and thereby the introduction of a stronger consumer policy did not receive immediate attention (Chalmers 1999: 105), even though the legal competence of the Consumer Policy Service was extended through the Maastricht Treaty in 1991. Over the years, a considerable number of initiatives followed, each progressing towards the establishment of consumer protection as a central tenet of European policy making (Burgess 2001: 97ff).

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<sup>2</sup> Another prominent organization in the field was the Commission of Food and Drink Industries, which was replaced by the CIAA (Confederation of Food and Drink Industries of the EEC) in 1982.

<sup>3</sup> In 1999, what was then called the Directorate-General for Agriculture (DG AGRI) employed nearly 1,000 administrators and spent 40 billion Euros per year (Chalmers 1999: 98).

To sum up, the following central features characterized the pre-BSE EU regulatory regime: the overriding principle of the internal market and the free movement of goods therein; the authoritative status of scientific experts; the special political status of the CAP; the influence of the food and feed industry in agricultural policy; the entrenched role of member state policymakers, institutionalized in the powerful position of the Council of Ministers; and the resultant disadvantaged position of consumer health and consumer protection concerns.

Beyond these institutionalized features, the pre-BSE food safety regime was characterized by two sets of boundaries: the species barriers, which disconnected animal health from human health, and the national/transnational boundary. In the next subsection, I shall address the disintegration of these boundaries.

### *1.2.2 What's in a border? The transgression of two boundaries*

Following the aforementioned announcement of the link between BSE and nvCJD in March 1996, the EU announced a worldwide export ban on all British cattle and beef on 27 March, which constituted an unprecedented measure.<sup>4</sup> Particularly given the principle of the free movement of foodstuffs within the EU internal market as one of the founding ideas in the establishment and institutionalization of the EU, this reaction constituted one of the key moments of transformation during the BSE crisis. As Tim Lang puts it (Lang 1998: 76), just at the moment when human beings no longer needed a passport to cross borders, cows now actually had to have one.

Contesting the notion that BSE was solely a 'British problem', the government of the United Kingdom (hereafter UK), in turn, initiated a policy of non co-operation with EU partners until the ban would be lifted, and applied to the European Court of Justice to have the ban overturned in May 1996. In late June of that year, the European Heads of Government agreed to the 'Florence Framework' established for the progressive removal of the ban.<sup>5</sup> Even though the ban imposed by the EU was finally lifted in August 1999, things did not immediately return to 'business as usual'. Rather, the EU-based decision to lift the ban was met with resistance in some

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<sup>4</sup> Commission Decision 96/293/EC installed a prohibition of exports from the UK of bovine animals, their semen and embryos; meat of bovine animals slaughtered in the UK which may enter the animal feed or human food chain or materials destined for use in medicinal products, cosmetics or pharmaceutical products; and meat-and-bone-meal (MBM) derived from mammals (Philips, Bridgeman and Ferguson-Smith 1998, Vol. 16:1).

<sup>5</sup> The Agreement set up five pre-conditions for the resumption of exports (BSE 1998): a selective slaughter programme of 'at risk' animals to speed up the eradication of BSE in the UK as well as improved systems of animal identification and tracing; legislation for the removal of MBM from feed production premises (e.g. mills) and farms; the effective implementation of the Over Thirty Month slaughter scheme (only meat from cattle younger than thirty months is permitted for human consumption); and, finally, a strict and effective removal of specified risk materials from carcasses.

EU member states: Germany delayed its lifting of the ban, and France even upheld the ban until 2002, in spite of a European court ruling that declared the continued French refusal to lift the ban 'illegal' (BBC 1998; Millstone and van Zwanenberg 2005). The discovery of BSE in domestic herds in Portugal, Spain, Italy, the Netherlands, and Germany between 1999 and 2001 further aggravated this 'cattle battle', which reached a peak at the Council Summit in Nice in December 2000. This latter phase is sometimes referred to as the 'second BSE crisis' (cf. Oosterveer 2002), which was marked by the virtual disintegration of the national/transnational distinction.

The questioning of national boundaries went alongside a disruption of the concept of a 'species barrier' with regard to food (safety), a distinction that had structured the previous policy approach inasmuch as agricultural and food (safety) policy were not integrated with public health and consumer policy. In order to better understand the impact of the crossing of the species-barrier, let us return to February 1986, when 'cow 133', raised at a farm in Midhurst, Sussex, died after experiencing head tremors, weight loss, and uncoordinated movements (BBC 1998). These ailments were later identified as symptoms of a novel progressive spongiform encephalopathy in cattle and came to be known as BSE, a disease that belongs to a group of diseases that affect a number of different mammals and are known as Transmissible Spongiform Encephalopathies (TSEs), or prion diseases. The discovery of BSE puzzled scientists and farmers alike, as symptoms of this kind had previously been observed in sheep only.<sup>6</sup> In October 1987, BSE first made the headlines of a UK national newspaper, which spoke of an 'incurable disease wiping out dairy cows' (*Daily Telegraph* 1987, 15 October).

While according to the current state of knowledge, the BSE agent was distributed by the feeding of so-called contaminated Meat-and-Bone Meal (hereafter MBM), the precise cause of BSE remains unclear (DEFRA 2001). Early BSE studies in the 1980s established a resemblance between BSE and a disease that occurs among cannibals in New Guinea. Other scientists hypothesize that the scrapie agent jumped the species barrier of cattle, whereas others assume that BSE might have been an already existing disease, though never diagnosed before, which spread due to modifications in the production of MBM, a by-product of the rendering industry that was used as animal feed (ibid.). Alternative explanations, such as the idea that BSE may have been caused by environmental factors, such as the use of organophosphates (Purdey 1994), or that it could be an inbreeding phenomenon, have also been discussed (BBC2 2001; DEFRA 2001). Strictly speaking, none of these hypotheses has been proven (TSE Forum 2008).

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<sup>6</sup> Scrapie, which affects sheep and goats, has occurred in UK flocks for over 250 years. While some of the symptoms of the disease are very similar to those of BSE - it attacks the nervous system of sheep and goats and causes death - studies have not shown any link between scrapie and human illness (DEFRA 2001; FSA 2001b).

In the scientific community, prion diseases are now commonly assumed to result from the build-up of abnormal prion proteins in the brain and nervous system. Research suggests that the shape of prion proteins (which do occur naturally in animals and humans) can be altered through the consumption of meat infected with BSE (FSA 2001b). If this occurs, changes can be triggered in other proteins in the brain, which may then cause the brain to develop sponge-like features and fill with holes (*ibid.*). This condition, which eventually leads to death, is known as new variant of Creutzfeld-Jakob Disease (nvCJD), a disease of which close to 200 humans worldwide have died at the time of writing (CJD Unit 2008) while an additional 877 victims are assumed to have died as a consequence of BSE (Department of Health 2007; CJD Unit 2008).

Despite the scientific uncertainty that reigned throughout the 1980s and the early 1990s and despite the suspicion that variants of spongiform encephalopathy may bear the capacity to spread from animals to humans, governmental spokespersons and politicians in the UK repeatedly insisted that ‘British beef is perfectly safe to eat’ (see, for instance, BBC 1998). In May of 1990, Minister of Agriculture at the time, John Gummer, even enacted this stance by feeding his daughter a beef burger in front of British press. Yet, some six years later, on 20 March 1996, Health Secretary Stephen Dorrel was forced to announce that there was a possible link between BSE and nvCJD (*ibid.*).

The announcement triggered a wide range of developments. Beef consumption dropped dramatically, in the UK and elsewhere, even if only temporarily.<sup>7</sup> The government commissioned scientific research on spongiform encephalopathy in cattle, focusing on the nature and cause of BSE/nvCJD and its potential to cross the species barrier. Policymakers urgently needed scientific advances that could provide a basis for policy measures that would restore public trust and guarantee the safety of beef for human consumption. Policy measures and institutional rearrangements were set in place in the affected countries to varying, yet overall significant, extent. New food safety agencies were created in a number of EU member states as well as at the level of the EU. These developments, in turn, incited a flurry of research across the social sciences, dealing with what has become commonly known as the ‘BSE-crisis’.<sup>8</sup> The contributions of this literature are further discussed in chapter two.

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<sup>7</sup> By May 1996, beef consumption had dropped by about 25% in Britain and 30% all over Europe. Spread over the whole year (1996), however, consumption fell by a mere 7% (COMM 2006a). Beef consumption again dropped rapidly and even more drastically in some countries, such as France, during the ‘second BSE crisis’ in 2000-2001, when BSE was discovered in France and Germany (cf. Oosterveer 2002).

<sup>8</sup> The problematic aspects of the ‘crisis’ terminology in the context of BSE (cf. Forbes 2004) will be discussed in chapter two, section 2.3.2

As this subsection sought to illustrate by means of reconstructing the breakdown of the two boundaries, using BSE as a primary example, a new research subject emerges that is characterized by the ‘uncanny’ crossing of the species barrier and fundamental scientific uncertainty. Having focused on BSE thus far, below I introduce an overview of the other major food scares over the past decade as I will return to them in the empirical chapters.

### *1.2.3 Crisis after crisis: An overview of major food scares*

Given the range of food scares over the past decade and the diverse interpretations thereof, it is necessary to introduce in some detail the most prominent recent food scares, which are at the center of the present inquiry. The choice of ‘crisis instances’ presented here is based on interview accounts recorded for the purpose of this study, in which interestingly, BSE was not always mentioned when respondents were asked about the most important, or traumatic, food scares experienced in the course of their careers. Notably, food safety risks such as *Campylobacter* bacteria and mycotoxins are left out here, as the focus of my analysis consists of, first, the moments of transformation that have brought about broader shifts in policy discourses, and second, those crisis moments that were transnational in nature.<sup>9</sup> Moreover, an analysis of the debate surrounding genetically modified organisms would require an in-depth study in its own right.

While most commentators agree that the BSE episode in 1996 constituted the most significant instance of crisis with respect to food (safety) in Western Europe since WWII (see Loeber and Hajer 2007; Oosterveer 2002; Millstone and van Zwanenberg 2006), this study does not limit itself to an analysis of the BSE crisis alone, but takes into account other food scares, such as the discovery of dioxins in meat and dairy products, as well as the repeated outbreaks of swine fever and Foot-and-Mouth Disease (hereafter FMD). Strictly speaking, the latter two instances are matters of veterinary control rather than food (safety).<sup>10</sup> This study, however, does not seek to uncover what something ‘really was’. Instead, the meanings that were attributed to particular diseases and the events around them form the object of inquiry.

Just when the EU institutions began to engage with the subject of food (safety) as an EU competency, in May 1999, it appeared that significant quantities of dioxin had entered the food chain through contaminated animal feed in Belgium. Dioxins are produced in small

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<sup>9</sup> It is also important to note that this study does not address the occurrence of Avian Influenza (AI), also known as ‘bird flu’, because of the recent nature of the issue. The discursive construction of AI as both an animal disease and later a public health risk deserves attention in future research, not least because of the undoubtedly transnational nature of the disease.

<sup>10</sup> Only in very rare cases may FMD be infectious for humans.

concentrations when organic material is burned in the presence of chlorine. As chemical compounds, dioxins are considered carcinogenic and can cause developmental and reproductive problems. They are absorbed primarily through the intake of fat, as this is where they accumulate in animals. In the course of the investigation into the origins of the outbreak, around 150 feed distributors across Belgium, Germany, and the Netherlands were identified that could have been involved in the (cross-)contamination of Dutch and Belgian animal feed (in particular fat products), and consequently food intended for human consumption, too (Berenschot 1999: appendix 9: 1-2). As a consequence of the contamination, approximately seven million chickens and a total of 60,000 pigs had to be slaughtered (Laurent 2006). Ever since, the industrial chemical by-product dioxin has been the cause of numerous food (safety) alerts.

Another scare - of particular importance in the Netherlands - was the 1997 outbreak of contagious Classical Swine Fever, which led to the preventive slaughter of 10 million pigs in the Netherlands. In total, around 1,200 pig farmers were affected by the outbreak. Another serious outbreak in the UK (East Anglia) in 2000 affected 16 farms (DEFRA 2007). A total of 74,793 pigs including those on contact farms were slaughtered to eradicate the disease (ibid.). The cause of this most recent outbreak was not established conclusively, but was most likely the result of pigs feeding on a contaminated imported pork product (ibid.). The disease, which may affect pigs and wild boars, is transmitted by way of either direct contact between animals (secretions, excretions, semen, blood), or indirect contact through shared premises, implements, vehicles, clothes, instruments, and needles. Similarly, it can spread through farm visitors, veterinarians, pig traders, or insufficiently cooked waste fed to pigs. As there is no known cure, affected pigs must be slaughtered and the carcasses buried or incinerated (OIE 2002). In 2001, an EU framework plan set out measures for the control of classical swine fever. The plan provides a general framework for member states to draw up their own more detailed contingency plans (Council 2001).

In January of 2001, an outbreak of FMD was reported in England, producing tremendous public unrest when images of burning carcasses were conveyed in the media on a nearly daily basis. A number of regions affected by the outbreak even had to be closed off in order to avoid further spreading of the disease in the UK. Arguably, this carried particular connotations in England, where landscape and the outdoors (such as public walking trails) are traditionally highly valued. One month later, the Netherlands reported an outbreak of FMD on a mixed veal-calf/dairy-goat farm in Oene, in the central part of the Netherlands. The likely route of infection was traced to the import of Irish veal-calves to the Netherlands via an FMD-contaminated staging point in France. During the FMD outbreak, livestock on 2,655 farms was culled, among

them 85,186 cattle, 121,437 pigs, 32,633 sheep, and 8,297 goats (de Klerk 2002: 789). As far as the most recent outbreak in early August 2007 is concerned, the original site is believed to have been a laboratory site in Surrey, England. Again, the uncertainty surrounding the reconstruction of infection routes as well as the difficulties in developing containment strategies indicate the significance of diseases such as BSE and FMD in challenging the species boundary, hence disrupting the differentiation between animal health and human health and hence food production and food consumption, as well as the national/transnational boundary.

Keeping in mind the empirically complex and fluid nature of the object of inquiry, below, I give a preliminary introduction to the approach of this study, which seeks to capture both divergence on the national level and convergence at the transnational level.

### **1.3 The approach**

#### *1.3.1 A new lens: The importance of meaning*

This thesis develops and employs a new ‘lens’ through which one can capture the significance of the transgression of boundaries (animal/human; national/transnational) in the context of the food scares experienced over the past decade in Europe. The tasks are threefold: First, the discourses that inform food (safety) policy will have to be distilled from a systematic examination of the empirical material gathered, as well as their specific composition, the elements of which are captured here in terms of individual, but interlinked ‘notions’. Second, the discursive categories - terms that seem similar but can be used in diverse ways - which are commonly employed in the respective national contexts will have to be analyzed in terms of the divergent meanings they bear. In other words, people may use the same general terms, such as ‘food quality’ or ‘consumer rights’, yet they may mean different things in different contexts. Finally, the challenge will be to explain the simultaneous *divergence* and *convergence* in the context of food (safety) policy over the past decade by employing discourse theory within a comparative and in-depth study of Europeanization. This study will illustrate that a focus on the contingency of meaning and contextual particularities is the most useful approach for (i) explaining the diverse ways in which food (safety) was taken up as a policy issue in different national contexts and (ii) identifying the discursive vehicles that made the mobilization of a common, EU-based approach possible in this policy context.

Identifying the particular historical junctures that make the renegotiation of meaning possible is of key importance here. Following Ernesto Laclau (1990; cf. Roslyng 2006 on the salmonella crisis in the UK), this study conceptualizes the experiences of food scares as



*dislocations*, that is, moments whose meanings and implications could not be understood within the predominant ways of thinking about, and hence regulating, food (safety).

Since dislocatory events (be it discoveries, accidents, or the introduction of new technologies) cannot be understood within the predominant discursive framework, they expose the socially constructed and ambiguous nature of the food (safety) regime in existence at a given point in time. In such a way, dislocatory moments can produce a reshuffling of policy priorities, of identities, and of the roles and responsibilities associated with the policy field in question. In the case of food (safety), dislocations can then produce a questioning of what it means to be a policymaker, a scientist, a member of the food industry, and last but not least, a consumer.

Such disruptive moments, however, are not merely traumatic but facilitate the generation of new meanings and identities. Whilst ‘food safety’ can become partially disconnected from its institutionalized, discursively sedimented meanings, dislocations give way to the emergence of new discursive formations. These new discursive formations, in addition, may draw on older, previously more marginal discourses that now come to be empowered as an effect of ‘productive crisis moments’. This study will employ the concept of dislocation as a truly empirical category by means of identifying the concrete symptoms, such as institutional ambiguity (Hajer 2003), that a dislocation produces, alongside the ways in which such moments of (productive) ambiguity lead to changing policy practices.

### 1.3.2 Case selection

This study does not begin from a prior notion of causal mechanisms in the Europeanization of food (safety). Instead, an initial empirical observation of variation forms the starting point, the variation of meanings across England, Germany, and the Netherlands. Given these grounds, this thesis is based on an inductive research design, whereby the case selection was motivated by observing *different* outcomes despite similar conditions; that is, institutions were rebuilt along different discursive lines and diverse policy notions became dominant despite similar policy challenges. The three countries were all shaken by the disruptive effects of food scares over the past decade, and the effects were substantial enough to bring about institutional redesign, whereas the rationale behind and the language accompanying those changes often varied. An additional commonality between them is their established membership of the EU as well as the amount of interaction among them and vis-à-vis the EU institutions. All three member states have a stake in the future of the CAP and have typically been engaged in trying to influence the EU in this regard, often to divergent ends. Finally, the three case study countries fulfilled practical criteria, too, in terms of the linguistic and physical accessibility of policy communities

there. By interviewing most respondents in their native language, the ‘lost in translation’ effect could be kept to a minimum, which is a significant advantage considering of the centrality of language in this study.<sup>11</sup>

#### 1.4 Outline of the study

Following this introductory chapter, chapter two will further carve out the object of inquiry. Rather than providing a mere literature review, however, the aim will be to identify the conceptual and empirical logics along which food (safety) can be considered a *contested* policy issue. To that end, the chapter begins by discussing the literature on EU integration and addresses the shift towards a Europeanization perspective in this body of scholarship. Next, the chapter situates the core puzzle of this study in the literature on Europeanization in general (for instance, Börzel and Risse 2000; Radaelli 1997, 2000; Schmidt 2008) and subsequently the scholarship on EU integration in the field of food (safety) policy specifically (e.g. Ansell and Vogel 2006; Oosterveer 2002; Vos 2000). Subsequently, subsections 2.4 to 2.7 trace out the empirical logics that make for the specific nature of the object of inquiry of this study by discussing the literature on the status of scientific expertise in this policy area (for instance, Hilgartner 2000; Jasanoff 1997, 2005; Millstone and van Zwanenberg 2001; Nestle 2003), writings on the category of ‘the consumer’ and her role in food (safety) policy (for instance, Gabriel and Lang 1995; Everson 2005), the meanings of the concept of ‘trust’ and its relation to food scares as an experience of ‘risk’ (e.g. Beck 1992, 1999), and literature on the role of crisis regarding institutional change and continuity (e.g. Boin and ‘t Hart 2000; Bovens and ‘t Hart 1996; Hood 2002; Hood and Rothstein 2001; Majone 2000).

Chapter three develops the theoretical and methodological basis of this study by contextualizing its approach in a poststructuralist discourse-theoretical framework. First, the chapter discusses the ontological and epistemological assumptions underlying the analysis. This is followed by a sketch of the philosophical background against which poststructuralism developed, namely the structuralist linguistics of Ferdinand de Saussure and the subsequent critique of Jacques Derrida (1972) and political theorists such as Ernesto Laclau and Chantal Mouffe (1985; Laclau 1990). From there, the chapter proceeds to discuss and delimit poststructuralist discourse analysis as well as its relevance for the subject under consideration here. In particular, the notions of *dislocation* (Laclau 1990) and *institutional ambiguity* (Hajer 2003)

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<sup>11</sup> All interviews and foreign-language documents were translated by the author. Where applicable, translations are indicated in citations throughout this thesis.

will be explicated and adapted for the purpose of the empirical analysis, whereby I shall specifically emphasize the dimension of practice-as-discourse.

Having discussed the ontological, epistemological, and theoretical choices that shape my analysis, I then proceed to construct the concrete analytical framework on which the subsequent empirical chapters are based. This analytical framework rests on five inductively distilled discourses that inform food (safety) policy: ‘good governance’; ‘environmental sustainability’; ‘market efficiency’; ‘consumer protection’; and ‘public health’. Whilst for the sake of comparability, these discourses were assigned equivalent titles, or labels, the specific composition of these discourses, captured as individual, yet interlinked notions, form the object of inquiry. Specifically with regard to the discourse of ‘good governance’, a label was chosen that matches the general content of this discourse, that is, an appeal to an ‘ideal’ mode of governance that is based on notions of transparency, responsiveness, and due diligence. Good governance, in other words, refers to *how* things are done, rather than only about *what* is done. The contextually contingent compositions of the five inductively derived discourses appear visually summarized in a table in each empirical chapter. Chapter three concludes by discussing the methodology employed in more detail and raises critical issues related to discourse-analytical comparative research as well as the benefits thereof.

In line with the three central research questions posed above, the empirical part of this thesis includes three individual country-based chapters (four, five, and six) that present the findings of the discourse analysis of food (safety) policy in England, Germany, and the Netherlands, respectively. These chapters address the first two research questions: 1. *How has food safety been taken up as a policy issue in England, Germany, and the Netherlands since the 1990s?* 2. *How can we explain the different ways in which food scares have been taken up across the national contexts?* In each of these chapters, I situate the individual case study in its socio-historical context through a discourse-analytical lens. This historical overview places the current wave of criticism regarding agriculture and food production in context and makes visible that some of the discourses that shape the current policy programs did not emerge suddenly after the epidemics of BSE and FMD, but were already present, albeit in more marginal positions in the discursive field at particular historical junctures. Keeping these discursive traces in mind, the chapters then move on to examine the contemporary policy discourse in the particular context. By drawing on the concepts developed in chapter three, I identify the key moments of discursive transformation and point at overall shifts and continuities in the food (safety) policy discourse in the respective countries.

Chapter seven is devoted to the third research question, which investigates the rapid Europeanization of food (safety) policy vis-à-vis the diversity across contexts: *How can we explain the emergence of a transnational policy approach, given the divergence on the national level?* By tracing the evolution of EU-based food (safety) policy, the chapter highlights the ways in which food (safety) as an object of policy came to represent a transnational, *European* matter. After an introductory section, section 2 discusses the ways in which food scares posed a discursive challenge to the dominant discursive logics of the food (safety) regime at the time, whereby previously fixed meanings of food (safety) became disconnected from their sedimented meanings. Subsequently, section 3 of chapter seven revisits the key moments when the events related to a series of food scares – particularly BSE – became *re-narrated* in transnational, European terms. After revisiting institutional rearrangements, the fourth section of the chapter is devoted to the discourse analysis of an overall recognizable policy discourse at the level of the EU.

In order to explain how the divergent interpretations and problem definitions were discursively bridged in the negotiation of a transnational, EU-based policy discourse, the chapter identifies three central, ‘integrative’ notions that define food (safety) as a European issue and temporarily stabilize the meaning of ‘food safety’ at the level of the EU: the notion of being a member of the food chain; the notion of being a ‘stakeholder’ in food (safety) policy; and the notion of (being) a transnational consumer. It is the quality of these notions as ‘nodal points’ (Laclau and Mouffe 1985; see also Howarth, Norval, and Stavrakakis 2000: 8ff.) that form the backbone of, and can help explain the successful mobilization of Europeanization in this policy field: These notions are elastic, seemingly neutral, and malleable in their meanings. Their functions are to temporarily fix meaning, to create a sense of interdependence, to facilitate cooperation across institutional and national boundaries, and, in their connection at the level of discourse, to blur the commonly assumed functional differentiation between policymakers, scientists, members of the industry, and citizens. I conclude that, while EU food (safety) policy discourse does have a character of its own, the openness of the nodal points leaves room for divergence of meanings with respect to the adoption and implementation of policies at the level of individual member states. In other words, harmonization need not entail harmony, but openness and flexibility.

Finally, the concluding chapter draws together the findings across the studied contexts in a comparative fashion. Beyond the comparative summary, the chapter also highlights how the composition of particular discourses observed at the national level resonates in the transnational, EU-based policy discourse. The purpose of the latter is not to define causal relations (a ‘bottom-

up' conceptualization of Europeanization), but as the basis for suggesting further research in this area. The chief part of the chapter, however, is devoted to a discussion of the central empirical and conceptual contributions of the present study and suggests avenues for further research on discourse theory, its use in policy analysis, as well as the specific topic of food (safety) policy.

## **CHAPTER TWO: Food safety as an object of inquiry: logics of contestation**

### **2.1 Introduction: Food (safety) as a contested issue**

As the introductory chapter of this thesis emphasized, food (safety) cannot be confined within national boundaries, as live animals and food products are transported across Europe, the production chain frequently crosses borders, and it encompasses different physical locations. The basic premise of this chapter and the remaining part of this thesis, is that food (safety) does not only travel physically, but also discursively: Food (safety) touches upon a variety of policy premises, yet its meaning remains contextually contingent, depending on where food (safety) is articulated, by whom, and in which setting. In consideration of this fluidity of food (safety) as an object of inquiry and in view of the constant interplay of rival meanings across diverse discursive premises, I propose to consider food (safety) as a contested issue.

Through this lens, this chapter engages with the host of literature that has been produced over the past decade and deals with food (safety) policy. Rather than providing a standard format literature review, I use the writings to identify and address the ‘logics of contestation’ that expose food (safety) as a contested and fluid object. I begin by addressing Europeanization as a conceptual framework (subchapter 2.2) and the Europeanization of food (safety) as an empirical phenomenon of institutional integration (subchapter 2.3). After assessing the usefulness of these approaches for the purpose of this study, subsequently, subchapters 2.4-2.7 distil the empirical ‘logics of contestation’ underlying the subject matter, that is, the aspects that turn food (safety) into a highly topical and sensitive policy area. First, subchapter 2.4 discusses the status of scientific expertise in this policy area, given the role of scientific uncertainty in food (safety) policy (for instance, in the case of BSE), the criticisms that came to be directed at them in the interpretation of particular food risks in terms of their alleged ‘secrecy, and the ways in which post-crisis institutional rearrangements have focused on the ‘science/policy nexus’ (Hoppe 2005). Subsequently, subchapter 2.5 discusses writings that are concerned with the role of consumers in food (safety) policy. Such a discussion is called for by the pervasiveness of ‘the consumer’ as the target group of food (safety) policy, but also by the recent merging of previously separate policy fields such as those of consumer policy, trade policy, and public health – a linkage where different notions of what it means to be a consumer become articulated and reproduced. Subsequently, in subchapter 2.6 I discuss writings on the concept of trust, given the common notion that the food scares over the past decade have caused a loss of trust among citizens. The final subchapter (2.7) addresses the conceptualization of food scares as a collective experience of risk, given (i) the uncertainty with which food (safety) is associated, (ii) the way it

informs the work of policymakers in interaction with scientists, and (iii) the prominence of the ‘risk society’ approach (for instance, Beck 1992) in this field of study. Even though the potentially relevant literatures cannot be discussed exhaustively here, by sketching out these rival approaches, identifying their main findings, and the ways in which scholars have arrived at them, this chapter further delineates the puzzle underlying the present study.

## 2.2 The Literature on Europeanization

### 2.2.1 From EU Integration to Europeanization

In order to further clarify my approach to Europeanization, and to explicate how my understanding of existing approaches has inspired this study, this section discusses how scholars have addressed the process of *EU integration*. In particular, I address the shift in this body of literature that occurred in the 1990s towards a ‘*Europeanization*’ perspective.

The study of institutional change and the related expansion of EU regulatory competence form the core of the field of EU integration studies. For a considerable period of time, the academic (and indeed political) debates within EU studies concerned the distinction between *inter-governmentalism* (cf. Hoffmann 1966; Moravcsik 1993, on the one hand, and neo-functionalism or *supranationalism* (e.g. Haas 1958), on the other.<sup>12</sup> Intergovernmentalists would insist on a view of politics as taking place in an essentially anarchical international system where well-defined state entities negotiate integration based on clearly identifiable domestic interests. Neo-functionalists, in contrast, suggest a gradual weakening of the sovereign nation-state through ‘functional spillover’, such as the gradual development from an *economic* union (during the time of the European Coal and Steel Community, ECSC) towards a *political* union. While intergovernmentalists would explain European integration by assuming the superior importance of domestic political and economic agendas, neo-functionalists hold that national allegiances weaken as supranational institutions come to make more and more decisions.

Whilst these schools of thought can be considered pioneers of EU integration studies, their focus on formal institution-building is not only inadequate for the present study, but also risks a reification of conventional notions of domestic interests and national boundaries. Similarly, scholars in this field pay insufficient attention to the fluid nature of policymaking and to the dynamics of contestation and negotiation that bring together seemingly separate policy actors. The present study, in contrast, does not take the notion of ‘interests’ as given, but considers

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<sup>12</sup> For a useful discussion of Haas’ neo-functionalism, see the introductory chapter to Niemann (2006). It is also important to note the existence of more reflexive accounts, such as Rosamond (2005).

them as fluid and contingent upon the discursive contexts in which they become articulated and mobilized in interaction with others.

The division between intergovernmentalists and neo-functionalists came to be weakened when, in the 1990s, the broad field of EU studies saw three important methodological shifts. *First*, the so-called ‘governance turn’ called for a re-conceptualization of not only politics in general, but also EU politics specifically (e.g. Jachtenfuchs 2001; Kohler-Koch and Eising 1999). In essence, the governance shift entailed that politics and policy could no longer be assumed to take place in any specified, delineable center. As Hajer and Wagenaar (2003) point out, the terminology of ‘the state’, ‘government’, ‘sovereignty’, and ‘authority’ was to an extent replaced by one of ‘governance’, ‘complexity’, ‘networks’, and ‘deliberation’ (Hajer and Wagenaar 2003: 1). This shift from ‘government’ to ‘governance’ frequently implied a methodological reorientation in political science scholarship. For instance, qualitative discourse analysis as well as ethnographic methods entered the field of policy analysis in order to understand micro-level interaction in deliberative policy practices.

The ‘governance turn’ shares features with sociological (neo-)institutionalism (e.g. Powell and DiMaggio 1991) and attributes significance to the role of ideas, norms, symbols, and values in institutions. Such a line of thinking is useful for the present study, as it directs attention to additional empirical dimensions to be studied, such as that of organizational culture. Beyond a stronger focus on agency and negotiation within and across institutional boundaries, the approach taken here is also applicable in studying how discourses (rather than free-floating ‘ideas’) inform agents within and across institutions and how particular notions of which these discourses are composed become *materialized*.

The *second* major shift in EU integration studies consisted in the emergence of ‘multi-level governance’ approaches (see for instance, Marks, Hooghe and Blank 1996), arguably in reaction to inter-governmentalism. Scholars of multi-level governance generally advocated a multi-sited approach in order to avoid the two pitfalls of either state-centrism or approaching the EU as solely operating at the supranational level (‘Brussels’). Regarding the methodological implications of multi-level-governance studies, Maura Adshead (2000: 27) laments that they have too frequently focused on case studies, using the ‘state form’ (i.e. institutional configurations) in a given national context as the main or single independent variable for the purpose of explaining degrees of European integration (the ‘dependent variable’). A sole focus on the state form in individual contexts obscures the reasons for which institutions develop differently, and why – even if the institutional structures are similar – the language that may accompany change varies. The present study, in contrast, shows that an analysis of the ‘life courses’ of particular discourses



and the key moments when new meanings are introduced into a given policy domain can account for the diverse ways in which food (safety) is taken up across contexts and over time. Beyond this comparative mode, this study investigates the ways in which a common, EU-based approach has been developed in spite of the diversity on national levels – a puzzle that has not been sufficiently considered in this field of study, not least due to a general lack of attention to the role of language in policymaking at the level of the EU.

The third shift in the scholarship on EU integration occurred in recognition of an advanced stage of European integration in the late 1980s, when political scientists moved from analyzing EU integration towards a *Europeanization* perspective. The recent division in this scholarship concerns the differentiation between bottom-up approaches and top-down approaches. The division is worth explicating here as it has informed diverse methodological orientations and empirical studies. In supranationalist thought, it is the member states who will push for Europeanizing a given policy area. Conversely, a ‘top-down’ notion of Europeanization suggests that it takes place at the supranational level (‘Brussels’), and those EU policy recommendations or regulations are subsequently negotiated and adopted at a national level. The latter view reflects assumptions about the roles of elites in the process of Europeanization and holds that member states ‘download’ EU policies and translate them into national policies (see, for instance, Börzel and Risse 2000).

In contrast to the previous concern with EU integration as a process of institution-building on a supranational level, the literature on Europeanization addresses questions such as:

Is Europeanization making the member states more similar? Or do different domestic political structures ‘refract’ Europeanization in different directions? Has ‘Europe’ changed domestic political structures (for example, party systems and public administration) and public policy? If so, what are the mechanisms of change? (Raedelli 2000: 1)

Within this research agenda, Claudio Radaelli (2000; cf. Adshead 2000) notes the predominant attention to ‘policy networks’. Frequently borrowing from policy-analytical literature such as that of Adrienne Heritier (for instance, Heritier 1993), but also concepts in the field of international relations, policy network approaches consider the growing interlinkages between private and public, national and transnational, and governmental and non-governmental bodies that feature in systems of multi-level governance. The contribution of such scholarship lies in its recognition of the complexity of contemporary policymaking, taking into account its multi-sited and indeed multi-level nature. Yet this scholarship devotes little attention to the constitutive role of language in the policy process, and when assessing the relative stability of

policy networks, they offer insufficient tools to access the shared understandings that sustain such networks, for example at the EU level.

Moving further, Radaelli (2000: 4) proposes a more nuanced conceptualization of 'Europeanization' as

[p]rocesses of (a) construction (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the making of EU decisions and then incorporated in the logic of domestic discourse, identities, political structures and public policies.

As expressed in this quotation, Radaelli (2000) adds a cognitive, even discursive dimension to the concept. Nonetheless, he insists on the notion of a top-down process of Europeanization, that is, the idea that policy is formulated at the institutional level of the EU and then implemented in the member states. This presumes that policy issues are given and clearly identifiable in institutional sites of 'multi-signification' (Hajer 2006), that is, physical locations with diverse political, legal, and institutional traditions of viewing and defining policy *issues* as *problems*. Hajer, in contrast, recognizes that where different policy actors come together, they bring in different 'systems of signification' and hence have to work out common terms of understanding in order to tackle a given policy issue. In a similar way, the present study parts with the realist view of the policy process where objective problem identification, policy and solution formulation, and implementation follow one another in an uncontested manner, be it at the national or the transnational level.

Others in the community of Europeanization scholars seem to remain more embedded within the 'integration' view of Europeanization and take the term to refer to institutional dynamics on the supranational level, relating less to the study of the domestic level. In such a vein, Thomas Risse et al. (2001), for instance, define Europeanization as

the emergence and development at the European level of distinct structures of governance, that is, of political, legal, and social institutions associated with political problem solving that formalize interactions among the actors, and of policy networks specializing in the creation of authoritative European rules (Risse et al. 2001: 3; cited in Olsen 2002: 929, emphasis added).

Again, the authors do not overcome the conventional institutional bias and fail to consider the role of language in the process whereby European rules (and roles) actually come to be authoritative and considered as legitimate 'ways of doing things'. Not unlike Radaelli (2002), the authors neglect to consider the qualities that EU-level policy discourses and the pertinent

notions must acquire in order to institutionalize and materialize. In other words, we are left with the question of why some notions become dominant, and hence come to form a coherent policy discourses, and others do not. Addressing this question becomes even more pressing when we see success in some cases of Europeanization, while failure to mobilize in other policy areas. The next subsection assesses writings on Europeanization in terms of their specific ability to answer the research questions posed in this study.

### *2.2.1 Moving beyond the Europeanization literature*

From the perspective taken in this study, the literature on Europeanization is insufficiently suited to answer our research questions, which concern, on the one hand, the diversity of interpretations of food scares at the level of member states and over time, and, on the other hand, an apparent shared interpretation at the level of the EU. Four broad limitations in this scholarship have precluded the insights we require for answering the research questions of this study: the frequently exclusive focus on analyzing change, while neglecting the study of cases of resilience against Europeanization and hence continuity; the related methodological focus on technical policy contents (rather than in-depth analysis of the whole policy process, including processes of interpretation and meaning-making)<sup>13</sup>; the assumption of clearly identifiable national interests; and the insistence on the differentiation between the roles of policymakers, scientists, members of the industry, and citizen groups. I shall treat these four limitations in consecutive order here.

First, research in the field of Europeanization often focuses on *changes* in policy (discourse) affairs. An analysis of, for instance, Europeanizing legislative changes, is indeed able to point at the emergence of new regulatory mechanisms in empirical detail. A discourse analysis, however, can move beyond the identification of change, and may reveal that seemingly new policy discourses and actor constellations, such as in the German *Agrarwende*, are, in fact, a product of the rise of previously more marginal positions. At certain historical junctions, previously existing discourses may re-emerge - some of them out of a marginal position - and those who push for them may come to join in new actor constellations, not least in alliances with those discourses hegemonic at the pertinent historical juncture. Chapter three will explicate how ‘dislocations’

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<sup>13</sup> Process-taking accounts of cases of Europeanization do, of course, look at the entire process. Yet, the conceptualization of the policymaking process usually relies on a linear view, where negotiation and contestation of meaning receive little or no attention. For instance, van Zwanenberg and Millstone (2005) provide an exceptionally detailed account of the BSE crisis in the UK as well as (though to a lesser extent) at the EU level and, in a useful manner, describe the politics of scientific committees and the wider policy communities. However, the production of meaning around BSE and the immediate interpretation of the disease receive insufficient attention.

(Laclau 1990), or sets of moments that cannot be understood within the dominant discursive framework at a given time, can help re-empower old discourses by providing a discursive opening. Drawing on discourse theory, I shall argue that any policy discourse can contain an amalgamation of new and old (re-empowered) discourses, and hence, is always about change and continuity.

Second, the related methodological focus on analyzing technical policy contents aggravates the problem of exploring only change, and not discursive resilience. Even though valuable at times for the purpose of constructing schematic overviews, the exclusive focus on policy contents obscures other empirical dimensions of the policymaking process. An interpretive understanding of ‘policymaking’ assigns more importance to processes of interpretation and sense-making, dimensions that are accessible, for instance, through in-depth interviews. By combining qualitative textual analysis with in-depth interviews, this discourse analytical study is able to (i) trace the origins and ‘life courses’ of policy discourses, (ii) to identify the key moments of transformation, and (iii) to provide a political analysis by exploring the political rivalry between relatively hegemonic and other, more marginal discursive formations.

A third, and related, limitation in the literature on Europeanization concerns the notion of ‘national interest’, particularly in studies dealing with the ‘bottom-up’ aspects of Europeanization. In much of this scholarship, insufficient attention is paid to the construction of national interest and the way in which discourses inform both change and continuity in policy.<sup>14</sup> The notion of a national interest as exogenously given conceals the fluid and dynamic nature of the policy process, in which interests and roles are constructed in interaction – be it at a national or a transnational level. In order to avoid the risk of reifying apparent ‘national interests’ in this thesis, I explore the rival discourses *within* countries.

Fourth, a similarly problematic reification in the literature on Europeanization and indeed the wider scholarship on policymaking concerns the assumed distinctions between the actor categories of ‘policymakers’, ‘scientists’, members of the industry, and ‘citizens’ (such as consumer groups and NGOs). Departing from this rather static and essentialist conceptualization of policy actors, I contend that these distinctions are socially (and indeed academically) constructed; they paint too rigid a picture of the policymaking process. In order to avoid reifying a static view of Europeanization, wherein simplified notions of interests, rationality, and power obscure the important roles of meaning-making and identities, one has to question the very categories that have been used to describe and analyze the policymaking

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<sup>14</sup> Exceptions within this literature can be found in some social constructivist writings on Europeanization. See, for instance, Diez (2001) and, to an extent, the work of Vivien Schmidt.

process. This study seeks to avoid an actor-centric conceptualization of policymaking and asserts the mutually constructed nature of discourses and actors. In order to understand the origins and 'life courses' of policy programs, I argue, we need to identify the discourses that dominate in them and how they come to do so. In turn, we need to examine the notions of which those discourses are composed, how they are related to one another and produce a recognizable policy discourse and how they are employed and reproduced in actor constellations between policymakers, scientists, members of the industry, and (groups of) citizens. Chapter three will further clarify this point and, in table 3.1, introduces the analytical framework employed in this study.

As one of the few authors in this field, Vivien Schmidt (2000; see also Radaelli and Schmidt 2005) has addressed the phenomenon of Europeanization by employing discourse-analytical concepts. Schmidt (2000) rightly points out that, for European integration to be 'successful', discourses that *legitimate* the process of Europeanization are highly important. She appears to assume, however, that it is policymakers who 'come up with discourses' (Schmidt 2000: 283) and essentially impose their view onto an entirely passive environment. In that way, Schmidt (*ibid.*: 279) understands the function of discourses to be of an instrumental and indeed one-way, top-down, and elite nature. In her understanding of discourse, governmental officials construct discourse (Schmidt 2000: 286), while acknowledging that discourse may also be a 'product of policy experts, academics, the press, interest group leaders, and *even* social movements' (*ibid.*: 286, emphasis added). This thesis proceeds in an inverse way by considering the ways in which discourses inform agency, rather than viewing actors themselves as the independent and conscious producers of discourse. Schmidt's scheme may be of use in small-scale comparative research on elite policy discourse; however, it provides us with insufficient tools for an in-depth analysis of the construction of meaning and related changes and continuities in policy discourse.

An additional limitation in the writings on 'discursive institutionalism', a term originating from its primary exponent (Schmidt 2000), lies in the fact that they are not clearly situated in one or another ontological and epistemological approach. In contrast to a poststructuralist understanding of discourse as being at the very core of politics and policymaking, such as the one employed in this study, Schmidt (2000: 279) draws an analytical distinction between 'policy program' and 'discourse'. In other words, discourse is conceived of as a separate entity and differentiated from institutions and policy programs, as a result of which Europeanization remains primarily studied in terms of (quantitatively assessed) institutional integration. This study, conversely, explores the qualities of particular notions that have become the basis for EU policy discourse in the field of food (safety), as well as the quality of interaction between them in

order to explain its remarkably swift mobilization. Another set of distinctions whose usefulness remains insufficiently clear in Schmidt's work concerns the 'ideational', the 'normative', the 'coordinative', and the 'communicative' dimensions of discourse, respectively. This set of distinctions implies that one can distill the *neutral* speech elements in linguistic exchange and the *normative* dimension in communication, and it implies an understanding of discourses as a collection of 'ideas'. In contrast, this study departs from the notion that language can be a neutral means of communication and of representing 'the world out there'; instead, I consider language as constitutive of our understanding and definition of policy problems and possible solutions. There is no unmediated access to the 'world out there'; rather, definitions of what a particular policy issue stands for (and whether it is a *problem*, or just an *issue*) are always filtered through layers of sedimented discourses.

While Schmidt recognizes that discourses 'provide the basis for policymakers to come up with solutions to a wide variety of policy problems' (2000: 280), she paints a stylized view of the policy process (see also Radaelli and Schmidt 2005) based on the distinction drawn between 'interests' and 'discourse'. While the categories of 'interest' and 'strategy' are to be taken seriously, they can be better understood within a more comprehensive understanding of 'discourse': In such a perspective, discourses are seen as constitutive of interests; in other words, interests are socially constructed and cannot be considered independently of the context in which they become articulated. To sum up, discourses, here, are understood to be at the core of policy processes, rather than as an exogenous factor. Correspondingly, policy discourses are not merely 'made up' by policymakers: Instead, policymaking is a multi-faceted, interactive process, in which seemingly disparate policy actors and communities come together to produce shared meanings.

To conclude, as categories such as 'levels' (top/bottom), 'actors', '(national) interests', and the dominant definitions of policy issues have been taken as given, Europeanization scholars have not moved beyond an either strictly comparative format of study (remaining state-centric), or an elite-perspective, which overemphasizes the role of policy experts and 'interest groups' in producing policy. Likewise, the role of language – beyond its strictly linguistic connotation – has been left unconsidered. In contrast, the analytical framework employed here, which will be further spelled out in chapter three, seeks to elucidate both convergence and divergence by capturing food (safety) as a 'policy discourse'.

## 2.3 The Europeanization of food (safety): crisis and institutional development

### 2.3.1 *Food (safety) as a Europeanizing object of inquiry*

Building on the conceptual discussion in the preceding subchapter, this section presents the object of inquiry in more empirical terms and recounts the ways in which authors have analyzed (the Europeanization of) food (safety). In particular, I seek to highlight that this body of research is largely limited to the analysis of institutional integration, often in technical, policy-programmatic terms, and the ways in which food scares have been conceptualized as ‘crisis moments’ in this field of study.

As proposed in the introductory chapter, food - whether safe or not - travels across diverse discursive premises, whereby the meanings of ‘safety’ and ‘quality’ change. For instance, while on a farm, food (safety) is about efficient production, food (safety) acquires additional connotations throughout the ‘food chain’, such as environmental degradation through transport, hygiene, the public and private regimes through which food (safety) is governed, and eventually, public health, too. These different steps and movements can also be viewed as policy areas that have now increasingly been merging, not least as a response to the food scares experienced over the past decade. Alongside changing modes of food production, consumption, and mobility, new ways of governing became necessary. The need to make sense of these developments produced a new vocabulary that has arisen along the food chain, whereby ‘governance’, ‘stakeholders’, ‘policy networks’, and ‘modern regulation’ have been replacing – or at least modifying – previously sedimented concepts of regulation, which Hajer (2003) has termed ‘classical-modernist’. What has this vocabulary implied for food (safety)?

In post-WWII times, shared understandings regarding food (safety) became sedimented across Europe, as food was primarily a matter of food security and agricultural productivity, rather than safety as such. Following the food shortages during the two World Wars, sufficiency of food supplies became the primary concern across Europe and made for the dominant paradigm of maximizing production in the subsequent decades. At least until the first major food scare of post-WWII times, the outbreak of salmonella in the UK (see Roslyng 2006), a silently given, largely unquestioned trust in food provision and food (safety) was reflected in the institutional handling of food (safety) policy, where solely governmental agencies were entrusted with food (safety). Those agencies, in turn, were largely informed by agricultural policy motives, rather than consumer protection and public health concerns (with the partial exception of Germany, as chapter five will show).

In line with these post-WWII policy objectives, concerns regarding the side effects of intensive agricultural food production as well as concerns about food quality were silenced behind the hegemonic policy discourse of food security. Simultaneously, the role of food chemistry (such as through improvements regarding food preservation) on the way food (safety) was governed increased and the position of the food and farming industry became fortified through the articulation of the said policy objectives. As Alan Swinbank expressed it in 1994, ‘the CAP is a farm policy, not a food policy’ (Swinbank 1994: 255).

At the same time, diverse traditions of food (safety) regulation persisted across European states, and, as mentioned in chapter one, the EU only intervened in cases where the internal market principle and the free movement of goods seemed to be at risk. This formerly overriding principle, however, underwent significant moments of transformation, whereby previously disintegrated policy areas came to merge and new policy areas emerged on the EU institutional agenda (developments that chapter seven explicates in detail). In other words, the constructed boundaries between feed and food, animal and public health, and national and transnational came to be called into question. These moments of transformation have frequently been captured in terms of institutional crisis and changing modes of ‘governance’, and I shall address the most prominent lines of thinking below.

### *2.3.2 Food scares as institutional crisis*

A number of scholars have sought to capture food scares (in particular BSE) and their disruptive effects as instances of institutional crisis. Two lines of argument can be distinguished. *First*, a great part of the academic discussions of the BSE episodes have used terms such as ‘policy failure’ and ‘policy disaster’ (in particular in reference to the UK case, e.g. Ratzan 1998: ix; van Zwanenberg and Millstone 2003; Baggot 1998; Gerodimus 2004), a terminology that arguably assigns a purely negative effect to the experienced food scares. Similarly, a dominant line of analysis and explanation in the UK case, for instance, is one of ‘vested interests’, mainly relying on a critique of the ‘double responsibility’ of the Ministry of Agriculture, Food, and Fishery (hereafter MAFF) in having to represent and promote the concerns of the industry and those of consumers at the same time (Atkins and Brassley 1996; Millstone and van Zwanenberg 2001). Others add that, in the UK, the strong involvement of the National Farmers’ Union (NFU) further aggravated the ‘undemocratic character’ of this particular ‘policy network’ (Weir and Beetham 1999; Seguin 2000), and that this, in part, caused delays and ambiguity in the (mis)handlings of BSE.



The second line of argument similarly focuses on institutional shortcomings in terms of decision-making, both in the UK and at the level of the European Union. With respect to the EU, a recent collection of essays edited by Christopher Ansell and David Vogel (2006) is specifically concerned with the ‘contested governance’ of food (safety). Governance, they argue, becomes contested ‘when a highly salient triggering event interacts with long-term trends and institutional tensions produce a pervasive loss of institutional trust and legitimacy’ (Ansell and Vogel 2006: 24). The authors propose that tensions and contestation arise regarding ‘who, where, how and on what basis policy should be made and implemented’, and at the same time the ‘scope of contestation’ is expanded; furthermore, as a result of the interaction between loss of trust and the expanded scope of contestation, wholesale institutional reform will take place. While this collection of writings presents a highly significant contribution to the scholarship, the authors appear to assume at times that tension and contestation – and eventually institutional reform – will arise ‘naturally’. On the contrary, from a discourse-theoretical perspective, I propose that the particular ways in which an event or a scientific discovery (or an accident) is constructed depend on the context in which this occurs, and on the available horizons of meanings within which the event can be understood. For instance, consider images of burning cows: Is what we see here an effective measure to limit the unintended consequence of industrialized agriculture? Is it fundamentally wrong, is it ‘murder’ of ‘God’s creation’? Is it a problem arising from the incapacity of slaughterhouse operators to limit the spread of a disease? Are consumers to blame, who reject meat produced from vaccinated animals? In order to answer these questions, we require an approach that can explain these different interpretations, trace their origins and ‘life courses’, and explore the political implications of this diversity in terms of the actor constellations that they produce. At the same time, the recognition of the convergence at the EU level – in terms of policy discourse – necessitates a framework that allows for both comparison and multi-sited analysis.

Giandomenico Majone (2000) is more concerned with the impact of BSE on institutional design and conceptualizes the BSE episode as a ‘credibility’ crisis, referring to the credibility of both the status of scientific expertise and EU institutional arrangements in a broader sense. He contends that the BSE crisis conveyed that the ‘decentralized system of rule-making has proved to be inadequate’ and that it exposed the ‘serious shortcomings in the overall co-ordination of European policies on agriculture, the internal market and human health’ (Majone 2000: 273). The remedy to these problems, Majone contends, lies in institutional redesign and moving towards independent European agencies that are embedded in transnational networks, in order to enhance subsidiarity, accountability, and efficiency (cf. Palau-Roque and Chaqués 2006).

Beyond Majone, scholars direct their critique at the inadequacy of coordination and negotiation procedures between the UK and other member states as well as the European Commission. The lack of a shared agenda, a number of authors argue (see Ratzan 1998), and the turning of a public health issue into a political controversy, was rooted in institutional characteristics such as the national veto right, the weakness of the European Parliament, and the culture of protectionism among the member states. Yet what is left out here is an investigation as to not only *why* the development of a shared agenda is frequently a slow, incremental, and highly controversial political process but also how shared understandings *have* eventually come about in a range of fields. By merely considering the phenomenon of protectionism as a result of national interest, one risks overlooking the discursive negotiation of the meanings of events (or ‘crises’) and hence, political agendas.

In contrast to these two groups of scholars, Ian Forbes (2004) departs from the notion that critical policy issues will ‘naturally’ be understood as triggering a ‘crisis’ in all contexts; instead, he suggests not only that terminologies of ‘crisis’ and ‘policy disaster’ indicate a political judgment, but that focusing on the weaknesses of the political and administrative system (such as the composition of the MAFF) and its lack of coordination with the Department of Health) forecloses important opportunities for lesson-learning (Forbes 2004). He expresses skepticism concerning those scholarly accounts of the BSE episode that, based on rationalist underpinnings, set them in a comparative context with, for instance, the Chernobyl disaster or even the 1956 Suez crisis (Millstone 2000). Conversely, Forbes underlines the particularity of the BSE case, in terms of the continuing uncertainties surrounding the issue (for instance, the possibility of BSE in sheep, but also regarding human health, including the possibility of infection via blood donors) (Forbes 2004: 344).

In similar conceptual terms, Mark Bovens and Paul ‘t Hart (1996) criticize the policy-disaster approach and point to the necessity of considering particular sets of criteria and contextual conditions under which events are defined as ‘crises’ (or not). They find that when it comes to domains of ‘risks’, government and its performance is more prone to be perceived as a failure. Fleur Alink, ‘t Hart, et al. (2001) draw on empirical analysis of institutional change and reform in different policy areas (Alink, ‘t Hart, et al. 2001; cf. Boin and ‘t Hart 2000) and come to reject the view that certain moments that seem to operate as triggers for a crisis are ‘freak events’. Instead, they suggest that crises are in fact manifestations of a certain institutional vulnerability that can be traced back to developmental logics in the ‘pre-crisis’ period. For the purpose of the present study, such insights are valuable as they point to the elements of continuity in times of crisis.

Going beyond this institutional focus, in this thesis, I explore the discursive space of the ‘pre-crisis period’ in order to get a better understanding of change and continuity in policy discourse.

Critically drawing on the ‘crisis-reform-thesis’, this group of authors contend that ‘crises not only signal the delegitimization of the status quo in a policy sector, they can also mark the beginning of institutional renewal’ (Boin and ‘t Hart 2000; cf. Alink, ‘t Hart, et al. 2001). The emphasis here should perhaps be on ‘*can* mark’, as the ways in which the crisis comes to be understood as such in the first place, and the discursive strategies employed in this process, will effectively determine the institutional-political responses and whether ‘crisis management’ is formulated as the need for ‘restoring order’ (i.e. going back to the pre-crisis status quo) or renewal and institutional redesign (Boin and ‘t Hart 2000).

In their exploration of policy renewal in the UK and in Germany in the aftermath of the BSE episode, Philip Lowe et al. (2003) suggest that the changes observed were not designed in reaction to the crisis experienced, but constituted an implementation of plans and ideas prepared previous to the discovery of the link between BSE and nvCJD. In the view of the authors, that moment constituted a window of opportunity for imminent political re-orientation, in the sense that it disrupted the previously institutionalized power balance between those forces that were in favor of agricultural reform and those who opposed it. This perspective is inspiring also for a discourse analysis approach, as indeed, seemingly radical institutional moves appear new to us at first, whereas at closer observation we can see that institutional change can be a product of an amalgamation of new and previously present, older discourses that may have been blocked from growing more hegemonic at particular historical moments.

Given their range of considerations, the authors discussed above contribute to our understanding of why we have witnessed diverse interpretations in regard to food scares across contexts. Nonetheless, their theoretical frameworks and empirical analyses do not allow for a sufficient understanding of the variety of discourses at play when it comes to *defining* and shaping a crisis and its outcome under similar conditions. Beyond this deficit, they fail to consider the puzzle emerging from divergence at the national level and convergence at the transnational level. The institutionalist and, in some cases, rationalist underpinnings of the writings discussed above, are reflected in the focus on the hegemonic interpretations and handling of a crisis (‘reformist’ or ‘conservative’, cf. Alink, ‘t Hart et al. 2001: 301), rather than the discourses that contest them.<sup>15</sup> Conversely, if one holds a crisis and its ‘outcome’ to be a product of discursive negotiation, one also needs to look at minor discourses that may not seem highly influential at

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<sup>15</sup> It should be noted here that the authors do not and probably would not want to use the term ‘hegemonic’. I use it here in the sense of ‘dominant’.

first, but that may very well have an impact on the policymaking process itself as well as institutional redesign.

Christopher Hood (2002) provides a further theoretically valuable analysis of policy dynamics by conceptualizing food scares in terms of 'risk-games' and 'blame-games'. The basic assumption is that politicians seek to maximize political support, which Hood defines as the aim to 'credit less blame from voters' in times of crisis (Hood 2002: 17-8). From this starting point, Hood conceptualizes 'the simplest possible version' of the blame game, in which politicians exercise a choice of direction or delegation within a policy domain as they seek to claim credit and avoid blame from voters, while the latter choose between praising or blaming those who have direct responsibility in public policy, in the face of benign or malign policy effects (Hood 2002). Institutional arrangements produced in the wake of the BSE crisis – according to Hood an exemplary 'blame-generating hazard' (Hood 2002: 20) – would thus leave politicians in a strategic position of 'being able to blame everyone else rather than being blamed themselves when things go wrong' (ibid.). Similarly, citizens ('voters'), Hood assumes, can then actively choose whom to blame, depending on the nature and outcome of the crisis.

Hood's perceptive analysis constitutes an important contribution to ways of thinking about the interaction between policymakers and their environment. Nonetheless, his analysis contains a few shortcomings. First of all, it falls short of empirical illustrations of the manner in which such 'games' translate into institutional practices, and how these may effect institutional changes in times of crisis. Secondly, the simplicity of the model compromises the attention paid to the cultural and historical contingency inherent in political institutions and agencies, and thus the very 'conditions of possibility' – contingent interpretations of a crisis-event - that enable the kinds of interactive 'games' he envisages. Furthermore, Hood's conceptualization of agency within blame-avoidance game situation remains insufficiently developed, and his ontological assumptions about individual policymakers' behavior limit the scope of his analysis.

Nevertheless, combined with a more thorough empirical analysis of the discursive construction of 'perpetrators' and 'victims', such as in the German media (Feindt and Kleinschmitt 2004), Hood might in fact contribute to a more relational, interactive, and dynamic understanding of policymaking in this context. Going beyond Hood's instrumentalist assumptions, it may be possible to conceptualize Hood's 'blame games' as a 'symptom' of dislocatory moments, or moments where the incompleteness and contingency of the policymaking structure (and here I include identities, rules, and roles in institutions as 'sedimented discourses') becomes evident. I would then propose to conceptualize 'blame games'

as a reshuffling of identities, hence moving away from their instrumental connotation; this would, of course, also imply moving away from Hood's rationalist ontology.

The scholarly contributions discussed above generate accounts with respect to the role of crises in institutional development when it comes to the study of food scares. Not least because of the wave of institutional rearrangements in the aftermath of the BSE episode, such accounts are useful in pointing out institutional continuity ('path dependency') as well as change. Yet all too frequently, institutional change, agency and/or structure, as well as the notion of crisis are taken as *given*. The causes of institutional crisis are taken for granted; that is, those approaches would find it difficult to account for the differences on the level of meaning across contexts. An additional problem with the institutionalist bias is the tendency to a) view institutions as well-defined bodies and b) agents within them as instrumental and strategic. The discourse analytical perspective taken here improves on this literature by offering the tools a) to understand the formation of institutional identities and practices as manifestations of discourse b) to empirically access the level of meaning and interpretation of events, and c) to investigate and explain the mobilization of shared understandings at the transnational level against the divergence of meanings at the national level.

Below, sections 2.4 to 2.7 are concerned with a critical discussion of four additional groups of scholarship in order to specify why and how food (safety) policy is a contested area, rather than merely a set of technical issues: the role of scientific expertise in the policy domain of food (safety); the role of 'the consumer' as a political category; the relation between food (safety) and trust; and the conceptualization of food scares as a collective experience of risk.

## **2.4 The role of science in food (safety) governance**

Alongside a decline in public trust, the series of food scares over roughly the past decade provoked criticisms directed at both policymakers and scientists, as a consequence of which a number of institutional arrangements focused on the 'science/policy nexus' (cf. Hoppe 2005). As these criticisms have been at the center of, for instance, the BSE episode, and given their centrality in the empirical analysis of this study, this subchapter provides the context in which we must consider this role of scientific experts and subsequently sketches out the contributions of the relevant literature.

Prior to the BSE crisis, scientific experts held a firmly institutionalized role in food (safety) policymaking, which through the series of food scares was scrutinized and called into question. This important role of science in food (safety) policy is neither new nor surprising, but particularly after WWII, the authority associated with experts formed an important part of in the policymaking process: more generally, in the process of reconstruction (e.g. of infrastructure, but

also the rapidly progressing industrialization) and, more specifically, in the area of food (safety) policy. As a symptom of the increasing role of experts, in the 1950s and 1960s, not least because of concerns regarding malnutrition across Europe, a new food-related vocabulary emerged, wherein concepts such as an ‘acceptable daily intake’, ‘a recommended daily allowance’, and ‘threshold limit values’ came to govern consumption patterns. Based on such concerns and detailed empirical research, Sheila Jasanoff (1990) describes scientific experts in the United States (US) as the ‘fifth branch’ in the policy infrastructure, following the executive and legislative branches of government, the judiciary and the media. The food industry was thereby implicated in policymaking, too, whereas citizens remained the ‘end consumers’ of recommendations and food products and did not form significant counter-movements until later decades, as we shall see in the empirical chapters (see also Nestle 2003 for a critical analysis of contemporary nutrition policy in the US).

Some authors describe this post-WWII policy infrastructure as a ‘technocratic model’ of policymaking, a term derived from the Greek *tekhnē* for skill, and *kratos* for power. According to Douglas Torgerson (2003), policy model of technocracy ‘presupposes a *rational administrative sphere* capable of monitoring and regulating social systems efficiently and effectively through complex patterns of input, output, and feedback’, and hence sustains ‘basically oligarchic patterns’ (2003: 114-5, emphasis added). In a slightly different manner, and with reference to the BSE crisis in the UK, Patrick van Zwanenberg and Erik Millstone (2005: 15) understand a technocratic policy model to be one that ‘presupposes that the science and the facts are entirely objective and socially and politically neutral and that all the facts can be readily gathered’. Whilst it is doubtful that scientists then or now would actually subscribe to the view described by van Zwanenberg and Millstone (2005), we can consider the rhetorical emphasis on neutrality as a claim to authority on behalf of policymakers when meanings of particular subjects (‘safety’ and ‘security’ are exemplary terms) come to be contested. These claims to neutrality, moreover, and the appeal to expertise and knowledge skills, as we shall see across the empirical chapters of this thesis, have marked food (safety) policy discourse in important ways, often delimiting the definition of ‘food safety’ and ‘food quality’ in a particular way.

In the context of the EU system of expertise, Peter M. Haas (1992) develops the concept of ‘epistemic communities’ in order to account for international cooperation. Considering the need for a broad view of what ‘policymaking’ entails, Haas also points out that these epistemic communities are not exclusive to natural scientists.

An epistemic community is a network of professionals with recognized expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue area (Haas 1992: 3).

Along similar lines, authors such as Majone (1999) and Anthony Zito (2001) emphasize the importance of scientific expertise in regulatory governance in the EU context. In this model, expert opinions serve to legitimate the formulation and implementation of policy (Majone 1999). Radaelli (1999) suggests that at the core of this legitimating source are shared organizational structures and a shared cognitive base because of training and education, behind which differential 'interests' may disappear. By recognizing that diversity (of 'interests') can be hidden away behind a supposedly technical, neutral body of knowledge, these authors usefully point at the political implications of institutionalized scientific expertise. Yet such approaches cannot sufficiently account for how a certain body of knowledge (and those who produce it, who are informed by it) become dominant and why others remain marginal. For instance, the concept of 'food miles', or the ecological footprint of foodstuffs, represents a sound scientific method to many scientists in England, but the precise ways of calculating them remain debated, and some approaches may remain marginal. For such kinds of analysis, attention to empirical detail in discussions and their outcomes is warranted. Whilst scientific disagreements are not treated in analytical detail in this thesis, the empirical chapters do point to instances where divergent meanings of, for instance, 'natural food', are staged as scientific disagreements in policy discourse.

Writings in the field of science studies offer insights regarding the politics of scientific knowledge production itself. Highlighting the politics in food (safety) science, Marion Nestle (2002) uncovers the politics behind apparently purely scientific nutrition and health 'recommendations' in the food industry. She convincingly suggests that food safety in particular is less about science than about power and control and the interplay of industry and governmental regulation (Nestle 2003). Moreover, a number of authors agree (albeit to varying extent) that scientific expertise cannot be considered 'neutral' and free from value judgments (cf. Abell 2002; Edwards 1999; Frewer and Salter 2002; Hilgartner 2000; Jasanoff 1990, 1997; Miller 1999; Millstone and van Zwanenberg 2005; Weale 2001).

On a lower level of analysis, authors in the Science and Technology Studies tradition are concerned with the mechanisms and practices that makes 'experts' appear credible, how they come to particular conclusions, as well as the modes of interaction in that process. From a perspective of this kind, scientific advice to policymakers is not given in a political vacuum – rather, the legitimacy and authority of so-called scientific experts hinge upon the institutional

settings and socio-political rules in which they operate. Research in this tradition focuses on the interaction and the simultaneous constructions of boundaries between, for instance, 'scientific issues' and 'political matters', rather than taking such distinctions as given. A central insight in this literature is that regulatory practices result from a constant process of negotiation between, or are a 'co-production' of, 'science' and 'politics' (cf. Jasanoff 1990, 2004, 2005). Concretely, these processes of boundary negotiations take place among bureaucrats, scientists, regulatory scientists, research scientists, consultants, and those non-governmental parties that enter the policy process either directly through formal participation or more informally.

Brian Wynne's early work, in which he conceived of regulation as a dialectic of credibility (Wynne 1986), as well as Thomas F. Gieryn's concept of 'boundary work' (Gieryn 1983) are particularly insightful in their focus on practices using ethnographic methodologies, detailed participatory observations, and in-depth interviews. Gieryn (1983) argues that boundaries between science and policy are a product of constant negotiation. In a sense, this calls into question the idea of a closed laboratory: The very idea of a laboratory, in such a view, only acquires legitimacy within a wider set of beliefs and values, which – not least given the political implications of an assumed superiority and 'fixedness' of scientific expertise - should then become an important object of inquiry, as it does, indeed, in the discourse analysis of this study.

The authority associated with the 'truth claims' of scientific expertise, it appears, is not something given; rather, it constantly has to be reasserted and re-negotiated, which uncovers expertise as a fundamentally political realm, where forms of control and exclusion play important roles (Hilgartner 2000). Stephen Hilgartner (2000) has suggested considering expert advice as a 'public drama', as taking place on a stage. Drawing on Erving Goffman (1959), Hilgartner differentiates 'back-stage' activities (such as in the laboratory) from 'front-stage' activities, which take place in the 'public realm', such as the publication of reports. While these distinctions may be of use in, for instance, constructing research designs, however, they risk reifying the very distinctions that scholars in the tradition of Science and Technology Studies have tried to uncover as socially and interactively constructed. Likewise, Hilgartner's methodological focus on written reports hampers our understanding of how discourses inform scientific practices, and how the former are reproduced in, but also contested through the latter. This thesis, on the other hand, will renounce the distinction between discourse and practice by emphasizing the material aspect of discourse: discourses are productive in the sense that they invoke (rival) versions of 'reality'. Those conflicting images of, for instance, what BSE stands for, are reflected and reproduced in institutional practices, which I shall further conceptualize as



‘performative practices’ in chapter three. In other words, discourses are not simply ‘out there’, but can be captured in terms of real practice.

To conclude, given the importance of the science/policy nexus in the area of food (safety), the scholarship discussed in this subchapter is highly pertinent to this study. First, it allows a focus on specific sites of interaction (such as regulatory food agencies) and wide range of methods used in this field open up new empirical dimensions to be studied. In this study, the empirical analysis looks at the broader discourses that inform the practice of scientific experts, for instance, when scientists come to take on roles as ‘consumer advocates’. In this manner, the analysis can move from a more ‘macro’ level to the level of organizational practice. Second, on a practical level, knowledge of this literature has facilitated interviewing scientific experts for this study: It allowed me to demonstrate the fluidity of the boundaries between ‘science’ and ‘politics’ and prepared me for a particular mode of conversation; as did my awareness of the traveling of food (safety) across different *discursive* premises, rather than merely physical localities *strictu sensu*. A recognition of the importance of continuous ‘boundary work’ that structures interaction between policymakers and scientists led me to ask more appropriate questions and, in fact, allowed me to draw my own boundaries in the interview itself.

## 2.5 The consumer in food (safety) policy

In many contemporary Western societies, ‘the consumer’ is a pervasive term used in all policy fields, including that of food (safety). Yet in the latter field, it has been used in different ways and has been institutionalized in different fashions across contexts and over time. For instance, usage of the term ‘consumer’ as the *homo economicus* or market agent stands in contrast to a notion of the consumer as irrational, uninformed, and in need of protection. The general ubiquity of the notion as well as the diversity of meanings associated with ‘the consumer’ as a discursive category warrant a discussion of the relation between food (safety) policy and the consumer in this section.

One way to study this relation would be to assess the effects of the former on consumption practices. In such a vein, consumption practices have been explored by means of in-depth interviews and household studies, thus focusing on the individual level within the particular group of ‘consumers’ (Halkier 2001; Kropp et al. 2005). From a sociological perspective, it is interesting to explore how food (safety) discourses are enacted in private homes on a micro-level given that particularly threats to the safety of meat, as Yannis Stavrakakis (2002: 3) puts it expose that ‘the certainty which supported our way of life, which made our way of life possible – an integral part of that way of life was the consumption of meat – were not privileged and undeniable truths – as almost everyone was led to believe – but social constructions with limited

duration and validity'. When studying micro-level consumption patterns, it is difficult to disentangle, however, the different factors that may or may not affect consumption practices, as well as the effects of particular food scares and resultant policy programs on the self-understanding of consumers.

Some authors have emphasized the centrality of 'the consumer' as a political category employed in contemporary politics, in and beyond the field of food (safety) policy. Yiannis Gabriel and Tim Lang (1995), for instance, point out that consumption patterns differ fundamentally according to axes of 'class', social and cultural settings, and a variety of other factors. Even though food in particular can be considered a universal means to satisfy hunger, the meaning of food is historically and culturally contingent in the sense that 'societal norms and expectations [...] inform how people acquire food, what they consume, and how they consume it' (Lang and Rayner 2003: 67). Food thus bears symbolic connotations beyond nutritious quality and quantity, and these connotations can be expected to vary across contexts (and over time).

Given this diversity, Gabriel and Lang (1995: 4) conclude that 'the consumer' is constantly facing attempts to be 'managed' (be it by governmental agencies, consumer associations, commercial agencies, or practices such as labeling and dietary recommendations) but remains 'unmanageable'. As the authors express it:

There is a disparity between the fantasies of industrialists and retailers and those of consumers themselves. The former ever dream of managing consumers, while the latter's dreams make them ever unmanageable. The former seek to put their vision into practice; the latter subvert, refuse, accept, interpret, surrender or embrace. [...] Consumers have proved that in spite of the best efforts to constrain, control and manipulate them, they can act in ways which are unpredictable, inconsistent and contradictory (1995: 191).

The authors' observation regarding the 'unmanageability of consumers' highlights the possibility of agency on the part of citizens when they come to identify themselves as 'choosing consumers' - even though the choices that citizens can exercise remain at best limited, if not fictional. The invocation of the notion of being a consumer also forms part of a neoliberal trend whereby 'the market' becomes a dominant frame around which socio-political identities are formed. Discursively legitimated in this trend, much of policy appears justified behind the discursive shield of 'consumer demand' - such as the taken-for-granted availability of strawberries all throughout the year, which bears repercussions for environmental sustainability.

From a legal perspective, Michelle Everson (2005; cf. Burgess 2001) offers an analysis of the role of legal instruments in the social construction of the consumer category. By tracing the

development of EU-based consumer protection strategies, she illustrates the productive effects of pieces of legislation in the sense that a changing notion of being a (European) consumer is managed, again, within the theme of the EU internal market. Consumer protection initiatives, she suggests, are often instrumental in furthering and upholding particular visions of what the EU internal market should look like. Such an analysis is particularly insightful as it helps reveal the political (indeed material) implications of moments when particular categories become incorporated (or not) into policy discourses. This study, however, will take this thought a step further as, rather than limiting the analysis to the study of legal documents, the analytical framework employed here allows for findings on three interrelated stages: how discourses make actors, what notions the discourses are composed of, and what discursive clusters of practices (actor constellations) emerge from those.

The insights we find in Everson (2005) and those of Adam Burgess (2001) regarding the significant role of consumer associations at the transnational level and the increasing merging between previously disparate policy areas raise further questions for this thesis. If the concept of consumer protection is a deep-rooted policy area integral to the internal market, how do policy areas such as health and consumer protection come to merge? What informs the changing meanings associated with 'being a European consumer' and what quality of language and interaction is required for such changing meanings to stabilize? How are the different traditions of consumer advocacy across EU member states integrated at the transnational level? A discourse analysis of the changes and continuities at the level of policy discourses and the notions of which they are composed can open up new points of access to the empirical subject matter and can indeed improve our understanding of the apparent discrepancy between diversity of meaning and interpretation across discursive premises and apparent convergence of meaning on the transnational level. Before embarking on developing such an approach further, a discussion of the notion of '(consumer) trust' is required here, given its pervasiveness in both academic writing and policy discourse, as well as its intrinsic relation with the category of the consumer.

## **2.6 Trust in food, politics, and science**

Frequently in conjunction with the concept of the consumer discussed above, the concept of trust forms a core term both in the institutional reactions to food scares and in the existing scholarship on the subject. Given this pervasiveness, this section discusses how the notion of trust features in the existing scholarship on food (safety) specifically and assesses its relevance for the research questions of the present study. In order to understand the role of trust as a logic of contestation better, five inter-related aspects of trust in food (safety) are discussed below: the

role of trust in post-WWII Western Europe; consumption and trust in food (safety); the questioning of trust in science; the particular quality of food as a vital feature of life; and citizens' trust in those who govern food institutionally. Due to the fluid nature of the object of inquiry, this presentation will in part overlap with the foregoing subsections.

Trust-building in relation to food (safety) constitutes a hybrid and complex process, in which several factors and parties play significant roles. To begin with, the context of post-WWII Western Europe is particular in the sense that it provided the following generations with a certain degree of largely unquestioned trust in food supply and food (safety). This trust first came to be challenged in the course of the 1980s, when issues such as salmonella, listeria, *E-coli* bacteria (*Escheria coli* 0157:H7), and the discovery of anti-freeze in wines provoked public alarm. These earlier 'food scares', aggravated by later scandals such as the discovery of dioxin-contaminated food products imported from Belgium, brought about a re-politicization of food and farming policies (Smith 1991: 235). Beyond these developments, the outbreaks of salmonella and listeria in the UK in the 1980s also transformed the food (safety) policy community into an issue network marked by the '[t]he increased activity of interest groups, the impact of the Common Agricultural Policy and changes in the retail economy' (Smith 1991: 235).

Second, consumption practices and trust in food (safety) in Western Europe can be contextualized in wider processes of modernization and industrialization that have structured our relationship with the 'natural environment' and thus also food in particular ways.<sup>16</sup> The earlier confidence in a discourse of 'ecological modernization' legitimating ideas of progress in (food) production by way of 'exploiting nature'<sup>17</sup> in order to feed the population, it could be argued, suffered to some extent.<sup>18</sup> As chapter five will demonstrate, the *Agrarwende* policy discourse in Germany reflects a development of this kind.

Third, trust plays an important role in the ways in which scientific advice in the context of policymaking is taken up by the public. Brian Wynne (1992: 282) convincingly argues that trust and credibility rely on 'the social relationships, networks and identities from which these are derived'. An important insight in Wynne's work is his recognition that identities are contingent and constantly undergoing processes of (re-)construction. In turn, these fluid identities, which

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<sup>16</sup> For a thought-provoking conceptualisation of food scares as a 'symptom of an intensifying, multidimensional crisis in contemporary capitalist agriculture', see Benton (2001).

<sup>17</sup> The term 'exploitation' in this context is inherently evaluative and forms part of a radical environmentalist discourse. I use it here, first, to denote the tensions that mark environmentalist discourses and, secondly, to show how divergent meanings that are attributed to signifiers such as 'nature' can be.

<sup>18</sup> Ecological modernisation is a complex concept, but suffice it to say here that the uniting idea is that an ecologically modernised society relies on policy and practices that represent an overall belief that rather than environmental concern being a burden on the economy, it is potentially a source of growth and, therefore, advantageous to the economy (Carter 2001: 211-220; see also Hajer 1995).

hinge upon the divergent discursive premises in which they are formed and articulated, determine the way ‘science’ is *understood* by laypeople.<sup>19</sup> What follows from this is a more relational view of the public understanding of science.

Fourth, one could argue that, psychoanalytically speaking, our trust in food stems from the intimate relationship between parents and their children.<sup>20</sup> More specifically, food constitutes a primary moment through which a human being first faces the world and structures her or his relationship with it – arguably, this is an almost ‘universal’ dimension of trust in food (safety). A major difference between trust in the safety of, for instance, bridges or airplanes and trust in food lies in the basic nourishing function of food and the intimate familiarity a human being experiences with food from birth.

A fifth aspect of trust in relation to food scares concerns citizens’ trust in those who govern food (safety). From Veronica Tacke (2001) as well as Unni Kjaernes (1999) we learn that institutional arrangements as well as the different ways in which risk or uncertainty is ‘framed’ in organizations and institutions affect trust in food (safety) and the ways in which institutional performance is experienced by the public. By means of survey data, Kjaernes (1999) further suggests that the ways in which ‘mishaps’ are portrayed in the media (either as ‘events’ or ‘crises’) significantly shape trust or distrust.<sup>21</sup> Beyond the reasons for the apparent breakdown of trust relationships, the attempts to rebuild trust are an interesting object of inquiry, given the role of the ‘trusting citizens’ for policymaking.

Regarding public trust in institutions, a distinction frequently drawn in the scholarship on ‘trust’ is that between ‘passive’ and ‘active’ dimensions of trust. First, *passive trust* does not only originate from and refer to the confidence derived from the constructed superiority of information received from governmental agencies and scientific experts, but is also fundamentally based on the intimate meaning of food in our lives. In this manner, ‘passive trust’ constitutes the basis for policymaking or for the legitimization of policies more generally.

The second category, *active trust*, refers to new forms of trust needed in contemporary ‘risk societies’. In ‘risk societies’, the argument goes, trust can no longer be taken as given, according

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<sup>19</sup> See Frewer et al (2003) for a study of expert perceptions of laypersons in scientific risk assessments. Maranta et al. (2003) similarly provide an analysis of the role of the ‘imagined layperson’ in the work of experts across different fields of academic knowledge production and policy areas, such as environmental policy.

<sup>20</sup> Although this is an obvious factor, I consider it worth mentioning as it is mostly left out in analyses approaching the subject from a consumer-choice perspective.

<sup>21</sup> The Trust in Food project runs a regression analysis to explain trust (the dependent variable), using three factors as independent variables: (1) cultural features, (2) social practice and (3) institutional performance. Findings place Great Britain in a ‘high levels of trust’ category, while Germany (East and West) lies in a ‘lower/medium level of trust’ group of countries. See:

[http://www.trustinfood.org/SEARCH/BASIS/tif0/all/publics/SDF?DOCU\\_TYPE=presentation&FORMFL\\_O B=Title&FORM\\_SO=ascend](http://www.trustinfood.org/SEARCH/BASIS/tif0/all/publics/SDF?DOCU_TYPE=presentation&FORMFL_O B=Title&FORM_SO=ascend).

to risk society theorists such as Ulrich Beck (e.g. Beck et al. 1994; cf. Giddens 1981; see section 2.7). Instead, policymakers and ‘reflexive experts’ must come to actively gain the public trust that is needed for institutions that regulate the phenomena we are faced with. The relationship of trust, here, is no longer based on a one-way process of distributing scientific and other policy-relevant information as a means for public institutions to build legitimacy. Rather, ‘active trust’ refers to policymakers’ and scientists’ actions that become necessary in situations where democratic legitimacy no longer rests on making available documents and scientific results, but rather on interaction and negotiation between government and the citizenry. Trust, as Anthony Giddens (1981) argues, becomes ‘trust in light of alternatives’ in ‘post-traditional’ societies (see Lash 1994 for a useful discussion). Novel institutional practices in the area of food (safety) indeed point to this development - participatory and ‘deliberative’ practices have been introduced prolifically, wherein citizen groups (along with members of the industry) are invited to attend policy meetings and either act as a seemingly passive and silent ‘audience’ (such as in board meetings) or as ‘stakeholders’, that is, as active participants.

While for a long period of time, channels of ‘interest representation’ in this policy area consisted of informal interaction and consultation, public institutions have now shifted towards constructing specific mechanisms and sites through which civic stakeholders are supposed to become more involved in the negotiation of politics, scientific input and the very definition of the themes that must be dealt with and regulated (such as ‘risk’). The process of policy-making, therefore, can be ‘reconceived as a constant struggle over the very ideas that guide the ways citizens and policy analysts think and behave, the boundaries of political categories, and the criteria of classification’ (Fischer 2003; cf. Fischer and Forester 1987). As a consequence, the ‘public’ becomes an indispensable part of the ‘science-politics interface’, as not just a recipient of policy but an actor in a reframed model of policy-making that features triangular interaction between scientific experts, policy-makers, and citizens (Bäckstrand 2003; Edwards 1999). The empirical chapters will show that the distinctions between the actor-categories of ‘scientists’, ‘policymakers’, and ‘citizens’ become blurred when one looks at how discourses that inform the policy process in both content and form.

While the five aspects of trust in food (safety) discussed above appear not only commonsensical but are also important features in the scholarly literature in this field, Forbes (2004) paints a different picture. Going against the bulk of sociological studies that claim to observe a decline in public trust produced by the series of food scares of the late 1990s, he contends that ‘the [BSE] episode has not caused, but has revealed the existence of major doubts in the public mind about the balance between consumer and industry interests, and the

truthfulness of statements about safety' (2004: 354). Even though not based on extensive empirical research, Forbes' observation is valuable in that it further reveals the significance of the motif of trust in structuring the (academic) policy discourse in the field of food (safety), not least given the post-WWII conditions outlined above.

To conclude, different understandings and forms of trust feature both in scholarly and policy discourse. As study is not concerned with the measurement or maintenance of trust, but still wants to do justice to the multi-faceted significance of the concept, I take 'trust' to be a discursive category that has considerably shaped and re-informed policymaking practices in the domain of food (safety). In the case of food (safety) policy, the notion of a trusting citizen is moreover closely linked to the experience of food scares as risks. I shall treat the concept of risk in the following subsection.

## **2.7 Food (safety) as a collective experience of risk<sup>22</sup>**

Beyond, and related to the notion of trust as discussed in the preceding subchapter, food (safety) and related 'crises' can be framed in terms of the collective experience of 'risk', especially in light of the uncertainty associated with, for instance, the aforementioned link between BSE and nvCJD. The concept of risk and the relevant literature is discussed here for two reasons: First, the 'risk society' approach constitutes one of the most frequently employed frameworks within which analysts have tried to capture the events related to food scares and environmental issues. Second, as chapters four to seven will show, the notion of risk is of considerable importance with respect to how policymakers and experts have tried to redefine their responsibilities within changing models of the three-stage risk analysis in policymaking. As will become clear, the boundaries between the three stage of this linear model – risk assessment ('science'), risk management ('policy'), and risk communication' are in praxis not as firm and stable as institutional setups declare them to be.<sup>23</sup>

Numerous authors have dealt with the concept of risk and its relation to public policy regarding environmental phenomena in the broader sense (Beck 1992; Lash, Szerszynski, and Wynne 1996; Draper and Green 2002; Dratwa 2002; Slovic 2001; Weale 2001). Notwithstanding the variety in this field, there seems to be a considerably broad consensus among academics that no universally applicable way has been devised to measure risk to the natural environment and human beings, alone a definition of what scale of risk should be regarded as tolerable. Beyond the inability to provide precise 'risk measurement', risk perception, as most would agree, has

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<sup>22</sup> Particularly the latter part of this section draws on Loeber and Paul (2005).

<sup>23</sup> This three-stage model of risk analysis is said to originate from the World Health Organization.

been established as contingent upon social and cultural factors, whereas the empirical chapters will show that this recognition has been employed in diverse ways in policy discourse.

Stephen Healy (2004) points out that the post-WWII years saw challenges in managing large-scale technological systems and the development of new means for quantifying 'risk'. These early stages of probabilistic approaches to risk management constituted new ways of 'making sense' of technological development and scientific innovations. From the 1970s onwards, however, new ways of studying risk produced insights regarding the incongruent risk 'calculations' and perceptions of risk by 'experts', on the one hand, and 'the lay public', on the other (ibid.). The work of Silvio Funtowicz and Jerome Ravetz (1993) and their understanding of 'post-normal science' are paradigmatic in this context. At a time when environmental issues gained prominence on the policy agendas of Western countries, the authors called for a rethinking of scientific assessment that would take into account the weaknesses inherent in logical positivist science and instead would consider 'lived experiences' and 'gut feelings' as valid factors (Funtowicz and Ravetz 1993). Similarly, drawing on 'cultural' approaches to risk, Stephen Healy (2001) calls for a 'post-foundational' interpretation of risk in order to overcome the binary opposition between subjective and objective risk. His conceptualization of risk as 'performance' relies on insights from Actor-Network-Theory and contributes to a more relational, dynamic understanding of risk (Healy 2001: 293-4).

In his conceptualization of the 'risk society', Ulrich Beck also recognizes the impact of the post-WWII technological advances (Beck 1992, 1999). In a nutshell, the concept of 'risk society' denotes developments alongside processes of modernization, industrialization and technological advance (although the term itself is part and parcel of modernization discourses) that have fundamentally shaped the ways in which we deal with every day life. Typically, these developments are shaped by 'a past characterized by the quest for scientific, ethical and social certainties [...] [and] a present where the possibility of reaching absolute certainty – and hence absolute safety and security – is radically questioned' (Stavrakakis 2002: 5). One of Beck's most valuable contributions rests in the recognition that science and scientific experts have become, on the one hand, indispensable in light of technological advances within the modernization trajectory, while, on the other hand, their authority has so fundamentally been called into question. We shall see in the empirical chapters of this thesis how this crisis of expertise in the science/policy nexus has affected the seemingly distinct roles of policymakers, scientists, members of the industry, and citizen groups in the policymaking process.

For Beck, recent 'disasters' such as Chernobyl epidemic differ from earlier risks in that they constitute risk manufactured by humans themselves. This implies that Beck considers the



growth of risk, and the perception thereof, as an inherent and inevitable ‘side effect’ of late modernity (Beck, Giddens, and Lash 1994). In an implicitly realist manner, he posits that for their sheer size and destructive ability, the risks involved in modern ‘risk society’ are ‘in fact a historical innovation’, and that the ‘simple modernization’ of the past epoch – characterized by a linear increase in rationalization and economic growth – has brought the world to ‘the brink of apocalypse’ (1997: 31). Another realist assumption in Beck concerns the insufficient attention he devotes to the multiplicity of the meanings of risk and the discursively constructed nature of the term itself (Smith 2004). Whilst Beck does begin to consider risks as contestable and part of a power/knowledge construct - he ultimately insists on ‘the reality of risk [...] knowing no social or national difference’ (Beck 1992:46, cited in Smith 2004: 315). The actual divergence we find at the national level regarding the interpretation of food risks, however, exposes Beck’s realist view as both conceptually and empirically problematic.

In contrast to Beck, Yannis Stavrakakis emphasizes that the risks *per se* have not changed. Rather, what makes a ‘risk society’ so particularly challenging is ‘the revelation of the constructed character of every certainty [...] [and] the recognition of the constitutive character of uncertainty in human experience’ (Stavrakakis 2002: 11). The two authors do, however, concur in Beck calls to stop ‘dealing with the future in a way that is based on the institutional setting and the conceptual framework of the past’. Beck (1997) argues for a ‘reflexive modernization’, that is, a process of modernization that breaks away empirically and theoretically from the assumed linearity in progress and functional differentiation in current society. Stavrakakis, in a not dissimilar way, calls for ‘an open political administration through democratic procedures and within a culture of openness’ (ibid.) as well as the recognition of the task of civil society to re-politicize decision-making in these policy matters vis-à-vis ‘the ‘omnipotent’ scientist, technocrat, company manager or politician’ (Stavrakakis 2002: ibid., 13-16).

In Beck’s perspective, a shift from simple modernity to reflexive modernization is deemed almost inevitable in the face of impending catastrophe. It was also expected to be an incentive to question the very way in which the political and social structure of society is organized. This expectation is found, for instance, in Peter Oosterveer’s (2002) account of how four EU member states dealt with BSE institutionally. The author posits that ‘[i]f BSE is indeed a clear case of the new risks characterizing the risk society, the conventional risk policy instruments and institutions from simple modernity are no longer adequate’ (2002: 216). Yet Oosterveer concludes that, although BSE had a profound influence on the handling of risks in the various countries, ‘it goes one bridge too far’ to state that ‘mad cow disease’ set in motion a development towards ‘new reflexive risk politics’ (ibid.). He concludes that, ‘[a]t best, we can

identify some innovations in some countries as an answer to the shortcomings of the simple risk politics in dealing with the BSE crisis' (Oosterveer 2002: 227).

While Oosterveer (2002) recognizes the variety in approaches developed across his selected cases, he makes no attempt at explaining this diversity. In fact, Oosterveer fails to recognize the inherent puzzle here, and does not offer the methodological toolkit to tackle it. The present study, on the other hand, provides an analytical framework within which we can both compare policy discourses across contexts and over time, and simultaneously study the negotiation of shared understandings at the level of the EU. Based on the insights derived from the scholarship discussed here, the next chapter develops such an approach.

## 2.8 Conclusions

The present chapter has further carved out the object of inquiry by situating it in the existing scholarship on the subject and through contextualizing food (safety) in the different 'logics of contestation' that are pertinent to the policy field. After discussing the existing literature on Europeanization, this chapter proposed to move beyond the institutionalist bias therein. I specifically problematized that in this literature (1) the present degree of harmonization as well as the notion of fixed national interests are taken as given, (2) (transnational) problems are seen as readily identifiable, and (3) a clear differentiation between actor-categories is taken as given, too (the policymaker, the scientist, members of the industry, and citizens). Such approaches lack the tools to properly account for the diversity of interpretation and meaning at the level of national contexts vis-à-vis the apparent convergence of meaning at the transnational, EU-based level.

The puzzle identified in the introductory chapter called for a further characterization of what food safety policy is, why it has been so widely discussed, and how it relates to other previously separate policy areas. To that end, I discussed the specific features of post-WWII Western Europe in regard to food and agricultural policy and highlighted the previous differentiation of food (safety), agriculture, health, and consumer protection policies.

Drawing on these insights as well as a wide range of literature, subchapters 2.4-2.7 identified four main logics of contestation that are particularly pertinent to a study of food scares: food (safety) as an experience of a crisis of scientific expertise; the growing construction of food (safety) as an issue of consumer protection and citizen trust; and food scares as a collective (European) experience of risk. By fleshing out the empirical logics of contestation that structure the policy domain of food (safety), this chapter accentuated the fluid nature of the object of inquiry.

Due to its physical and discursive travels, food (safety) touches upon a range of policy aspects that are specific to contemporary governance. An awareness of the multiplicity of meanings that food (safety) can take on across discursive premises is called for by the rise of a terminology of ‘multi-level’ Europeanization, which seems to be replacing the conventional top-down and bottom-up distinction: a terminology of ‘governance networks’ and ‘deliberative spaces’; a language of consumer trust, consumer rights, and stakeholders; and the changing notion of the role of science in society. In other words, we require an approach that (i) can access those diverse locations on a comparative yet in-depth basis, (ii) is sensitive to the contingency of meaning and (iii) allows us to disentangle a seemingly coherent ‘food safety policy’ discourse in order to reveal conflict, contestation, and eventually the mobilization of shared meanings at the transnational level of the EU. The next chapter will lay out in more detail the theoretical and analytical framework and the methodological toolkit used for the purpose of this study.

## CHAPTER THREE: A discourse-analytical approach

### 3.1 Introduction

Chapter two introduced the empirical ‘logics of contestation’ regarding food (safety) policy discourse and thereby further delineated the object of inquiry of this thesis. The central problem with this existing scholarship, as identified in the introductory chapter, is that most scholars take the notion of ‘food safety’ as *given*. In contrast, this study focuses on the construction of the meaning of ‘food safety’, how and why it varies across contexts and over time, how and why meanings may change or stabilize, or both, and the implications that such dynamics bear for food (safety) policy.

This chapter sketches out the theoretical and analytical framework on which this study is based. At the core of this framework are two analytical assumptions that must be spelled out prior to a more detailed theoretical discussion: First, this study assumes the view that ‘food safety’ can mean a variety of things, and that its meaning is always transient, changeable, and contextually contingent. Second, while meanings do become temporarily fixed, these meanings constantly have to be reproduced and become open to re-negotiation at particular junctures. From these theoretical premises, the effects of food scares such as BSE and Foot-and-Mouth-Disease (FMD) are captured here as ‘dislocatory moments’ (Laclau 1990), meaning ‘an event, or a set of events, that cannot be represented, symbolized, or in other ways domesticated by the theretofore dominant discursive structure – which therefore is disrupted’ (Laclau 1990; Torfing 1999).<sup>24</sup>

The dominant discursive frame of reference differs across national and regional contexts, as well as over time. As a consequence, the food scares experienced in the late twentieth century in England, Germany, and the Netherlands were *interpreted* and taken up in different ways as policy issues. Second, and as a result, what counts as ‘good food’ came to mean different things in different national contexts, as well as over time, as this study will show by highlighting the (re)emergence and usage of terms such as ‘food safety’, ‘food quality’, and the food chain.

While the variation in meaning is remarkable, a considerable transnational policy discourse was mobilized on the level of the European Union (EU), which suggests agreement, unison, and coherence in the EU context. In order to approach this apparent contradiction, the variation in the interpretation of food scares will be illustrated and explained here along two lines. The first

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<sup>24</sup> Mette-Marie Roslyng (2006) provides an illuminating media-based analysis of the salmonella affair and BSE in the UK. This study differs from her approach by, first, focusing on policy discourse in the broader sense, and, second, considering the changes and continuities herein at a lower level of analysis: that of policy *practice* (see section 3.4).

line of explanation focuses on the socio-historical contextual contingency of the events, and the ways in which earlier developments (particularly during the twentieth century) produced different sets of sedimented discourses regarding food policy in the aforementioned national regulatory contexts. As those sedimented discourses constitute the dominant frame of reference in the production of meanings around food-related events and phenomena, we can expect them to shape the interpretation of current food scares.

In addition to this variation across national contexts, the second dimension of variation concerns variation across the discursive positions/premises from which people make sense of 'food safety' and related notions of 'quality'. For instance, one could expect that the discursive premises from which scientists consider food (safety) differ from those of economic experts or environmentalists. In other words, 'safe food' denotes different things in different discourses: whereas in an environmental discourse, 'safe food' may refer to particular environmentally-sensitive production methods, a technical-scientific discourse may construct the meaning of 'safe food' as produced under a particular technical regime, such as Hazard Analysis and Critical Control Points (HACCP), as low-risk and hygienic. This second dimension necessitates a lower-level analysis of discursive meaning, as well as particular kinds of data (see section 3.5).

A more conventional policy-analytical account may suggest focusing on the main participants within the policymaking process, or the central roles or actors therein: the policymaker, the scientist, citizens, and the industry (see, for instance, Lindblom 1993; Ham and Hill 1993 for frameworks of this kind).<sup>25</sup> Such accounts would, first, assign particular 'interests' to those actors, and, second, scholars in that tradition would expect them to act in a particular way in the policy process. In contrast, the present discourse-analytical account suggests that such a strict and rigid categorization in an analysis of the policymaking process is problematic, as it obscures the fluid and dynamic nature of the policy process and artificially divorces a particular policy problematic from its discursive context. Moreover, we cannot take different categories of roles as given *a priori*: The expectations that are associated with particular roles, the rules and self-understandings that come with them, and the particular ways in which they are enacted fundamentally hinge upon the discursive context in which they become articulated and the institutional arrangements present. For instance, in 2001, the European Commission allocated equal grants to national governments for the purpose of rebuilding 'consumer trust' in food

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<sup>25</sup> Charles Lindblom does emphasize the political (or policy) agency of what he refers to as 'citizens'. Although this is a useful conceptual step towards a post-elitist perspective regarding the policymaking process, he fails to consider the relational identities developed through discursive practices. In contrast, the present study suggests to understand institutions (policymakers, scientists) as dynamic stages in which the 'audience' is *always already* present in the minds and self-understandings of policymakers (for instance, when they are seen to take on a consumer-activist language).

(safety). Judging from the different actor constellations that were eventually charged with the task on a national and regional level, it appears that the notion of consumer trust in food (safety) is contextually contingent, as divergent constellations (between public and private actors) emerged that were considered responsible for consumer trust and food (safety) (see COMM 2002b).

The remaining parts of this chapter further unfold the theoretical foundations of this thesis, the corresponding methodological toolkit, and the discourse-analytical framework. At the same time, the conceptual reflections in this chapter serve in particular to illustrate the usefulness of such a framework beyond the empirical field of food (safety). The chapter proceeds in four main steps in descending order of generality: In section 3.2, I provide a general introduction to discourse analysis, focusing on the fundamental tenets underlying an approach of this kind, its epistemology and ontology, and questions relating to causal explanation and interpretation. Section 3.3 consists of three parts: Section 3.3.1 explicates the philosophical background against which a political theory of discourse developed and the particular relevance of *structuralist* linguistics and deconstruction. Subsequently, sections 3.3.2 and 3.3.3 discuss the central elements of *poststructuralist* policy analysis.

Section 3.4 of the chapter focuses on the development of a poststructuralist policy *analysis* and introduces the central concept of *dislocation* (Laclau 1990). After explicating its relation to the notion of agency, the concept is supplemented with Hajer's (2003) concept of 'institutional ambiguity', which, in this study, I consider a descriptive rather than an analytical concept. In order to develop the concept of 'institutional ambiguity' into a more operational explanatory notion, section 3.4 additionally introduces the concepts of practice and *performance*. These notions, first, serve to bridge the conceptual and empirical gaps between 'dislocation' and actual changes in policy (discourse). Second, the notion of performance, as it is developed here, serves to emphasize the dimensions of authority and agency in times of ambiguity. The final section (3.5) builds on the aforementioned discussions and, on that basis, explicates the concrete framework of analysis and the set of methods employed for the purpose of this study. In addition, critical methodological issues and challenges encountered during the research process are sketched out.

### 3.2 The central underpinnings of discourse analysis<sup>26</sup>

It is important to note that there is no such thing as ‘*the* discourse analysis approach’. Rather, the field of discourse analysis in the social sciences is broad, and research projects vary considerably in terms of assumptions, methodology, and their projected aims. Although generalizations are difficult, it can be said that discourse-analytically oriented researchers focus on texts and meaning therein. Importantly, however, *text* is conceptualized in different terms (Howarth 2000), which frequently leads to misunderstandings between discourse analysts and, for instance, positivist or critical realist scholars, but also misunderstandings *within* the field of discourse analysis (see, for instance, Silverman 2001; Wetherell 2001 for an overview of different strands). Similarly, *language* and its functions, in human interaction, society at large, or both, are conceived of in different ways. Jacob Torfing (2005: 5-6), for instance, distinguishes between three ‘generations’ of discourse analysis: first, those employing a purely linguistic notion of ‘discourse’; second, a strongly linguistics-informed school termed ‘Critical Discourse Analysis’ (see Wodak and Weiss 2003, 2007 for examples; see Billig 2003 for a critical review); third, the interpretive, poststructuralist-informed school of thought which informs this study and will be further elaborated in this chapter. There is a considerable consensus, at least within the poststructuralist school of thought, that language is *constitutive* of what is referred to as ‘reality’ rather than a neutral means of communication or representation.

Given the common charges leveled at or misunderstandings associated with discourse-analytical approaches, it is crucial to spell out some of the key ontological and epistemological assumptions that inform the interpretive discourse-theoretically informed approach employed for the purpose of this study.<sup>27</sup> First, *ontologically* speaking, discourse analysts deny the existence of an objective reality and, rather, assume ‘the existence of multiple, socially constructed realities instead of a single reality, governed by immutable natural laws’ (Hajer and Versteeg 2005: 176). Yet, as Laclau and Mouffe emphasize, this objection should not be understood as a denial of the material existence of objects. Rather, discourse analysts are interested in the attribution of (diverse) meanings to objects or events. For instance, earthquakes or the falling of a brick from the sky can be interpreted as ‘God’s acts of wrath’ or as natural phenomena (Laclau and Mouffe

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<sup>26</sup> For the purpose of this study, I refer to discourse analysis as an analytical approach informed by discourse theory. By discourse theory, I mean the collection of poststructuralist thought among whose exponents are Ernesto Laclau and Chantal Mouffe (e.g. 1986).

<sup>27</sup> Other approaches grouped under the heading ‘discourse analysis’ include conversation analysis, frame analysis, realist discourse analysis, and critical discourse analysis (e.g. Billig 2003). For a concise overview, see Howarth (2000: 2-5).

1985: 108). Similarly, a forest can be valued for its aesthetic qualities, or considered to be of intrinsic value, or an obstacle to modernizing transport routes. Equally, ‘safe food’ can denote ‘clean food’, ‘natural food’, or food produced under constant scientific supervision. Laclau and Mouffe (1987: 84) are worth quoting at length in this context:

[W]hat can we say about the natural world, about the facts of physics, biology or astronomy [...] The answer is that natural facts are also discursive facts [...] for the simple reason that the idea of nature is not something that is already there, to be read from the appearances of things, but is itself the result of a slow and complex historical and social construction. To call something a natural object is a way of conceiving it that depends upon a classificatory system. Again, this does not put into question the fact that this entity which we call stone exists, in the sense of being present here and now, independently of my will; nevertheless the fact of its being a stone depends on a way of classifying objects that is historical and contingent. If there were no human beings on earth, those objects that we call stones would be there nonetheless; but they would not be ‘stones’, because there would be neither mineralogy nor a language capable of classifying them and distinguishing them from other objects.

The different meanings attributed to events, discoveries, and phenomena – such as food scares - will most certainly have implications for the kinds of policies that are developed in the respective fields. Consequently, studying the impact of a given event, or a set of related events (for instance, the occurrence of a disease that can potentially affect food (safety)), will require a methodology that pays attention to how – sometimes conflicting - meanings are attributed to those events, and how those processes of meaning-making shape policy. In addition, it is important to note that existing ‘material realities’, such as funding streams, institutional arrangements, or past policy reforms, may ‘suddenly’ acquire a new meaning when a given event reshapes the perception or understanding of the observer.

The poststructuralist conception of the function of language in informing meaning and identities of subjects and objects implies a critique of both *empiricism* and *positivism* (Howarth 2000: 1-3). Empiricism argues that valid observations are to be based on direct and unmediated experiences of the external world which are readily translatable into words and statements. The positivist tradition builds on empiricism in its epistemology and suggests that science can only progress by way of producing objective knowledge thus derived. As far as the guiding aims of positivist scholarship are concerned, law-like theories about the socio-political world are typically valued, and in some strands, such as rational choice theory, the construction of predictions and causal explanation are held to be a core aim of science (Glynos and Howarth 2007). The



discourse-analytical approach taken here rejects these assumptions, which are to a significant extent derived from the natural sciences.

Positivists and empiricists would perhaps argue that discourses should be understood as ‘frames’ or ‘cognitive schemata’, or ‘the conscious strategic efforts by groups to fashion shared understandings of the world and of themselves that legitimate and motivate collective action’ (Howarth 2000: 3). The research objective could then be to measure the effectiveness of those discourses in bringing about certain ends (ibid.). Conversely, discourse theorists ‘[insist] upon the contextual particularity of a putative explanation [and its] presupposed, contestable framework of concepts and assumptions’ (Glynos and Howarth 2007: 12). In addition, poststructuralist discourse analysts subscribe to the social constructivist paradigm and, following Heidegger, maintain that we cannot ‘step outside’ the world that ‘we are thrown in to’ to start with (Howarth, Norval, and Stavrakakis 2000: 3, footnote 11). Therefore, in *epistemological* terms, they deny the achievability of unmediated access to ‘facts’ and the possibility ‘to explain phenomena and events in objective universal terms’ (Howarth 2000: 126). Instead, ‘discourse theory is concerned with understanding and interpreting socially produced meanings rather than searching for objective causal explanations’ (Howarth 2000: 113).

This is not to say that discourse analysts do away with the aim of explanation. Yet, discourse-analytical research projects do differ from positivist research both in the means and in the objective of analysis. Poststructuralist discourse analysts reject the notion of uncovering the ‘inherent’ and intrinsic properties of objects and subsuming what is particular, for instance in the form of case studies, under generalizable, or even universal laws and causal relationships. Instead, the aim of explanation in discourse analytical research projects is to investigate ‘how the discourses, which structure the activities of social agents, are *produced*, how they function, and how they are changed’ (Howarth 1995: 115, emphasis in original).

In addition, discourse analysts construct inquiries into the specific ways in which meanings and identities are constructed, contested, and reproduced. Notably, in research projects of this kind, the aim is not to reveal ‘real facts’ about the subject of investigation. For instance, the undeniably material qualities of a football include its volume and the material from which it is produced, and, as such, it merely constitutes a leather object of a particular shape and size. However, it is only within the rules of the football game, and the particular spatial context in which it is used, that it acquires its meaning. As Laclau and Mouffe (1987: 82) put it:

If I kick a spherical object in the street or if I kick a ball in a football match, the physical fact is the same, but its meaning is different. The object is a football only to the extent that it establishes a system of relations with other objects, and these

relations are not given by the mere referential materiality of the object but are, rather, socially constructed. This systematic set of relations is what we call discourse.

In addition to becoming aware of the historicity and contingency of particular sets of meanings, discourse analysts have produced considerable contributions to studying the emergence and demise of social movements and the role of identities therein. Importantly, the discourse analyst does not only pose questions regarding the *construction* of identities, but also investigates the *blocking* of (alternative) identities through political frontiers and antagonisms that in some contexts could partly account for the emergence of intense conflict. The simultaneous construction and blocking of identities also finds expression in contexts where marginalized discourses come to challenge the predominant, more institutionalized discourses. For instance, Stephen Griggs and David Howarth (2002b; cf. Howarth and Griggs 2004) investigate discourses within protests against the construction of an additional runway at Manchester Airport (UK). Here, different groups are identified that tried to articulate their various identities, such as environmentalists, ‘eco-warriors’, and ‘economic modernizationists’ (Griggs and Howarth 2004). In that context, middle-class people allied with ‘eco-warriors’, for instance. A political frontier was created between the latter groups, on the one hand, and proponents of the runway construction, on the other hand. Rather than considering these developments as merely a conflict of ‘pre-given interests’, a discursive analysis makes it possible to see how the various groups perceived each other as blocking their respective identities, such as those of ‘home-owner’ or ‘business entrepreneur’. An investigation of the production of meaning around events (or plans such as a runway construction) serves to challenge the dominant view that conflicts are reducible to divergent, presumably given, and fixed interests.

Perhaps one of the main weaknesses in this school of thought is the lack of carefully conducted comparative research.<sup>28</sup> While the poststructuralist discourse-analytical school has laid crucial theoretical foundations for the analysis, of, for instance, social movements, empirical research has generally been scarce. Howarth (2005) regrets the lack of comparative discourse-theoretical research whilst he recommends caution as to avoid the pitfalls of positivist ‘large-n’ research. Nonetheless, he insists that comparative research can make phenomena more

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<sup>28</sup> The ‘Essex school’ of discourse theory has traditionally focused on constructing a theoretical programme. See, however, Howarth, Norval, and Stavrakakis (2000) for a collection of empirical work employing various elements of the said theoretical programme (including psychoanalytical approaches), Howarth and Torfing (2005), and Finlayson and Valentine (2002). Stephen Jeffares (2007) employs the notion of the ‘empty signifier’ in policy analysis; Stephen Griggs and David Howarth (2006) use discourse theory in their analysis of airport construction protests. Kateryna Pishchikova (2006) develops an original discourse-analytical framework based on the writings of Mikhail Bakhtin. Yet, particularly comparative and ‘multi-case study’ research have been neglected in this school of thought.

intelligible and that, by ‘desedimenting’ and ‘defamiliarizing’ our common understanding of phenomena, one is able to draw attention to their contextual contingency and peculiarity (ibid: 333) while at the same time allowing us to pinpoint the decisive factors in the phenomena we seek to understand and explain. Howarth (2005) emphasizes, however, that comparative research within the discourse-theoretical research program should not imply the comparison of seemingly identical practices or institutions that are treated as entirely equivalent units. Instead he calls for comparing practices or objects that share certain family resemblances, rather than given ‘essences’ (ibid.).

In a useful fashion, he advocates two conditions to be satisfied in discourse-theoretically driven comparative studies. First, the problems and questions to be addressed must be carefully specified in order to clarify how the specific puzzle to be tackled inspires the practice of comparison. Second, thick descriptions of interpretations or particular phenomena are necessary before engaging in comparative research, as an explanation of why similar structures or conditions give rise to different outcomes must be problem-driven and grounded on the interpretation of particular cases. In line with these recommendations, this thesis has specified the underlying puzzle and highlighted its inductive origins - the initial observation that ‘food safety’ can take on different meanings across contexts. As for the second condition that Howarth recommends, the empirical chapters of this thesis do not only employ a longitudinal approach but also aim to distill the specific, context-dependent moments of transformation of the meaning of food (safety), rather than beginning with an assumption of the relative importance of a given ‘crisis moment’, as previous studies have often done, most prominently when dealing with the case of BSE.<sup>29</sup>

Particularly in the study of Europeanization, a field to which this thesis seeks to contribute, few conceptual and empirical advances have been made in discourse analysis in recent years, as chapter two suggested. Neither are the epistemological, ontological, and methodological choices sufficiently explicated in this group of research, and some scholars insist that ‘sometimes discourses matter, sometimes they do not’ (see, for instance, Schmidt 2002; Schmidt and Radaelli 2004). Such scholars do not only hold on to a positivist-empiricist and instrumental notion of discourse, but also insist on aiming for ‘objective scientific knowledge’ and, in some cases, ‘law-like’ theories. The present thesis rejects these latter notions and instead seeks to contribute to this field of study by constructing a contextually sensitive poststructuralist discourse-analytical

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<sup>29</sup> Flyvberg (2005) and Freitas, Schwartz-Shea, and Yanow (forthcoming) provide useful discussions of the methodological concerns about case study and comparative research in interpretive policy analysis.

framework that is suitable for conducting thorough empirical research that is *both* comparative and contextualized in a Europeanization perspective.

This study is also situated in what has become known as ‘interpretive policy analysis’. In essence, this field of study adheres to the constructivist ontological and epistemological principles outlined above. In addition, by focusing on the constitutive role of language in policymaking, as well as the socially constructed nature of boundaries between, for instance, ‘scientists’ and ‘policymakers’, and the role of organizational culture (cf. Nicolini, Gherardi, and Yanow 2003), interpretive policy analysis has contributed to a different understanding of the policy process. Such an interpretative discourse analytical approach, therefore, admits to partiality and the ways in which policy analysts themselves construct and reconstruct problems in the very process of their research activities (cf. Fischer and Forrester 1993; Hajer and Wagenaar 2003; Yanow 1996; Wagenaar forthcoming). In addition, interpretivism refutes the aim to search for causal relations between actions or phenomena and, rather, calls for a focus on the (subjective) meanings and frames of reference that form the basis for social action, including those within official organizations (Hajer 1995: 43, fn. 8). Dvora Yanow (1996: 5) expresses this succinctly from the perspective of interpretive policy analysis:

Humans make meanings; interpret the meanings created by others; communicate their meanings to, and share them with, others. We act; we have intentions about our actions; we interpret others’ action. We make sense of the world: we are meaning making creatures. Our social institutions, our policies, our agencies, are human creations, not objects independent of us.

In light of the foregoing, it is important to note here, however, that this does not legitimate complete relativism in scientific inquiries. Rather, it implies a different set of criteria that grant validity to the research process and the conclusions one draws. In addition, the discourse analyst is expected to reflect on her positioning in the whole research process, as she finds herself to be *always already* in a particular discursive position from which she is designing and carrying out research projects.

In terms of methodological soundness, the criterion of *validity* denotes the idea that research results should bring us closer to the ‘real world out there’. From an interpretative research perspective, there seems to be a tension between examining the meanings people produce and attach to events and objects, on the one hand, and gaining access to truth or falsity, on the other hand. Since this research project is situated within a constructivist perspective, the socially constructed and dynamic nature of (what in other approaches is referred to as) ‘reality’ is emphasized. In the context of this study, this means, for instance, that attention is drawn to the

often divergent and highly contextually contingent meanings people attach to events, objects and moments, and how this, consequently, brings to the fore different discursive interpretations of a crisis, and hence different sets of ‘responses’. If one takes *generalizability* to be a sub-criterion of validity (external validity), my research aim in this regard is to facilitate understanding for similar situations. This is to say that it is indeed possible to make careful and context-sensitive inferences from what is observed here, for instance, regarding responses to crisis or risk situations particularly in domains where health seems at risk.

In regard to the methodological criteria of validity and reliability, Howarth (2000: 142) points out that the peer community of researchers constitutes a key forum in which the relevance and scientific value, as well as the reliability of findings and the methodical nature of a given research project are evaluated. Furthermore, peer researchers may stimulate further research and theoretical refinement. Scholars in the discourse-analytical tradition equally emphasize the need to conduct empirical inquiries in a systematic manner, and recent work has further illustrated not only the benefits of using a variety of sources, ranging from archival research to qualitative interviews, media analysis, oral history, and analysis of images, events, and debates both on a micro- and a macro-level, but also the potential of software technologies using ‘two sets of eyes’ (Zutavern 2007), where the researcher’s own readings are supplemented by an ‘electronic set of eyes’ in discourse analysis. Furthermore, if we follow Fischer and Forrester (1993) and conceive of policy analysis as ‘argumentative practices’, it is possible to evaluate discursive accounts of events ‘not only for their truth or falsity but also for their partiality, their selective framing of the issues at hand, their elegance or crudeness of presentation, their political timeliness, [or] their symbolic significance’ (Fischer and Forrester 1993: 2-3, cited in Hajer and Wagenaar 2003: 15).

Having discussed the fundamental underpinnings of discourse analysis (as it is used here), the discussion below seeks to illustrate the plausibility of invoking linguistic categories for political analysis and proceeds as follows: First, I explain how the term ‘discourse’ emerged from linguistics, then I clarify what post-structuralism is, and, finally, I discuss more specifically the poststructuralist discourse-theoretical school of thought in order to identify the particular traits relevant for this study.

### **3.3 From structuralist linguistics to poststructuralist discourse theory**

#### *3.3.1 Saussurean linguistics and deconstruction*

Given the diverse understandings of the function of language, it is crucial to recount the (structuralist) background against which a poststructuralist linguistic and political theory of discourse developed. Laclau (2000) identifies three moments in the structuralist tradition during

the twentieth century: the work of Ferdinand de Saussure; the scholarship within the Copenhagen and Prague schools; and finally, the variety of poststructuralist critiques, such as those coming from semiotics (e.g. Roland Barthes), ‘deconstructionism’ (e.g. Jacques Derrida), and psychoanalysis (e.g. Jacques Lacan).<sup>30</sup> The discussion below focuses mainly on the work of Saussure (1981), Derrida (1978), and Laclau and Mouffe (1985; Laclau 1990, 1993), given their particular relevance for the theoretical framework on which this study is based.

The Saussurean theory of language relies on a set of basic elements. First, while originally linguistics was concerned with a (*diachronic*) analysis of the historical evolution of language, Saussure (1981) focused on the (*synchronic*) aspect of language that confronts individual speakers. Saussure based his philosophy of language on the distinction between *langue* (a social system of rules for combination and substitution, illustrated, e.g. by the fact that on a chessboard the rules remain the same if marble is exchanged for wood; Saussure 1981: 110; cf. Torfing 1999: 87) and *parole* (actual, individual instances of speech and writing). Second, by focusing on the synchronic aspect of *langue*, Saussure chose for a view of language as *static*, not taking into consideration the changes that language undergoes throughout time.

Third, within the linguistic system, according to Saussure, the *sign* constitutes the basic unit, a concept which, in turn, rests on the binary distinction between the *signifier* (the sound/image, the word in the literal sense) and the *signified* (what is being said). The relation between the signifier and the signified is captured in the term *signification*. Fourth, to Saussure (1981), language was form, not substance, and the linguistic system was seen to be structured along differences, rather than on positive terms (e.g. the term socialism makes sense only in relation to other terms, such as ‘feudalism’ and ‘capitalism’; cf. Torfing 1999: 86-7, Saussure 1981: 110ff.). In other words, single words are not presumed to bear any essential, given meanings. This presumption proved to be highly influential for the development of deconstructionism, which is discussed below, and particularly for a rethinking of the relationship between identity and difference, for instance in feminist scholarship.<sup>31</sup>

As indicated above, these categories and theoretical insights strongly shaped the evolution of poststructuralist discourse theory and analysis. Yet, as discourse theorists were concerned with a political notion of discourse, and the mapping of a linguistic system onto the social level in order to better understand the dynamic aspects of socio-political life, three key limitations in

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<sup>30</sup> For a detailed introduction to these scholars and their contributions to poststructuralist discourse analysis, see Howarth (2000).

<sup>31</sup> A final and related distinction is expressed in the notions of *paradigmatic* relations (substitutions among words) and *syntagmatic* relations (the combination of words in a sentence), respectively. This distinction is not of direct relevance to this study, but see Torfing (1999) for an elaborate account of its relevance to discourse theory.

Saussurean linguistics first had to be overcome: First, to Saussure, the linguistic system was a closed and self-contained totality with a unifying centre, an assumption that risks essentializing meanings and identities. In contrast, Derrida (1978) questions the notion of a centre, an origin or an essential foundation. He contends that the system is structured by a play of differences (which Derrida expresses in the neologism *différance*) but that ‘there is something missing from it: a centre which arrests and grounds the play of substitutions’ (Derrida 1978: 289, cited in Torfing 1999: 86).

Second, Derrida problematizes Saussure’s insistence on the binary model of the relation between the signifier and the signified, and conceives this insistence to originate from the ‘logocentric’ Western metaphysical tradition of conceptualizing meanings in binary, oppositional terms (such as man/woman, speech/writing, theory/practice, objective/subjective, or body/mind). As a consequence, Derrida argues, the meaning of one term derives its meaning only in opposition to, and from the other term. In addition, he argues that constructions of this kind will imply the elevation of one term (speech, male, objective, etc.) into a position of superiority vis-à-vis the other. This critical assessment corresponds to Laclau’s (1993: 432) critique of the *isomorphism* in structuralist linguistics, or the idea that a sign only corresponds to one signified. According to Laclau and Mouffe (1985), there is *no inherent structure* to language; hence there are no *essential*, definitive meanings to be identified. Instead, signifiers are open to re-inscription and reinterpretation.<sup>32</sup>

Third, Laclau (1993, 2000; cf. Howarth 2000: 30; cf. Laclau and Mouffe 1985) takes issue with elements of Saussure’s work that he finds to be ‘subject-centered’. From Saussure’s conception of discourse as representing anything longer than one sentence, as well as his frequent reference to the ‘human mind’, Laclau concludes that Saussure’s notion of *parole* would imply dependence ‘on the whims of an autonomous conscious subject’s mind’ (Laclau 2000: 20). In contrast, Laclau contends that ‘[t]he way in which the speaker put[s] sentences together [...] [cannot] be conceived as the expression of the whims of an entirely autonomous subject but, rather, as largely determined by the way in which institutions are structured, by what is ‘sayable’ in some context, etc.’ (Laclau 1993: 433, cited in Torfing 1999: 89). According to Laclau, Saussure’s conceptualization of language still hampered the development of a political or

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<sup>32</sup> In the case of food safety, for instance, the meaning and interpretation of the term have not only undergone considerable changes in the past 50 years, but they continue to be interpreted in diverse ways, depending on the context in which the term is uttered, for instance, environmental discourses, biology, regulatory discourses, discourses around agricultural reform, or discourses (critical) of globalization.

sociological theory of discourse as well as Saussure's own aim of developing a more general *semiology*, a science of signs in society (Laclau 2000).

Derrida's critical reading of Saussure is worth presenting in more detail here. Derrida (1976) contextualizes his reading of structuralism in what he refers to as 'Western metaphysical thought'. He points out that the oppositions in Western thinking 'consist of a privileged essence (an "inside") and an excluded or secondary term (an "outside")', which is merely accidental or contingent' (Howarth 2000: 37). However, rather than viewing the 'outside' as threatening the 'inside', Derrida contends that both elements are indeed the conditions of possibility *and* impossibility for each other (Derrida 1976: 313-316; cf. Howarth 36-37). As Rodolphe Gasché (1986) remarks, 'since concepts are produced within a discursive network of differences, they not only are what they are by virtue of other concepts, but they also, in a fundamental way, inscribe that Otherness within themselves' (1986: 128). Therefore, instead of being determined by a positive essence, the nature of a concept crucially depends on the excluded term with which it forms a (binary) opposition. Its meaning depends on the conceptual chain into which it has been inserted, and its function depends on the context in which it is cited.

In his deconstructive readings, Derrida seeks to reveal *dis-unity* within apparent coherence and unity in Western metaphysical thought. In doing so, he proposes a 'double-reading' of binary oppositions (e.g. signifier/signified, presence/absence, outside/inside), and points to radical incongruities in lines of arguments, and sometimes even a single word. Whereas Derrida, throughout his work, denies that deconstruction could be understood as a 'method' and insists on the particularity of every instance of reading, the identification of 'incoherencies' and 'incongruities' came to be a central feature of poststructuralist discourse analysis, which will be further defined in the next subsection.

### 3.3.2 Towards a delimitation of poststructuralism

Having sketched structuralist linguistics and some of the key criticisms directed against this school of thought, we are now closer to defining and delimiting the poststructuralist notion of discourse employed in this study.<sup>33</sup>

As indicated above, at least three features distinguish the poststructuralist conceptualization of language, and consequently discourse, from its structuralist predecessor. First, the questioning of closure, structure, and the fixity of meanings set poststructuralism apart from structuralist

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<sup>33</sup> Poststructuralists would most certainly reject the very idea of a definition or a canonization of their 'school of thought'. It is also crucial to point out that poststructuralists would not understand themselves as 'opponents' of structuralism; rather, it is frequently emphasized that critique and deconstruction always take place *with* and *against* the writings of the (original) author.



philosophy. Second, poststructuralist discourse theory rejects the distinction between the ‘linguistic’ and the ‘non-linguistic’ aspects of discourse (cf. Howarth, Norval and Stavrakakis 2000), and instead follows the Derridean idea that ‘there is nothing outside the text’ (Derrida 1974: 158). Hence, discourses are conceptualized as ‘systems of meaningful practices that form the identities of subjects and objects’ (Howarth and Stavrakakis 2000: 4). Third, in poststructuralist discourse theory, language is not seen to merely reflect ‘reality’ or express meaning in a neutral way, but, rather, it is seen as constitutive of our perception of the world. As Wittgenstein (1953) expressed it, there is no such thing as a ‘private language’.<sup>34</sup>

With these presuppositions, poststructuralism represents a shift away from the classical humanist tradition of the rational, self-conscious subject, whose identity would rest on a positive essence (Weedon 1997: 21). With respect to re-conceptualizing and understanding the ‘subject’ and the formation of her ‘socio-physical’ identity, poststructuralism has also drawn on Lacanian psychoanalysis (Glynos and Howarth 2007; Glynos and Stavrakakis 2005; Laclau and Mouffe 1985) and concepts of power, primarily those of Michel Foucault (e.g. Butler [1990] 1997). The next subsection briefly introduces some of the key terms in discourse theory, such as the notion of hegemony, antagonisms, chains of equivalence and difference, nodal points and the notion of the empty signifier, as well as the inextricable relation between language and practice.

### *3.3.3 Key terms in discourse theory*

One of the fundamental theoretical insights that Laclau and Mouffe (1985) adopt from ‘deconstructionism’ is the notion that the production of language and meaning can never rely on complete or, as Laclau (1990) puts it, ‘fully sutured’ contexts. This argument further implies the (im)possibility of any given (alliances of) discourses to completely and indefinitely constitute identities. As a consequence, there will always be attempts to hegemonize a field of discursivity (Laclau and Mouffe 1985; Howarth, Norval and Stavrakakis 2000: 15). Moreover, there are always several discursive hegemonic projects at work, often projecting overlapping yet also conflicting meanings and identities. The degree to which some discourses, and not others, will penetrate the social field will vary; some will turn into ‘myths’, others into ‘social imaginaries’ (such as the Enlightenment, or the positivist understanding of progress; Laclau 1990).

Regarding the discursive formations that may accompany the struggle for discursive hegemony, Laclau and Mouffe (1985, especially pp. 127-33) additionally differentiate between ‘chains of equivalence’ and ‘chains of difference’, thereby emphasizing the construction of ‘social

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<sup>34</sup> Wittgenstein’s theoretical contribution of ‘language games’ was of great influence to poststructuralist thinkers such as Laclau and Mouffe (1986). See, for instance, Howarth (2000) for a discussion of the early and later Wittgenstein.

antagonisms' and the presence of 'Us vs. Them' configurations.<sup>35</sup> In a 'logic of equivalence', different elements (or groups) manage to weaken their internal differences, thereby linking up in an 'equivalential chain' in opposition to an antagonistic force. Rosa Buenfil Burgos (2000), for instance, illustrates how in the context of the Mexican revolution, 'the people' organized themselves as the collective 'oppressed' vis-à-vis the Church, the incumbent President, the government, and entrepreneurs. Similarly, in instances where feminists join in a chain of equivalence with civil rights activists, black groups, or ethnic minorities, the particularity of the respective agendas is weakened, and they acquire a 'more global perspective' (Laclau 1996: 57). In contrast, the 'logic of difference' works to dissolve those equivalential chains and prevents the organization of groups along two antagonistic poles (Howarth, Norval, and Stavrakakis 2000: 11). Howarth (1997), for instance, has employed the latter concept to account for the emergence of the Black Consciousness movement in South Africa in the 1970s and 1980s. The state, in this case, tried to weaken the anti-apartheid alliances between these groups by emphasizing the particularity of their respective demands. It is important to note that the logic of equivalence and the logic of difference are always at work simultaneously, given that, for instance, social movements do not exist in a vacuum but, by articulating their own identity, necessarily refer to and construct the identities of others (Laclau 1996; cf. Howarth, Norval, and Stavrakakis 2000).

In order for identities to become temporarily fixed, discourse theory proposes, an unstable discursive centre functions to temporarily fix a set of discursive relations. To begin with, a particular sign only becomes meaningful by virtue of the particular elements to which it stands in relation. Those may well be relatively stabilized, that is, bound together in a particular discourse. In order to account for the logic of this temporary fixation of meaning theoretically, Laclau and Mouffe (1985; Laclau 1996) introduce the concept of 'nodal points', which are 'privileged signifiers or reference points [...] that bind together a particular system of meaning' (Howarth, Norval, and Stavrakakis 2000: 8; cf. Laclau and Mouffe 1985: 112). In medical discourses, they suggest, signs such as 'scalpel' and 'tissue' acquire their meaning in their relation to the nodal point of 'the body', while in nationalist discourses, 'the people' can function as a nodal point (*ibid.*). I shall use the concept of nodal points in my analysis of the Europeanized food (safety) policy discourse in order to account for the (temporary) fixation of meaning at the EU level in view of the heterogeneity of meanings we find at the national level.

An essential quality in a nodal point, in order for it to reach hegemonic success, is its 'emptiness', as Laclau argues that '[p]olitics is possible because the constitutive impossibility of

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<sup>35</sup>These concepts are not of particular relevance to this study and will therefore not be discussed in detail here.

society can only represent itself through the production of empty signifiers' (Laclau 1996: 44).<sup>36</sup> An empty signifier has two primary discursive functions: First, it provides a given discourse with a relative fixity and unity, such as in the signifier 'justice' in the case of Provisionalism in Northern Ireland (Clohesy 2000: 83). Second, it may represent the impossible ideal through which a particular discursive formation may come to stabilize and attempt to fill the discursive space, such as in the notion of 'order' in a Hobbesian world (Laclau 1996: 44). Put simply, since any discourse and identities come to be defined in relation to *what they are not*, specific nodal points can be considered as empty and this feature makes for their success. In this thesis, I use the concept of nodal points to account for the quality of the transnational policy discourse in bridging the divergent meanings of food (safety) across the studied countries. Rather than their emptiness, I shall emphasize the malleability and elasticity that the particular nodal points feature at the transnational level.

It becomes clear now that one of the most important tenets in poststructuralist thought consists of the idea that the linguistic system is characterized by a fundamental ambiguity, and that meanings are only temporarily fixed, relational, fluid and transient. Importantly, to Laclau and Mouffe, it is the incompleteness *in principle* of structure that characterizes socio-political life, and indeed makes change possible. Any attempt to define and impose closure on a 'system' will hinge upon the (implicit) definition of an 'outside'. Translated to the societal level, this would then be reflected in the ways in which identities, and any definition of the self (e.g. a 'European', a 'woman' and so forth), hinge upon the definition of an Other (e.g. a 'non-European', a 'man'). This openness *in principle* of structure makes possible a 'constant flow of signifiers' (cf. Howarth 2000; Laclau and Mouffe 1985; Torfing 1999). Translated onto a societal level, this openness and ambiguity make possible agency, changing alliances, and the continuous negotiation of meanings and identities. This conceptualization of agency stands in stark contrast to both *structuralism* and *rationalist* accounts, as will be discussed in section 3.4.2.

The points of critique directed at structuralism led to the development of an alternative and indeed *political* theory of discourse. This new conceptualization of 'discourse', as mentioned above, relied on the mapping of the linguistic system onto the socio-political level. Hence, *discourses* came to be understood as *concrete horizons of meaningful practices that inform the identities of subjects and objects* (Howarth 2000; Foucault 1980 [1972-1977]). At this level, discourses represent 'concrete systems of social relations and practices that are intrinsically political, as their formation is an act of radical institution, which involves the construction of antagonisms and the

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<sup>36</sup> For an elaboration of the concept of 'empty signifier', see Laclau (1996).

drawing of political frontiers between “insiders” and “outsiders” (Howarth, Norval, and Stavrakakis 2000: 3-4). In addition, in discourse theory, the *discursive* denotes a ‘theoretical horizon within which the being of objects is constituted’ (Howarth, Norval, and Stavrakakis 2000: 3). Put differently, discourse theory assumes that all objects are always already meaningful in that they are objects of discourse from the start and depend upon ‘a socially constructed system of rules and significant differences’ (ibid.).

The later Ludwig Wittgenstein stressed the inseparable connections between *practice* and uses of *language*. His notion of ‘language games’ (or ‘forms of life’) denotes a number of (analytically) separate, though interrelated, systems of meanings. These allow one to express not ‘objective’ representations of the world, but a shared collection of rules, which, by offering a specific common context, make certain uses of certain words and actions meaningful. By constructing a conceptual relation between language and practice, Wittgenstein emphasized the performative dimension of language, as well as the material dimension of discourse (cf. Laclau and Mouffe 1985: 108). This conceptual emphasis influences the understanding of ‘discourse’ as it is employed in this study in important ways: Discourse is not simply language-in-use but, rather, discourses are materially identifiable in institutions, practices, and clusters of actors. As a consequence of the discursive divergence of meanings and identities across contexts, there will be differences in these materially visible, tangible arrangements of objects and subjects, as will be illustrated in the subsequent chapters of this thesis. The paradox of this divergence of meaning vis-à-vis the apparent convergence at the transnational level then becomes an even more urgent object of inquiry, which will be addressed in chapter seven.

This subchapter has given an account of the development of poststructuralist discourse analysis and explicated some of the key terms used in the discourse-theoretical scholarship that is relevant to this study. The next section illustrates in more detail the usefulness of invoking linguistic categories for political analysis, and in particular seeks to build conceptual bridges between them in order to turn theoretical concepts such as dislocation (Laclau 1990) into more employable notions. Furthermore, some of the concepts that are traditionally central to political analysis – such as ‘agency’ and ‘rationality’ – are discussed.

### **3.4 Poststructuralism and political analysis: building bridges**

#### *3.4.1 Policy, discourse, and practice*

As many critics of discourse analytical approaches suspect an insufficient capacity of discourse analysts to study what scholars in the positivist tradition may refer to as ‘real things’, it is useful to add here that some discourse analysts, such as Hajer (1995), emphasize the institutional

dimension of discourses. He observes that '[i]f a discourse is successful [...] it will solidify into an institution, sometimes as organizational practices, sometimes as traditional ways of reasoning' (Hajer 2005: 303). Importantly, this process, referred to as 'discourse institutionalization' (ibid.), or what Howarth (2000) would perhaps call 'discourse sedimentation', will not be of a linear nature, nor will it produce a coherent and ultimate outcome. Instead, the struggle to hegemonize the discursive field - or 'field of discursivity' (Laclau and Mouffe 1985; 2001: 111) - and the very impossibility of discursive closure (that is, a representation of totality) implies that the policy process is dynamic and marked by contestation about meanings. This conceptualization stands in stark contrast to other well-established approaches to policy analysis, such as rationalist and behavioralist schools, which frequently present the policymaking process as a linear process consisting of the rational identification of problems, followed by a well-defined decision-making process, and finally implementation.

Maarten Hajer (1995) conceptualizes discourse as 'an ensemble of ideas, concepts, and categories through which meaning is given to a phenomenon' (1995: 44). This collection of categories functions to make discourses appear coherent and a given discourse is bound together by discursive categories that become subject to investigation in discourse-analytical research projects. Hajer further draws attention to *discursive practices*, which are, in his view, constitutive of discourses in that they represent 'embedded routines and mutually understood rules and norms that provide coherence to social life' (Hajer 2005: 302). On the concrete, empirical micro-level of an organization or institution (e.g. of a given consumer association), they may be seen to consist of its declared aims, the range and nature of its activities, its involvement in coalitions and alliances, its political contacts and networks, and the means by which it directly or informally enters policy processes. One can similarly analyze governmental institutions, in their declared aims and objectives, the ways in which they declare to pursue these (e.g. 'independence', 'transparency'), and the specific underlying policymaking routines. Even the very establishment of, for instance, a food safety agency with public food safety help-lines can be seen as a discursive practice in that it makes possible the identification of the individual as someone who may legitimately be concerned about related issues, and who is in the position to make complaints (cf. Bröer 2006, 2007).

Writings in the tradition of organizational studies can further contribute to our understanding of practice and the role of concrete settings, within and across national and institutional boundaries, where meaning and 'organizational knowledge' are produced in interaction. These 'contexts' also entail particular sets of (organizational) identities. As Anna de Fina, Deborah Schiffrin, and Michael Bamberg (2006: 2) put it:

[I]dentity is neither a given nor a product [...] [r]ather, it is a process that (1) takes place in concrete and specific interactional occasions, (2) yields constellations of identities instead of individual, monolithic constructs, [and] (3) does not simply emanate from the individual, but results from the processes of negotiation.

As some of the leading scholars in the field of practice and organizational studies, the following authors are worth quoting at length. Nicolini, Gherardi, and Yanow (2002: 3) conceptualize organizational knowing as

situated in the system of ongoing practices of action, as relational, mediated by artifacts, and always rooted in a context of interaction. Such knowledge is thus acquired through some form of participation, and it is continually reproduced and negotiated; that is, it is always dynamic and provisional.

Practice, these authors propose, constitutes both ‘our production of the world and the result of this process’ (ibid.: 8), and is ‘always the product of specific historical conditions resulting from *previous* practice and transformed into *present* practice’ (ibid.: 8, emphasis added). More specifically, one may translate organizational knowing as ‘self-understandings’ and often overlapping identities (e.g. as a nutrition expert, as a consumer advocate etc.), and the routines and standard operating procedures by which these identities are enacted.

Jeannette Hofmann (1995) similarly puts forward the concept of *implicit theories* in her analysis of German technology policy in the mid-1990s. According to this author, policymakers draw on ‘established ways of thinking and collective stocks of knowledge, which, on the surface, appear timeless and self-evident’ (Hofmann 1995: 127). ‘It is precisely for their allegedly neutral and factual character that implicit theories are so widely accepted’, she argues (Hofmann 1995: 129). These *implicit theories* (or ‘tacit knowledge’, Polanyi 1966 [1983]) can be seen as resources with which policymakers make sense of changing situations, and on which they draw in their judgment of, for instance, a need for change and how to formulate this need. Implicit theories and organizational knowing can then be seen as the discursive resources that policymakers will draw on when they are forced to redevelop their identities as a result of dislocatory experiences, such as food scares, that cannot be dealt with within the existing institutional and regulatory practices at a given time. It becomes clear now that practice theory is not dissimilar to discourse theory and the concept of *discursive practice* (Howarth, Norval, and Stravakakis 2000), but it offers a concrete language to the non-specialist as well. Such a perspective, as chapters four to seven will show, helps access the meaning-making work of administrators, policymakers and other ‘experts’.

The assertion that the (re-)production and contestation of meaning and the openness of the discursive field are at the core of the policymaking process raises a set of questions with respect to the topic of this research: First, how do meanings shift, for instance, regarding the concept of ‘food safety’, and how do such shifts relate to policy change? How does a discourse of Europeanization come to be seen as legitimate, or how is such a transnational understanding of ‘food safety’ imposed authoritatively? Third, what is the role of agency in the process of renegotiation, or: how much leeway do policymakers themselves have in reconstructing their rules and routines, and what are the channels through which they can do so? As I will argue next, the discourse-theoretical notion of *dislocation* and its implications for the notion of agency aid us considerably in explaining changes and continuities in policy discourse.

### 3.4.2 *Discourse, agency, and dislocation*

In the structuralist conceptualization, agency is understood as limited by a predetermined structure, while poststructuralists emphasize the instability of structure and the impossibility of closure, as discussed in section 3.3. At the other end of the ‘structure/agency spectrum’, rational choice theory proposes that ‘when faced with several courses of action, people usually do what they believe is likely to have the best overall outcome’ (Elster 1989: 22).<sup>37</sup> At the core of such an approach lies the projection of the image of *homo economicus* onto the political subject, or *homo politicus*, as a subject who constantly evaluates options in terms of cost and benefits.

The notions of ‘interests’, ‘preferences’, and ‘agency’ are, of course, central to the political science literature (cf. McAnulla 2002). In rationalist approaches, ‘interests’ and ‘preferences’ are often understood as *given*, both in models of individual behavior as well as at the level of the nation-state (where certain ‘national interests’ are assumed). In contrast, discourse analysts posit that interests and preferences are socially constructed in competing hegemonic projects, fluid, and subject to change. Put differently, interests are not treated as exogenous to social theory. As regards empirical analyses, strategy and ‘interests’ should therefore be considered *within* the particular discourses in which they become constructed, articulated, and reproduced.

As far as the notion of agency is concerned, Stuart McAnulla (2002: 271) observes that ‘the debate concerns the issues of to what extent we as actors have the ability to shape our destiny as against the extent to which our lives are structured in ways out of our control’. Against a conception of politics in which the basic unit for explanatory endeavors is the ‘rational’ and calculating individual who recognizes and acts upon her own, pre-determined ‘interests’,

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<sup>37</sup> For a concise overview of rational choice approaches, see Ward (2002). For a contextualized discussion, see Hollis (2002), especially chapters 2, 3, 6, and 11.

discourse analysts emphasize the historical and cultural contingency of socio-political systems and actors' self-definitions within them (Laclau and Mouffe 1985; Laclau 1990). This key assumption leads poststructuralist-oriented scholars to use the terms 'agency' and 'strategy' carefully, with reservation, emphasizing the contextual contingency of any form of rationality or instrumental strategy (cf. Griggs and Howarth 2002a). To be clear, such reservations do not imply the impossibility of *agency* or *strategy*. In the present thesis, for instance, strategies and (socially constructed) interests are key targets of inquiry, as particularly in episodes of flux and dynamism interests will become open for redefinition and hence produce various sets of strategies and coalitions. Yet, importantly, a discourse analytical approach emphasizes an anti-essentialist conception of agency in the sense that agency and strategy must always be considered within the contingent discourses that make them possible.

Similarly, poststructuralism acknowledges that the notion of *rationality* is far from universal: Martin Hollis provides an example of native Yoruba tribe members who carry boxes covered with cowrie shells as representations of their heads or souls, in order to protect the latter against witchcraft (Hollis 1973: 34). He suggests that 'perhaps [...] the natives find rational what we find irrational, in the sense that they have a different notion of "being a reason for"' (Hollis 1973: 44). Thus, our conceptions of what it means to act rationally are highly contingent on historically specific conditions and their associated values; in other words, 'when we speak of such practices as "superstitious", "illusory", "irrational", we have the weight of our culture behind us' (Winch 1979: 84).

The anti-essentialist conception of agency (and rationality) employed in this study rests on the key theoretical concept of dislocation (Laclau 1990). A dislocation constitutes a moment in which the structural openness of the social system is revealed.<sup>38</sup> Dislocations shatter and disrupt sedimented understandings, meanings, and identities, and thus reveal their ultimate contingency. However, moments of dislocation are not only traumatic but also *productive* moments, as they open up possibilities for new identities to be constituted. In other words, dislocations constitute particular historical junctions where identities and discourses are disrupted, but also provide the necessary ('structural') foundation on which new identities can emerge and new discourse form or previously marginalized discourses come to re-emerge, or both (Torfing 1999: 148-9; Laclau 1990: 41-3). That way, previously fixed signifiers, concepts, and terms such as 'food safety' become destabilized, disconnected from the meanings they have borne in particular contexts, and become open for 'resignification'. Ernest Laclau and Chantal Mouffe (1985) refer to these as

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<sup>38</sup> A frequently cited example is the extension of capitalist relations into new spheres of life (Laclau 1990). See also Stavrakakis (2000) for an analysis of the emergence of Green ideology as a result of a crisis (dislocation) of the Left.



‘floating signifiers’. It follows that new discursive constellations may consist of an amalgamation of old and new discourses, that there is never pure continuity, nor pure change, but rather, previously marginalized discourses as well as former discourse coalitions will leave discursive traces in the dominant frame of reference at a given time. In other words, a disentanglement of different discourses reveals that ‘new’ discourses are, in fact, the result of renegotiated and re-combined previously existing ones.

A key point emerges from these theoretical postulates: Rather than expecting either complete change or complete continuity in discursive frames of reference, there are always *both* change and continuity at play. Historical articulations of meanings and identities will always hinge upon an already existing grammar of meanings, and, as this empirical study will show, even though meanings become contested and subverted, institutionalized *minimal remainders* (Derrida 1977: 192-254; cf. Norval 2000: 224, fn. 26) will provide a certain continuity.

The concept of dislocation has been used before to analyze the impacts of food scares, especially those in the UK (Jasanoff 1997; Roslyng 2006). Mette-Marie Roslyng draws on the concept in her analysis of the UK salmonella crisis in the 1980s as well as the BSE crisis of 1996 and considers the breakdown of the previously hegemonic discourse on ‘food safety’ in the UK by means of a media analysis. Her analysis, however sophisticated, is less focused on policy discourses and lacks a focus on the materialization of discourses, of practices, of actual performances. As a result, we find few insights there regarding the ways in which meanings become negotiated as well as contested, and importantly, how and on what basis new meanings come to be integrated in a new policy discourse.

Jasanoff (1997: 222ff) conceptualizes the BSE crisis in Britain as a ‘civic dislocation’, or a ‘mismatch between what governmental institutions were supposed to do for the public and what they did’.<sup>39</sup> In addition, she (1997: 223) views as a symptom of the ‘dislocated state’ the fact that ‘trust in government vanished and people looked to other institutions—the high street butcher, the restaurant, the media, the supermarket—for information and advice to restore their security’. It seemed as though ‘the gears of democracy had spun loose, causing citizens, at least temporarily, to disengage from the state [...] [t]he resulting disarray could be observed on many fronts’ (ibid.).

While Jasanoff’s use of the concept of ‘dislocation’ remains underdeveloped, we may draw on Laclau’s (1990) understanding of dislocations as inevitable, traumatic, and productive for an analysis of changes and continuities in policy discourse. In order to fully exploit the notion of

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<sup>39</sup>Jasanoff (1997) does not discuss the origins of her use of the concept, nor does she refer to Laclau in her study.

dislocation, we must first recall the poststructuralist contention that horizons of meaning in the socio-political world are never completely filled and that meanings and identities are only temporarily fixed. As the definition of a totality (e.g. a society) always hinges upon the exclusion of other discourses, this totality is constantly threatened by its constitutive outside, its antagonistic forces (Laclau and Mouffe 1985).

While the notion of dislocation as developed by Laclau (1990) bears explanatory potential, it remains abstract to those who would ask: 'How do I know a dislocation when I see it?' To overcome this gap between theory and empirics, the concept of dislocation could be usefully supplemented with Hajer's notion of the institutional void (or institutional ambiguity). As developed in Hajer's work (cf. Hajer 2003; Hajer and Wagenaar 2003), the concept of institutional ambiguity bears more descriptive power than either Jasanoff's (1997) conceptualization or that of Laclau and Mouffe (1985): Hajer defines institutional ambiguity as a situation in which 'there are no clear rules and norms according to which politics is to be conducted' (Hajer 2003: 175). He usefully emphasizes the institutional dimension of such moments and proposes that, in situations of such ambiguity, 'institutions are [...] unable to resolve problems in a manner that is perceived to be both legitimate and effective' and hence, 'new spaces' may be created that feature an 'ensemble of mostly unstable practices that emerge in the struggle to address problems' (Hajer 2003: 176). Such a perspective then leads one to concretely examine moments of dislocation in the form of shifts in the particular shapes of institutional arrangements, as well as in the ways in which policy actors work within and against those arrangements on a micro-level in ambiguous organizational-discursive contexts. To conclude, the conceptualization of institutional ambiguity as a symptom of dislocations makes an analysis possible that answers to both explanatory and descriptive aims. Moreover, such a conceptual step turns the notion of dislocation into a more operational and employable notion, when one is concerned with policy analysis.<sup>40</sup>

### *3.4.3 Towards a performative approach*

As mentioned above, a dislocatory experience will necessitate the reconstruction of horizons of meaning. In such situations of (institutional) ambiguity, people and organizations do not only experience trauma; rather, dislocatory experiences also produce moments of creativity and

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<sup>40</sup> My concern with the said gap between theory and empirics is driven by the aim of adapting discourse theory for the sake of a policy-analytical approach. For other research questions, such as those concerning the role of social movements, other conceptual bridges may be in order.

agency. This section seeks to discuss in more detail the function of such moments, as well as the particular shape that agency can take in such instances.

In instances when new institutions and agencies are set up policymaking involves both the reinvention and improvisation of roles and rules of behavior, and the creative enactment of those new ‘rules of the game’. Producing knowledge regarding the practical functioning of newly established organizations can add to our understanding of the relative hegemonic success of particular sets of discourses that inform identities and practices in recently established organizational contexts. In this study, I propose a particular focus on the *practices* that emerge in the aftermath of dislocatory moments, when the power of routine fails to provide order in an ambiguous and dislocated policy context. While this study generally understands policymaking to rely on repeated performances of the involved actors, moments of dislocation and institutional ambiguity provide a valuable context in which to study such performances, as the empirical chapters in this thesis will show.

Starting with a most general definition, a performance may be understood as *an act, utterance, gesture, event, or instance of writing in which a particular version of ‘reality’ is asserted, reproduced, or contested*. Yet, as Richard Merelman (1969) points out, a definition of this kind would apply to any social act. Indeed, such a broad definition is insufficient in capturing the performative aspects of the policymaking process. The remainder of this section clarifies the conceptual needs of this study and thus moves towards a more refined notion of performative policymaking.

I propose three inter-related meanings of performance in descending order of generality. First, policy discourse – be it reports, surveys, speeches, or consultations – are performative in the sense that they ‘do something’ (cf. Austin 1965; Searle 1969); for instance, they produce particular understandings of ‘the consumer’ as a target group (e.g. ‘the consumer has a right to choose’), or enforce an understanding of Germany as a BSE-free country, or they construct a meaning of organic products as healthy food. This first element of performance then consists of the mobilization of particular sets of meanings that create a particular understanding of objects and subjects.

Second, with time, these new horizons of meanings lead to the institutionalization of particular practices, roles, and rules of behavior (e.g. particular institutional constellations and modes of cooperation between public and private organizations, but also discourses of the sort, e.g., ‘the government cannot tell people what to do’). For example, practices such as science *blogs*, whereby the Chief Scientist at the UK Food Standards Agency (hereafter FSA) writes regular online reports on his activities but also responds to news topics, indicate the formation

and institutionalization of a new ‘stage’ on which new identities and self-understandings are formed and performed.<sup>41</sup>

Third, these newly constructed rules and roles of behavior can only take hold if they are enacted (e.g. in the staging of events such as consumer panels or conferences, or a minister’s visit to cattle farms, or the installation of a consumer research unit within a ministry). In this sense, a performative approach can also help us make sense of publicly arranged instances of the enactment of roles. For instance, in moments of ambiguity, a minister may have to improvise, when she is unsure of what is expected of her. She may then choose to visit a cattle farm in order to stage her affinity with animal welfare. An example from a different context would be the staging of the Danish consumer protest against Shell during the Brent Spar conflict.<sup>42</sup> Hans R. Jensen (2003), for instance, understands the actions of Greenpeace and the related consumer boycott as a ‘political game’ that was staged by the different partners in the environmental discourses, in coalition with the Danish press. He argues that ‘the plot of the political spectacle was [...] invented by the environmental action group Greenpeace, but it was adapted to the stage by indecisive politicians, spokesmen for public authorities, and private companies who [...] realized the potential of being active in this game (Jensen 2003: 77).

The introduction of such dramaturgical notions into socio-political analysis can be traced back to scholars such as Erving Goffman (1959), Kenneth Burke (1969), and J.L. Austin (1965). In 1969, Merelman remarked that ‘through the efforts of Goffmann [...] [there] has been systematic recognition that all social life demands understanding through the fusion of sociological and dramatic categories’ (1969: 219). In addition, he asserted that ‘dramatic theory can provide us with a perspective on politics that highlights formerly obscured aspects of the political process’ (Merelman 1969: 239). At the same time, he recognized the need to narrow down what we mean by ‘dramatic’ or ‘theatrical’ in order for those notions to be of use for the analysis of social and political life.

To start with, Merelman draws attention to two aspects that set politicians apart as social actors. First, using the analogy of a prize-winner, he points out that politicians speak and act vis-à-vis a large ‘audience’. Second, the agendas and policy questions that politicians are charged with are frequently understood as ‘matters of life and death’, not unlike those of a surgeon

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<sup>41</sup> See <http://www.fsascience.net/> [acc. 2 December 2007].

<sup>42</sup> Brent Spar was an oil storage and tanker loading buoy in the Brent oilfield. Operated by Shell, it became an issue of public concern in 1995, when the British government announced its support for the disposal in waters off the west coast of Scotland which Shell had applied for.

(Merelman 1969: 218). He suggests the Cuban missile crisis as an example situation in which those two aspects were particularly visible and revealed the dramatic impacts of politics.

Merelman further proposes a range of analytical and empirical distinctions for the purpose of explaining the emergence and 'life course' of political ideologies and leaders. His basic starting point is the notion that 'dramaturgical mechanisms are consciously and unconsciously adapted by political actors to their purposes' (Merelman 1969: 221).<sup>43</sup> Beginning from this assumption he inquires: 'When will dramatic mechanisms be most effective and, therefore, most frequently employed in the political arena?' (ibid.: 228). Among the number of factors shaping political performances that the author lists, two are of particular interest in the context of this study. First, Merelman assigns a particular function to *issues*:

[I]ssues which are not easily fitted into existing political cognitive maps or which defy normal political alignments encourage the appearance of dramatic mechanisms. Such issues lie temporarily 'free', uncontrolled by traditional political organizations (1969: 230).

Merelman's understanding of the role of particular issues in unsettling institutionalized 'cognitive maps' and political organizations fits well with the concept of dislocation and institutional ambiguity, but additionally points to the level of the individual as situated in a wider political (and organizational) context. Second, Merelman's emphasis on the aspect of style, adds to our understanding of the staging of policy when it comes to issues that emerge rapidly and when, as a consequence, policy actors have little time to develop clear party positions. As I understand the argument, policy makers then have to improvise and develop new ways of convincing their 'audience'. John Gummer's sharing of a beef burger with his daughter in front of UK media could be seen to constitute an example of such an effect.

Merelman's approach, therefore, rests on the attention to literal performances observable in individual politicians. A poststructuralist understanding of the aforementioned dramaturgical notions, however, may help provide a more nuanced understanding of the function of theatrical elements in the policy process. The next subsection further develops such an approach by redirecting attention to the fluidity of meanings and institutional identities and the chronic dimension of performativity, rather than limiting our focus on literal performances.

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<sup>43</sup> The variety of dramaturgical techniques include: personification; identification appeals; symbolism; catharsis; suspense; and, within the latter category, a further distinction between climax, peripety, and unmasking (Merelman 1969: 222ff).

### 3.4.4 Performance, speech acts, and the act of writing

Following the preliminary introduction of a performative approach above, this subsection, first, exposes the limits of dramaturgical notions as they have so far been employed in policy analysis and, second, introduces the contributions of poststructuralist linguistics and feminist writings to a better understanding of policy as a performative process.

To begin with, Merelman, in my view, tends to overemphasize the notion of strategic performances on the part of politicians, at the expense of, first, more subtle enactments of discourses and, second, the importance of improvisation on the part of actors.<sup>44</sup> In addition, he appears to limit theatrical analyses to those acts performed in the public sphere, thus in the presence of a concrete, visible (TV or radio) audience. For example, he excludes bureaucracies when it comes to performance, as they ‘regularize political procedures and impose a set of more or less inflexible roles and rules on organizational participants’ (Merelman 1969: 231). In contrast, a broader, poststructuralist-informed conceptualization of politics confines neither the policy process nor the performative to the insides of institutions or the realm of public appearances. In fact, bureaucracies are core sites on which meanings are produced and enacted.<sup>45</sup> While institutional rules of behavior certainly shape the policy process, those rules themselves can become subject to discursive renegotiation, and are never fixed. Finally, by imposing such a strict analytical vocabulary onto the empirical field of research, one risks diminishing the very potential that an analysis of the performative dimension in policymaking may bear.<sup>46</sup>

More recently, a group of scholars have sought to highlight the performative dimension in policymaking by conceptualizing politics as sets of ‘staged performances’ (Laws and Hajer 2003; Hajer and Versteeg 2005; Hajer 2006; Hajer and Uitermark 2008). Hajer understands performance theory as an approach that seeks to ‘explore the ways in which social processes can be understood in dramaturgical terms’ (Hajer 2006: 48) and draws on the works of Goffman and Austin on ‘how to do things with words’ (Austin 1963; Goffman 1959). Austin’s taxonomy of speech acts contributed considerably to the poststructuralist re-conceptualization of language as

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<sup>44</sup> See my example earlier of a minister staging a visit to a cattle farm. While such instances are interesting, to my mind, they mainly serve to illustrate attempts by politicians to ‘find their feet’ again when it is unclear what is expected of them. Moreover, given the insufficient frequency of such publicly staged instances, their systematic analysis becomes difficult.

<sup>45</sup> I use the terms ‘enactment’ and ‘performance’ interchangeably primarily for aesthetic reasons. Beyond this reason, however, the phrase ‘enactment’ could at times be problematic in the sense that it may suggest that discourses and meanings are simply ‘out there’, whereas ‘performance’ more strongly emphasizes agency.

<sup>46</sup> But see the work of Stephen Hilgartner (2000), which is discussed below. In his conceptualization of *Science on Stage*, Hilgartner uncovers previously neglected aspects of performativity in the policy process, such as the performative role of scientific advice, as it is (re-)produced in reports, recommendations, and similar policy practices.

a constitutive force. In opposition to the logical-positivist insistence on the true/false categorization of statements, Austin conveys that there is no correspondence between language and reality for the linguistic analyst to examine. Rather, ‘the total speech-act in the total speech-situation is the *only actual* phenomenon which, in the last resort, we are engaged in elucidating’ (Austin 1963: 148, emphasis original).<sup>47</sup>

Hajer and Versteeg (2005; cf. Hajer and Uitermark 2007; Hajer 2005) draw on Austin’s work in innovative ways, making it fit to be applied to policy analysis and particularly micro-level analyses by introducing the idea of politics as an art, and the concepts of *dramaturgy* (*setting, scripting, staging*; cf. Hajer 2006: 49). Hajer and Versteeg (2005) understand performance to be an enactment of discourse not only through the use of language, but also by the act of speaking itself, the way the ‘speaker’ conveys her message to the audience, and the way the audience ‘receives’ it. In addition, the objects involved in performances are of importance, as well as the setting in which such an interchange takes place (Hajer and Versteeg 2005; cf. Hajer 2006).

In drawing analytical distinctions between discourse, dramaturgy, and deliberation, David Laws and Maarten Hajer (2003; cf. Hajer 2005, 2006, Hajer and Uitermark 2008) emphasize the importance of shared understandings and mutually understood rules of interaction. In addition, they recommend that the policy analyst look at concrete settings and how these affect the quality of what is being said. In addition, Laws (2008) highlights the ‘microfoundations of deliberative governance’ and thereby examines stakeholder involvement practices that take place in new settings and feature ‘new forms of talk’ (2008: 3). While these approaches contain important and innovative elements, two issues remain insufficiently discussed: first, the problematic idea of context in Austin’s work, which is in tension with the poststructuralist understanding of an open and instable structure, and, second, once again, the potential of poststructuralist philosophy to overcome the structure/agency problematic, as discussed in section 3.5.1.

Let us first consider Derrida’s critical reading of Austin, particularly concerning the role of *conventions* and *context*. While Austin argues that language relies on conventions as a means of social communication and interaction, Derrida contends that the *iterability* of a sign/signifier actually depends on its ability to *break* with context and to be inserted into new contexts. He asserts that

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<sup>47</sup> Furthermore, he proposes a more precise classification of speech acts: the *verdictive*, which is ‘an exercise of judgement’, the *exercitive* as ‘an assertion of influence or exercising of power’, the *commissive*, which constitutes itself as ‘an assuming of an obligation or declaring of an intention’, the *behabitive* as ‘the adopting of an attitude’, and the *expositive*, which is uttered for the purpose of the ‘clarifying of reasons, arguments, and communications’ (ibid: 163; 151-2). These classifications are not pertinent to the approach taken here but offer interesting points of observation for those devoted to the study of micro-level interaction.

[e]very sign [...] in a small or large unit can be cited [...]; in so doing it can break with every given context, engendering and inscribing itself in infinity of new contexts in a manner which is absolutely illimitable. This does not imply that the mark is valid outside of a context, but on the contrary that there are only contexts without any center or absolute anchoring [*ancrage*] (Derrida 1988 [1977]: 12).

In this way, Derrida takes issue with the Austinian notion of the ‘total context’, which arguably denotes a definite, almost structuralist understanding of context. Importantly, it is the very *iterability*, or instability, of a signifier that makes it so powerful. A case in point would be the notion of ‘food quality’, the meaning of which can range from nutritional benefits to ‘naturalness’ to hygienic qualities. As such, a concept can be *reinserted* into various discursive contexts and it can then acquire a plurality of meanings, facilitating change.<sup>48</sup>

The *iterability* of meanings implies an aspect of creativity and agency that is so far missing in accounts of ‘politics as performance’. More specifically, we could understand moments of ambiguity, in combination with the *iterability* of meanings, as facilitating *empowerment*. Such an understanding – which makes possible a conceptual navigation between ‘structure’ and ‘agency’ - may add to the theoretical and empirical scope of this scholarship. The work of Judith Butler (1997), which is often neglected in the recent body of scholarship on performance, is insightful here. She critically incorporates elements of both Derrida’s and Austin’s work into her theoretical framework for understanding the reproduction of the notion of gender. First, it is important to note that Butler does not view performativity and repetitive acts to be merely bearers of structures.<sup>49</sup> Rather, she allows for a certain degree of agency in regard to performativity in the sense that constructed notions such as that of gender are always open to *resignification*. Therefore, her account of performativity further allows for a kind of reversal of performativity, as she radically re-conceptualizes gender as ‘a free-floating artifice’ (Butler [1990] 1999: 10), as a consequence of which *male* or *masculine* could, in effect, just as well signify *female* or *feminine* (*ibid.*). Moreover, she develops a notion of ‘linguistic agency’ (Butler 1997: 15) and suggests the possibility of ‘counter speech’, through which ‘words can become disjoined from their power to injure and recontextualized in more affirmative modes’ (*ibid.*). Hence, drawing on Derrida, yet with a stronger normative tone, she conveys that the effects of speech and the constitution of subjectivity are never final (Butler 1997: 19).

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<sup>48</sup> The empirical chapters of this thesis will, for instance, examine the discursive functions of the concept of the ‘food chain’ and the ways in which its very flexibility has been a source of empowerment.

<sup>49</sup> See also Laclau’s notion of ‘creative subjectivity’ (Laclau 1993, cf. Torfing 1999: 88-9), by which he highlights that, within a given discourse, the subject does have agency in the (re-)construction of meaning (and, therefore, her identity).



Butler's work is relevant here in two ways. First, such a 'performativity' perspective helps to expose the constructed nature of actor-categories such as 'the consumer' or 'the policymaker' – indeed, those identities must be seen as dynamic and relational, and contingent upon particular contextual conditions and the settings in which they are performed. In other words, these categories do not entail 'essential' or inherent meanings, but they are of a performative nature. When cited and re-articulated in new or changing discourses, however, they take on the form of notions, such as 'being a consumer' (rather than a citizen) or a 'good policymaker' who works in a transparent and open fashion. Second, Butler's notion of re-signification, or re-citation, is useful in the study of Europeanization, as in that process events, stories, experiences are re-narrated, concepts (such as 'the internal market', 'scientific expertise', 'food quality') are re-cited and may then take on a different – Europeanized – meaning.

As far as the concrete policymaking process is concerned, how can one analytically access the (re-)development of subjectivities and identities, as well as the (re-)production of meanings and, therefore, the production of new policy discourses? To begin with, one needs to pay attention to the modes of interaction between what is seen as separate (and disparate) 'actors' in these processes. These interactive practices may be implicit or explicit, literal or metaphorical, but in either event, they can be understood to produce collaborative policy authorship, be it between scientists and administrators, or citizens and administrators, or both. In order to analytically delimit our field of study, we require a concept that suits our methodology as well as our methodical needs: The metaphor of the *stage*, it is argued here, may fulfill those needs, and help us access the practical functioning of ambiguous, newly established institutions. Moreover, drawing on the concept of institutions as stages improves our understanding of the dynamic and relational ways in which policy is formulated and re-negotiated. Moreover, by conceptualizing institutions in this manner, one can expose the misleading construction of the binary distinction between 'actors' and 'audiences'.

In such a vein, Stephen Hilgartner (2000), for instance, proposes an analysis of scientific advice as 'public drama'. He asserts that science plays a crucial role in contemporary society that often remains underestimated (for instance, in policy-analytical accounts). Governments, he points out, 'find expert advice to be an indispensable resource for formulating and justifying policy, and, more subtly, for removing some issues from the political domain by transforming them into technical questions' (Hilgartner 2000: 146). Hilgartner is particularly concerned with scientists' struggle for credibility, and takes as a case study the American National Academy of Sciences. His analysis concentrates on the modes of operation in this institution, and he concludes that the Academy's influence and importance in policymaking rests on its ability to

come across as credible, or, as one may put it, have its truth claims accepted as legitimate. In his understanding of scientific advice as public drama, Hilgartner further draws a distinction between ‘front-stage’ and ‘back-stage’ with respect to the work of scientists - a distinction that is useful particularly from a normative perspective, if one is concerned with, for instance, the lack of transparency frequently associated with medical recommendations or nutrition advice (see also Nestle 2003), as it highlights the ambiguous conditions under which scientific expertise is formulated and performed.

What he refers to as ‘stage management’, the success of which makes for a successful performance, comes close to Merelman’s (1969) understanding of the ‘selective management of impressions’, or perhaps Gieryn’s (1983) notion of ‘boundary work’. Importantly, the activities around ‘stage-management’ will always imply an act of power; for instance, in the case of nutrition reports (see chapters one and two in Hilgartner 2000), the flow of information may be managed to an extent that divergent opinions are hidden away behind a seemingly coherent and uniform policy report.<sup>50</sup> Such an understanding of policymaking brings more insight to policy analysis – certainly with respect to this study – as it brings to light the importance of performativity on institutional sites (or stages), rather than limiting the notion of performance to public appearances, as Merelman (1969) suggested.

In more conventional accounts (e.g. Lindblom 1993; Ham and Hill 1993) one may understand the policymaking process to consist of a process of negotiation between actors with divergent interests and qualities. Neo-pluralist scholars such as Charles Lindblom conceptualize policymaking as a process of competition between interest groups (while emphasizing the disproportionate influence business interests have in the policy process). Similarly, Ham and Hill (1993: 188) propose that

[t]he study of the policy process is the study of conflicts between interests, as embodied in the pluralist model, the study of individuals and groups securing positions within the autonomous state and then being able to make choices in both the making and the implementation of policy and the study of action constrained by strong, but not unalterable, structural forces.

Regarding the present study, scholars of the latter tradition would take as a point of departure a set of core actors, or participants, in the policymaking process. More specifically, such accounts may propose to distinguish between categories such as ‘policymakers’, ‘scientists’, and interest groups – in particular citizens and the industry. The interaction between the former

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<sup>50</sup> See also Bruno Latour’s work (1999) on scientific practices and ‘enactment’.

and the latter two would then be characterised by essentially divergent interests. This juxtaposition frequently manifests itself in the concern with the undue influence of corporate power in policymaking, for instance in environmental policy (cf. Blowers 1993).

This study does not suggest that the differentiation between groups is entirely ‘unrealistic’. Rather, it wants to raise and address a set of concerns: First, distinctions and categorizations always risk reifying particular categories and the related identities. Second, the distinctions between policymakers, scientists, citizens, and the industry produce a technical notion of the policymaking process that neglects the crucial importance of the production of meaning therein. I suggest to move towards a more open, fluid, and dynamic understanding of the policy process. To that end, the working practices in this field of policymaking are understood here as scripts that assign particular roles, rules, and responsibilities to the social actors concerned. Such a conceptual move makes it possible to take seriously both the person who writes policy and the particular setting in which she finds herself performing – without, however, holding on to the constructed distinction between the person and the role she is expected to fulfil in a particular context. Rather, the policymaker, scientist, industry representative, or consumer advocate can be understood to simultaneously (re-)produce those expectations (the script) associated with her role in the policy process.

Yet what happens when the script no longer makes sense to either actors or audience? What if the script, and the artifacts on that stage, are no longer useful and convincing enough for telling a story? What if the rehearsed routines and the actors’ training no longer satisfy either their artistic ambitions or the audience’s expectations? In moments of dislocation, instability, and ambiguity, the rehearsed relations between the actors on stage, the assistants backstage and the audience no longer ‘make sense’. In particular, the elements of authority implicit in these relationships are called into question.

Such moments, *dislocating* the relationships between the different sides of the stage – exposing them as inseparable - will require a period of adjustment: Scripts may have to be re-written, actors will have to improvise, and the audience may claim a say in this process, re-articulating their expectations. This process will take time, evaluation, rehearsals, new artifacts, a new script, perhaps a new director, perhaps even a new theatre, a new stage. And with every performance the interpretation of the *script* changes slightly, actors continue to improvise, and the quality of the performance depends on the perceptions and the changing expectations of the audience. Such dynamics manifest themselves, for instance, in the process of Europeanization: Events such as the dioxin crisis in Belgium in 1999, or the discovery of BSE in continental Europe in 2000 and 2001, came to be (re-)told using a *transnational script* rather than a ‘member

state' script. That way, the earlier events in the UK (e.g. the announcement of the link between BSE and nvCJD) also became *re-narrated* in a transnational script and hence took on a different meaning (see chapter seven).

But who engages in script-writing, and 'counter-script-writing' (Hajer and Uitermark 2008)? How can we account for changes and continuities in scripts? The terms 'script' and 'writing' must be carefully approached. On the one hand, there is literal authorship behind policy papers, new legislation and so forth. On the other hand, the notion of authorship can also be used as a metaphor for agency: Writing and text conceptualized in a broad way can alleviate the contested and value-laden connotation of the term 'agency'. Writing is necessarily a *creative* process that *simplifies* impressions, ideas, and stories that authors perceive to be a reflection of 'reality'. Writing (policy) is also a way to delimit and control the flows of interpretation of events, phenomena, and interaction. Moreover, writing – whether in academic or literary practice – takes place with an audience in mind and at the same time constructs and (re)produces that very audience – again, a performative process.

As poststructuralist philosophers have argued convincingly, there is no single meaning to text; the author does not exist (and write) in a vacuum, and neither does the reader exist (and read) in isolation. Any text, therefore, has multiple authors and multiple readers (cf. Ede and Lunsdorf 2001). For instance, the idea of 'putting the consumer first' and the simultaneous growth or re-emergence of consumer advocacy discourse in the non-governmental societal sector is a co-productive, performative process. First, the ways in which the consumer as an audience is constructed (as responsible, informed, rational, or disadvantaged) deserves particular attention in the empirical case studies. Secondly, and simultaneously, the ways in which *texts* (broadly understood) are taken up and enacted by groups such as consumer advocates or environmental groups can be seen as moments of agency and contestation: for instance, the ways in which such groups have experienced a sense of re-empowerment in the German context (see chapter four).

In addition, when using 'writing' and 'authorship' as both literal and metaphorical concepts, they can help describe and understand new practices employed in empirical cases. Examples are practices such as open board meetings (cf. Loeber and Hajer 2006; Laws and Hajer 2003), the aforementioned introduction of 'science blogs' at the UK FSA, an emphasis on making policy documents publicly available, as well as, for instance, changing details such as the font used in FSA policy documents in order to display a 'more modern, less conservative' image.<sup>51</sup> Similarly,

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<sup>51</sup>The font used was changed from Times New Roman to Arial – a 'more neutral, modern' font (EN3-S).

interviews with officials in newly established institutions indicate that work environments have been deliberately changed in order to encourage and reflect a ‘new approach’ to policymaking: In England, for instance, (and to some extent in the Netherlands) the practice of using open-plan offices has become wide-spread, as has ‘hot-desking’, an organizational practice whereby employees will not have their own fixed workplace but will have to swap desks regularly.<sup>52</sup>

The introduction of such practices could be understood as a performative act, in the sense that the said officials, scientists and so forth thereby enact and reproduce an organizational identity that is informed by specific discourses, such as discourses of ‘transparent governance’. Indeed, it seems to be considered self-evident by interviewed bureaucrats, policy officials, and some scientists that the deliberate creation of these settings will encourage more openness and better coordination between departments.<sup>53</sup> Similarly, the aim to improve coordination and cooperation between science units and consumer policy units can be seen to reflect a changing notion of policy authorship: a co-authorship. In addition, it is frequently emphasized that this ‘more modern, less conservative’ approach also implies a gradual de-emphasizing of organizational hierarchies: Even senior civil servants and directors take part in hot-desking, which could be understood as a manifestation of joint script-writing.

Again, the relationship between the emergence of innovative working practices and new settings can be conceptualized in terms of performance and interaction in order to overcome the difficult distinction between ‘material’ realities (buildings, objects, tools) and ‘ideas’ (such as the popular slogans of transparency and openness) by way of conceptualizing these as interacting and mutually reinforcing objects of analysis. As a preliminary step, we can understand the ‘citizen category’ to constitute the ‘audience’ of the policymaker, scientist, and the industry. However, this would imply a rather passive notion of the consumer-as-audience. In contrast, the empirical chapters of this thesis reveal the centrality of the notion of being a consumer and its discursive function in the overall policy discourse following the dislocatory experiences of primarily BSE, but also other food scares, such as the salmonella affair in the 1980s in the UK, Foot-and-Mouth Disease, and instances of chemical food contamination. Given the constitutive role of the notion of being a consumer in policy discourses across the studied contexts as well as its quality as a nodal point in the process of Europeanization, the construction of a binary relationship between ‘audience’ and ‘stage’ does not hold.

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<sup>52</sup> This practice probably originated in the industry but has become transferred to ministries as well.

<sup>53</sup> See also chapter five for similar practices at the Federal Institute for Risk Assessment (BfR) in Germany and chapter six for the case of the Netherlands Food and Product Safety Authority (VWA).

Having explicated what ‘policy discourse’ *means* for the purpose of this thesis, as well as the central concepts to be employed here, below I move on to explaining how I will access and *analyze* policy discourse in the empirical chapters.

### **3.5 How to analyze meaning: from concepts to methods**

This section serves to clarify in more specific terms the methodology employed in this study, focusing on four aspects: data collection; the process of ordering or ‘making sense of’ the collected data; and the identification of discourses and related analytical choices. Finally, I address the challenges encountered in the research process. Before engaging in the more technical discussion, a recapitulation of the research questions, as well as their underlying assumptions, is useful here.

#### *3.5.1 Research questions*

In chapter one, the central and interrelated research questions posed in this study were constructed as follows:

- 1. How has food safety been taken up as a policy issue in England, Germany, and the Netherlands since the 1990s?*
- 2. How can we explain the different ways in which food safety has been taken up across the national contexts?*
- 3. How can we explain the emergence of a transnational policy approach, given the divergence on the national level?*

In order to approach these questions in an effective way, this study employs the notion of dislocation (Laclau 1990) as the central explanatory notion, the more descriptive concept of institutional ambiguity, and the notion of performativity in order to account for policymaking on several levels.

For the purpose of examining the diverse ways in which food scares were interpreted in England, Germany, the Netherlands, and the EU, the empirical chapters of this thesis are guided by the following four questions in descending order of generality and abstraction:

1. What does food safety mean?
2. What discourses have shaped the meaning of ‘food safety’, and what notions bind those discourses together?

3. How do those discourses inform the policymaking process, and what kinds of discursive formations do they produce between policymakers, scientists, citizens, and the food industry?
4. How, by what means, and with what effects are the diverse meanings associated with food (safety) performed?

In the construction of a concrete analytical framework, a set of conceptual and empirical steps were decisive. First, as indicated above, more conventional policy accounts take particular roles, functions, and associated interests in the policy process as given – that of the policymaker, the scientist, citizens, and the industry. Yet examining these spheres as *separate* stages and categories would conceal the fluidity of the policy process and the structural need to produce meanings in interaction. Even more so, a study of dislocatory moments and acute institutional ambiguity necessitates an approach within which one can capture the discursive resources that agents draw on, rather than merely the agents themselves. In other words, the present study begins by identifying key *discourses*, rather than key *actors* in this policy field.

Although I do not call into question the ‘real existence’ of, for instance, the food industry or institutional arrangements that may either link or divide ‘science’ from ‘policy’, I contend that it is *discourses* that *make actors*, and not vice versa. The objects of analysis, therefore, are (1) the different meanings of food safety, (2) the discourses which inform these meanings, (3) the notions that make up these discourses and their particular qualities and functions, and (4) the related discursive constellations.

### 3.5.2 Data collection

For the purpose of studying the ways in which food scares were taken up across contexts, I drew on two sorts of data. First, given the diachronic nature of this research, access to policy documents and some archives was essential in order to obtain an adequate understanding of some of the practical changes in policy programs. Therefore, prior to the commencement of the interviewing phase, an overview of institutional arrangements and rearrangements was produced by way of official documents available online, as well as secondary literature available on the topic. From this material, research questions were formulated, and gaps and incoherencies were identified. This material provided the background for the first round of interviews conducted in Brussels in the context of the European Commission, the European Food Safety Authority (which, at the time, was moving to Parma, Italy), as well as lobby groups and NGOs.

The present study, however, is less concerned with an evaluation of particular policies or the unfolding of technical details - it is concerned with the (re-)production of meanings and the force of discourse in mobilizing changes in policy discourse and different discursive

constellations. This concern, second, implied the need to access personal accounts of the various developments in order to gain an understanding of the taken-for-granted definitions, assumptions, and observations of policy authors as well as their self-understandings. In this process it was also important to preserve the ‘messiness’ (Law 2004) of accounts and the richness of personal experiences. While on occasion, dates and technical pieces of information had to be cross-checked (frequently by using Lexis-Nexis), generally speaking, ‘truth’ was not what I sought to find in my interviews. Rather, it was important to access the identities and self-understandings of policy authors and how they project them through every-day accounts. By trying to parse the logics they perform through their every-day practices, I arrived at important insights regarding the performative aspect of policymaking.

For the purpose of this study, fieldwork was conducted over the period of just over one year, from October 2005 to December 2006. The active research phase was conducted in several stages, which included both systematic document collection and over 60 in-depth interviews with policymakers, scientists, NGOs, journalists, quasi-governmental organizations (e.g. publicly funded consumer organizations), retailers, and journalists. A detailed list of the conducted interviews can be found in appendix A, while an index of the newsletters analyzed can be found in appendix B annexed to this thesis. Where possible, the interviews were conducted in the native language of the respondent, in German, Dutch, and English, respectively. Most interviews were recorded and subsequently transcribed and anonymized; unless indicated otherwise, full transcripts are available. In an attempt to minimize the ‘lost in translation’ effect, all translations into English of interviews and other non-English primary sources were undertaken by the author herself and done as literally as possible.

The diverse national and professional backgrounds of interviewees in the EU context further made it possible to gather information concerning the national regulatory nodes, as – interestingly enough – a number of interviewees had not only worked for their respective national food safety authorities but also for private agencies and, in a few select cases, for food safety agencies in other EU member states. As a consequence, the accounts of those respondents frequently included references to industry practices as well as arrangements and regulatory practices in other countries.

An initial round of interviews was conducted in Germany, in Berlin and Bonn, with officials, scientists, and NGOs, as well as the Central Consumer Organization (Verbraucherzentrale) and the Information Center for Nutrition, Agriculture, and Forestry, Aid (*Auswertungs- und Informationsdienst für Ernährung, Landwirtschaft und Forsten*), which could be described as a quasi-



non-governmental organization (QUANGO).<sup>54</sup> A second set of interviews was conducted a few months onward, taking advantage of possibilities for ‘snowball sampling’. In the third stage, interviews were conducted in the Netherlands over a period of two months, with officials, scientists, retailers, NGOs and one QUANGO. Again, snowball sampling partly structured the choice of respondents. Then, interviews relating to the English case were conducted over a period of three months while on a visiting fellowship at the University of Warwick, with respondents in several governmental bodies, consumer groups, and journalists.<sup>55</sup>

### 3.5.3 Ordering the data

As indicated above (section 3.4), the point of departure of this study consists of a conceptual and empirical concern with the established distinctions between a set of actors in the policy process: policymakers, scientists, citizens, and the industry. This study takes issue with these categories in three steps, as follows.

To begin with, these categorizations were derived from influential scholarship on the policymaking process (cf. Ham and Hill 1993; Lindblom 1968, 1993) and, in the first instance, were used ‘generously’ (in the Derridean sense of a reading) as an ‘ordering device’ with respect to the data collected for this study. We can understand this as both a conceptual exercise and a *pragmatic move*. The notion of this set of roles, first, made the data more accessible, especially when drawing from a diverse range of written and spoken data, such as consumption research, policy practices including public participation, new labeling techniques, regulatory change in the field of food and farming, campaigns by environmentalist groups, and so forth.

Second, the analytical distinctions facilitated an initial, systematic examination of the data, as they make it possible to study how the same categories (e.g. the consumer) take on different meanings in different contexts. The discourses that inform the rules of appropriateness and shared understandings in the respective spheres were inductively distilled from the raw material collected for this study. This step formed the most crucial element in this research. After multiple readings, the data was re-ordered, moving from the assumed actors to an empirical distinction between a set of discourses. We can understand this step as a *deconstructive move*.

Third, particularly the large number of in-depth interviews conducted helped to assess the relative stability of discursive practices, and to explain changes and continuities in these, for

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<sup>54</sup> The latter two organizations both receive public funding and could be considered to work at arm’s length from the Ministry of Food, Agriculture, and Consumer Protection (BMELV).

<sup>55</sup> The fellowship was sponsored by the EU GARNET mobility program (within the EU Sixth Framework Program) and hosted by the *Centre for the Study of Globalisation and Regionalisation* (CSGR) at the Department for Politics and International Studies (PAIS), University of Warwick.

instance, in the ways the respondents (for instance policy officials and scientists, but also consumer advocates) describe their working practices as ‘normal practices’ or ‘novel practices’, and the extent to which they consider their working practices to be institutionalized. At the same time, these categorizations facilitate an evaluation of the modes of interaction between these actor categories, such as those enacted in practices like conferences or participatory policy practices but also more indirect modes of interaction such as surveys and consultations.

By these means, this study points toward the analytically problematic nature of these seemingly stable categorizations. These categorizations, I argue, obscure the fluid and dynamic nature of the policymaking process, and a rigid framework based on them conceals the fundamental role of discourses that function to dissolve the boundaries among actor categories. Below, table 3.1 provides an overview of the most pertinent discursive constellations in which actor categories are brought together in the respective national contexts (*rms*) in this study.

**TABLE 3.1 Policy discourse across contexts: clusters of practice**

	<b>Environmental sustainability</b>	<b>Good Governance</b>	<b>Consumer Protection</b>	<b>Market efficiency</b>	<b>Public health</b>
<b>EN</b>	<b>PSCI</b>	<b>PSCI</b>	PSCI	PI	<b>PSCI</b>
<b>DE</b>	<b>PSCI</b>	<b>PSC</b>	<b>PSCI</b>	PI	PSCI
<b>NL</b>	PSCI	<b>PSCI</b>	PCI	<b>PSCI</b>	<b>PI</b>
<b>EU</b>	PSC <sup>UK-D-NL</sup>	<b>PSCI</b> <sup>UK-NL-D</sup>	<b>PSCI</b> <sup>UK-D</sup>	PI <sup>NL-UK</sup>	<b>PSCI</b> <sup>UK-D-NL</sup>

**Categories:** P = Policymakers  
 S = Scientists  
 C = Citizens (e.g. consumer advocates, environmental groups)  
 I = Members of the food industry

In bold: more recent/re-emerging discourse

In superscript: national discourse resonating strongly in Europeanized discourse

The *columns* represent the most prominent discourses that are empirically derived in the analysis presented here across the different contexts and time periods covered, keeping in mind that these discourses vary in their strength and relevance in the different contexts – as the empirical chapters (four, five, six, and seven) will demonstrate. Since the present policy discourse remains the primary focus of this study, ‘new’ or re-emerging discursive elements are highlighted in bold.

Although the columns could also be seen as intuitive categories in the domain of food (safety) policy, the table is not intended to provide a formalistic and rigid framework – instead it should be considered as a reflection (and reproduction) of the discursive field in which food policy becomes formulated in the respective contexts. It serves to indicate the most pertinent discourses, keeping in mind that these may conflict as well as overlap. As suggested in the table, the main discourses identified across the contexts covered in this study consist of the ‘environmental sustainability discourse’, the ‘good governance discourse’, the ‘consumer protection discourse’, the ‘market efficiency discourse’, and the ‘public health discourse’.

#### *3.5.4 Identification of discourses*

My analysis of spoken and written material consisted of what Derrida termed a ‘double-reading’. First, a *generous* reading allowed me to construct an overview of institutional and policy-related changes; additionally, it served to get a sense of the kinds of issues on the (official) political agenda in the field of food (safety) policy. A similar reading of selected news clippings added to this process. A second, more critical reading involved a ‘discursive repositioning’ on my part: taking a step back in an effort to expose the incoherencies, inconsistencies, as well as the repetitive themes in the studied material. By this process it became possible to discover alternative meanings and to identify the discursive foundations that shape those meanings. As a ‘side effect’, this also involved a repeated (literal) reordering, re-filing, and reconsideration of the categorizations initially used. In other words, the data began to show the fundamentally constructed nature of the categories and distinctions so commonly used both in academic scholarship and in every-day policy talk.

I sought to use and analyze equivalent material across the three national contexts, as far as the nature of material (e.g. newsletters of official food safety agencies) was concerned, as is indicated in appendix B of this thesis. By gradually identifying separate (though frequently overlapping) discourses, I constructed ‘maps’ for the purpose of re-approaching and specifying my research questions. Using the spoken and written material, a set of discourses were distilled inductively by focusing on the identification of key signifiers, repetitive themes, references to

past and future developments, and what respondents referred to as key events. Those discourses are indicated in the columns of table 3.1. In addition, the accounts provided by the diverse respondents frequently led me to reconsider the scope and nature of the written material, and to gather additional material from other, earlier sources, such as conferences that had taken place in the more distant past or committees that had already been dismantled.

The discourses identified in this study (see section 3.5.3 and table 3.1) may be understood as analytical constructions of the author and the result of multiple readings of the empirical material. Those discourses – which vary in strength and composition across the countries studied – play a two-fold role here: First, the categorization reflects an attempt to ‘order’ my impressions and insights, and to make sense of the different conflicting and overlapping stories told by respondents and introduced and reinforced in policy documents. Second, the distinctions function as analytical devices inasmuch as they can be used as ‘vignettes’ to mark change and continuities in policy discourse across the cases.

It is crucial to discuss the criteria on the basis of which particular actors appear in the cells of the table above. First, an initial word count of various terms (for instance, the term ‘consumer’ in documents related to scientific advice regarding nutrition) directed my attention to a particular discursive constellation (for instance, between ‘scientists’ (‘S’) and ‘citizens’ (‘C’)).<sup>56</sup> It is important to note, however, that this strategy merely served to help order the vast amounts of data in the initial stages – they should hence not be considered as an attempt to capture discourse or discursive formations in quantitative, decontextualized terms. Rather than evidence to back up causal claims, I consider them devices for orientation in light of the amounts of material collected for this study.

The second, and more important way in which I identified clusters between scientists (‘S’), policymakers, (‘P’), members of the industry (‘I’), and citizen groups (‘C’) consisted in the repeated in-depth analysis of the textual material itself. The ‘snow-balling’ technique employed in the interviewing process added to my insights: For instance, when scientists referred me to consumer associations, or bureaucrats referred me to researchers or scientific reports (be it in the natural science, social sciences, or agricultural sciences), it signalled a merging of roles between those seemingly distinct actor-categories in the enactment, renegotiation, or contestation of a particular discourse. Similarly, interview partners were asked about their routines and modes of interaction with others whom they considered policy actors. Within such clusters, therefore, the seemingly disparate actors in the policymaking process come together in a

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<sup>56</sup> Examples of these kinds of data in key documents from across the studied contexts are included in appendix C.

particular *relational* position or equivalential position. By articulating the same discourse – even though on different ‘stages’ – these actors produce a shared version of reality, for instance, an interpretation of what BSE stands for or of the value of organic farming. In such clusters, one can thereby also see clues concerning how and why particular discourses may become institutionalized by assessing the relative strength of particular clusterings and examining the political efficacy of particular sets of notions. For instance, the notions of the ‘food chain’ and the ‘stakeholder’ have had particular discursive weight in the mobilization of an EU policy discourse because they bridge categories that otherwise seem disparate, such as the industry and citizens. The relative stability of these bridges relies on the qualities of the notions – for instance, the notion of being a member of a chain makes cooperation appear necessary and inevitable, and creates a sense of interdependence’.

Table 3.1 (above) is intended to serve as a guiding device for the reader, as it portrays the analytical framework of the overall study, which includes three national contexts as well as the transnational level of the EU. As far as EU policy discourse is concerned, this study seeks to grasp the mechanisms by which a shared language is constructed in that arena and the nature and particular content of that vocabulary in light of the diversity of interpretations we find in the national contexts. The latter are summarized in individual tables in the respective chapters, which indicate the particular content – key notions – which give particular meaning to the most prominent of the five discourses in England, Germany, and the Netherlands, respectively.

Moreover, a key aspect of this analytical framework consists of the attempt to capture Europeanization as a fluid, dynamic, and multi-sited process that relies on the re-narration of events, their performative *re-citation*, and the simultaneous development of a set of shared understandings. To that end, chapter seven disentangles the different discourses that inform the present dominant policy discourse in that context. Consequently, an important step in this study was to identify the relative strength of discursive interpretations found on the national level in the EU context. For instance: what imprints has the English version of the ‘good governance’ discourse left on the institutional discourse and practices at the level of the EU, or indeed vice versa? Whenever a given national discourse appears to have a particularly strong resonance in the process of Europeanization in this policy area, this is indicated by a superscript in the fourth row of table 3.1.

### 3.5.5 *Analysis as an iterative process*

Interpretive discourse-analytical research has to navigate carefully between retaining the ‘messiness’ (Law 2006) of the collected material and constructing an intelligible story that does

justice to, first, the methodological standards pertinent to this type of research (see section 3.2) and, second, the self-understandings of respondents. As Anselm Strauss and Juliet Corbin (1998: 13) put it lucidly:

[Analysis] is both science and art. It is science in the sense of maintaining a certain sense of rigor and by grounding analysis in data. Creativity manifests itself in the ability of researchers to aptly name categories, ask stimulating questions, make comparisons, and extract an innovative, integrated, realistic scheme from masses of unorganized raw data.

As mentioned before, the discourses presented in this study can be considered as analytical constructions that rely on the ‘ordering processes’ carried out during fieldwork and on ‘making sense of’ large amounts of data. Two issues must be noted here regarding the ontological status of these constructions. First, they are distilled from different and sometimes overlapping streams of argumentation in the material. Second, the analytical constructions rely on the contextual positioning of the researcher who finds herself in a particular subject-position to begin with. Nonetheless, the empirical results presented here constitute the outcome of systematic and extensive empirical research, while the ‘messiness’ of the raw material is retained by means of highlighting both differences and overlaps in what is offered here as ‘discourses’ that inform policymaking.

Strauss and Corbin (1998: 13) describe the process of analysis as ‘the interplay between researchers and data’. As far as qualitative, interpretive research is concerned, this understanding seems very fitting, as it touches upon at least two key experiences of researchers in this tradition. First, the production of theory and empirics in the present study should be considered to consist of an *iterative* process, wherein the author moves back and forth between building theory, improving her understanding of the empirical stories to be told, and the improvement of the analytical framework. Second, the inductive work required to produce an adequately ‘messy’ (Law 2004) yet sufficiently accessible account demands self-reflectivity but also ample interaction with different ‘audiences’ – both academic and practical. In that sense, interviews for instance, should not merely be regarded as a data-gathering activity but as a feedback mechanism as well.

### *3.5.6. Challenges and reflections*

It is useful here to also briefly raise some of the challenges encountered in the course of the empirical research process. As mentioned earlier, social-scientific research on the subject matter of food (safety) policy has been booming in recent years. This has also led to a sense of ‘being over-interviewed’ on the part of the respondents, which hampered access to institutions and

organizations during the fieldwork carried out for this study. In addition, organizational culture considerably affected the availability of respondents, such as at the European Commission. Moreover, the 'habitus of the expert' (cf. Bogner et al. 2002) often set the tone in interviews, not least because a majority of interviews had to be conducted in *office-ial* settings. In such contexts, gender and age played a significant role, too, in the sense that these aspects appeared to pre-define the situation and hence the mode of conversation. Whereas on many occasions, this effect is reflected in the style of the transcribed conversation, in other cases, the effects of body language and gestures, unfortunately, escape the limited power of transcription.

The interviewer-respondent relationship was typically less problematic to establish in those interviews conducted either outside offices (such as at a museum, a botanical garden, and in the homes of respondents) or those conducted over (organic) lunches. In all cases, the setting certainly affected what could be said, the sorts of questions and answers that appeared legitimate, and the degree of formality on the part of respondents. Moreover, my own role as an academic researcher took on different meanings in different settings: At times, it seemed more suitable to present myself as a 'naïve' researcher, whereas at other times a recognition of my own increasing 'expertise' helped to make conversations more balanced and more efficient. Finally, the researcher's own perceptions and normative stances will inevitably influence both the fieldwork process and the analysis, as it is impossible for her to 'step outside' her own discursive subject position (see also section 3.2 of this chapter for an explication of these epistemological aspects).

But what does it mean to study policymakers in crisis? How does the nature of organizations impact on the research process? Respondents in governmental (as well as supranational, EU-based) institutions tended to anticipate that a 'standard account' was expected from them. At the same time, their self-understanding as (important) officials was reinforced by the very fact of finding themselves in an interview situation. The presence of a recording device which separated the two conversation partners was ambivalent: At times, the 'professional' image with which it provides the interviewer facilitated a rapport. At other times, it predefined and restricted what could be said by the respondents. Occasionally, this led respondents to tell me non-secrets: Whilst insisting to go 'off the record', they were telling me things that I could most likely find out through an online search, a phone call, perhaps even in some of the secondary literature. These experiences, however, could also be seen as a finding, as they indicated the organizational culture in an environment that is technocratic and at the same time considered more important than national authorities by those who work there.

A final point of reflection regards the ‘messiness’ of doing research and the need to find a balance between a comparative angle and an analysis of the dynamic process of Europeanization. This careful balance is not least reflected in the tables produced for the purpose of this study. By constructing such comparative overviews one may run the risk of imposing a ‘straightjacket’ on the vast amounts of raw material, while I would argue that it is precisely the *messiness* of the data that enriches the potential of the analysis and could be seen to indeed reflect the fluid nature of boundaries both between national contexts and between that of the EU vis-à-vis the member states. An awareness of these issues, as it is commonly expressed in interpretive analyses, may protect us from some of the pitfalls of positivist approaches, where *a priori* assumptions at times produce analytical frameworks that become too rigid to really do justice to valuable empirical material. As far as the present study is concerned, the iterative nature of analysis and writing up made it possible to return to ‘raw material’ with a fresh eye at regular intervals, and the comparative nature of the study allowed for a regular ‘retuning’. Finally, as the tables in every chapter summarize and highlight visually in bold script, I also highlight the ways in which particular notions reappear across discourses. In this manner, I also indicate the fluidity and flexibility of the inductive analytical framework employed here.



## **CHAPTER FOUR: Mad cows and angry consumers. The reinvention of food (safety) and farming in England**

### **4.1 Introduction**

The present chapter explores the ways in which food (safety) has been taken up as a policy issue in England and the changes and continuities in the meaning of food (safety), in particular since the 1990s.<sup>57</sup> The chapter consists of three main sections: Following this introductory section, section 2 contextualizes the events related to a series of food scares in the socio-historical context, highlighting, in particular, some of the key developments in UK food (safety) policy since WWII. Section 3 provides a descriptive account of the BSE epidemic in 1996 but also recounts the events around Foot-and-Mouth-Disease (FMD) in the UK in 2000/1, the impact of which has often been neglected in the existing literature. Subsequently, the section presents the institutional rearrangements that followed, capturing them in terms of the theoretical notions introduced in chapter three.

Section 4 presents the discourse analysis of food (safety) policy in England. In order to explain the specific ways in which food safety has been taken up in England, the analysis reconstructs the discourses that inform contemporary food (safety) policy in a systematic way and, importantly, shows how discourses materialize into practices within and across five inductively distilled discourses: those of ‘good governance’; ‘environmental sustainability’; ‘market efficiency’; ‘consumer protection’; and ‘public health’. Together, these discourses form the overall policy discourse on food (safety) in England. Table 4.1 provides a summary of the notions narrated in section 4. The top cells schematically illustrate the corresponding discursive clusters of practices for each discourse, that is, the discursive constellations wherein policymakers, scientists, members of the industry, and citizens come to take on overlapping and shared discourses. In the final section, the chapter recapitulates the findings for the English context and draws conclusions.

### **4.2 A history of food (safety) policy in England**

#### *4.2.1 Food (safety) since the nineteenth century*

This study begins its journey in the 19<sup>th</sup> century, at a time when food (safety) gradually reached the political agenda in England. Over two centuries the Agricultural Revolution had resulted in the enclosure of most open fields and common pastures and the integration of crop and

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<sup>57</sup> I focus on England in this study out of consideration for the considerable cultural differences between Northern Ireland, Scotland, Wales, and England, while the institutional rearrangements discussed here (for instance, the establishment of the Food Standards Agency) concern the United Kingdom (UK) as a whole.

livestock production: the era of Victorian ‘high farming’ (Turner 2000: 2). The late nineteenth century up until the early twentieth century saw a decline of UK agriculture due to imports of low-priced agricultural products such as wheat, wool, meat, and dairy products. Alongside this development, the dominant *laissez-faire* policy produced an increase in restructured, larger farms (ibid.).

The 19<sup>th</sup> century also witnessed a wave of publicly articulated food (safety) concerns, as well as concerns over swindling and adulteration. Beyond concerns of food safety strictly defined, that time period saw the emergence of the so-called *Temperance Movement*, which emphasized the need for ‘purity’ in foods, while medical officers were concerned with health effects, and public officials primarily with the prevention of fraud (Draper and Green 2002: 612). Overall, Alison Draper and Judith Green (2002) contend that, at the time (and in fact until the mid-twentieth century), the food (safety) governance regime mirrored the construction of a public as ‘passive and largely ignorant [and] in need of protection’ (Draper and Green 2002: 611).

In 1820, Frederick Accum published a treatise on food adulteration and culinary poisons, warning that there was ‘death in the pot’ (Humphrys 2001: 38). This constituted the first time that the subjects of fraud and safety were discussed in the open, and in a scientific manner – even though food adulteration was by no means a new phenomenon, going back to ancient Rome. Accum’s treatise, along with individual medical doctors publishing food tests and the popular cartoon-magazine *Punch*, led a critical debate on food adulteration in the mid-19<sup>th</sup> century, where ‘questions were asked about why there was no adequate food legislation and why people were not being protected’ (Humphrys 2001: 41). Pushed for by these critical voices, a number of parliamentary committees were set up that finally led to the introduction of the 1860 Adulteration of Foods Act. By setting compositional standards such as for what constitutes ‘milk’, this first piece of legislation codified a discourse within which certain claims (to rights and to governmental responsibilities) could be made.

During World War I (1914-1918), the Ministry of Food was created in 1916, when food shortages hit Great Britain. Whereas the first two years of the war had gone by without major threats regarding food shortages, in 1916 a campaign for increased food production was launched, provoking acute controversies. Lord Ernle (1956) understands what he refers to as the ‘food campaign’ as ‘an experiment of State control’, the results of which were ‘largely influenced by patriotic feeling and special circumstances’ (Ernle 1953, online edition: page unknown). In reference to the agricultural and food policy at the time, he further observes that ‘in its general principles, the policy of the plough was imposed on the agricultural industry by national necessities [and] [b]roadly speaking, the country wanted the largest possible quantity of food in

the shortest possible time' (ibid.). This policy discourse expressed itself in the appointment of Lord Devonport as *Food Controller*, who was to regulate the supply and consumption of food and to encourage food production, and in the 1917 introduction of subsidies for corn (in the form of guaranteed prices). In addition, a Food Production Department was established by the Board of Agriculture in 1917 to organize and distribute agricultural inputs, such as labor, feed, fertilizer and machinery, and to increase output of crops. At the same time, since the establishment of the aforementioned Adulteration of Foods Act (1860), 'food scares' caused by negligence (e.g. fish and poultry contaminations) had strengthened the call for regulatory action on food (safety). In 1919, the Ministry of Food was established, and so was the Council of Agriculture for England. This also implied a growing involvement of farming representatives, such as the National Farmers' Union (hereafter NFU) founded in 1908, in food (safety) policymaking.

Michael Winter suggests that the growth of the NFU represented one of the most important factors in the story of twentieth-century British agriculture (1993: 84). In contrast to previous organizations that had either relied on overly broad or overly narrow representational claims, the NFU avoided taking antagonistic positions vis-à-vis landowners, while at the same time suppressing the articulation of class-based discourses in the domain of food production practices (Winter 1993: 82-5). Arguably, this avoidance of clear alignment facilitated the discursive institutionalization of farming interests, as it produced an image of inclusiveness. At the same time, the discursive notion of class in relation to food (safety) was not to disappear entirely and remains, till this day, at the margins of English policy discourse on food, as both academic scholarship and interviews with journalists and non-governmental organizations (NGOs) demonstrate.

In the inter-war period, a new kind of 'protectionism' emerged, advocated by business which had benefited in the war and was now suffering under the free trade shift. Winter (1993: 90ff) suggests that this 'new protectionism' was based on pure commercial interests, and perhaps additionally the fear of war in the early 1930s, whereas I would add that the shift towards protectionism also relied on a narrative of self-sufficiency and a crisis of Britain's identity as an economic power. In addition, the discourse of 'marketing' entered food (safety) policy discourse, institutionalized in organizations such as the Milk Marketing Board. Against this apparent influence of the industry in policymaking, however, a Consumer Panel and a Committee of Investigation were also established within the MAFF, which may suggest at least a marginal presence of a consumer movement at the time.

With the war approaching, the 1930s saw the mobilization of a broad malnutrition campaign that was concerned with equitable food distribution. The campaign's mode of operation

included publications such as *Food, Health and Income* (1936) by John Boyd Orr and films such as *Enough to Eat?*, which was made with funding by the gas industry (Smith 2007: 569ff; Smith 1997). Orr, in particular, defended the need to tackle the problems of both nutritional under-consumption and chronic agricultural over-production, and was closely connected with the international movement for the ‘marriage of health and agriculture’ (Smith 1997: 152-3; Lang and Rayner 2003: 67ff). With WWII, however, it seemed as if this critical, left-wing movement lost its momentum and became even more marginalized and disintegrated, at a time when concerns about sufficient food supply and a reduction of import-dependence came to be core elements in food (safety) policy discourse. During the war, nutrition experts gained considerable influence in policymaking, given the need for rationing and sustaining the population during times of shortage (Smith 1997). Another factor that may have shaped post-war British food (safety) policy consists of the fact that Britain was strongly import-dependent before the war, with only around 40% of food supplies produced domestically. In contrast, as a consequence of the war, and particularly through food rationing and increased controls on (imported) food distribution, import rates were cut by half (FSA 2004b: 4).<sup>58</sup> Ultimately, in the early 1950s, food scarcity concerns were eased and food rationing came to an end – though notably much later than in other parts of Europe. The next section discusses the particularities of the post-WWII policy discourse in more detail.

#### 4.2.2 *Post-war food (safety) policy*

Despite the alleviation of food scarcity, the NFU retained its paramount policy position and, along with the Ministry of Agriculture, set the tone for a considerable part of the postwar policy in the domain of food and agriculture. In fact, the Agricultural Act of 1947 had given the NFU a statutory right to be consulted over agricultural policy and, hence, the Department’s and the farmers’ interests became indivisible, based on a shared discourse of the benefits of agricultural expansion, which was exclusionary towards those outside the institutionalized consensus. As Robert Garner (2000: 198) points out, ‘[e]ven when the opposition to intensive farming became more vocal, not least through the activities of environmental groups, the closed agricultural policy community still prevented those issues from being part of the mainstream policy agenda’ (see also Smith 1993). In other words, the stabilization of the meaning of ‘food safety’ in post-

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<sup>58</sup> Martin Turner (2000: 26; footnote 5) usefully lists a host of literature concerned with post-war development and direction of agricultural policy in Britain. Below follows a sketch of those developments most pertinent to the object of inquiry of this study.

WWII policy discourse entailed the exclusion of alternative ones, such as those related to environmental sustainability.

This policy discourse was also upheld by the increasing mechanization that, not unlike in the rest of Europe, had progressively been replacing the use of horsepower since the 1930s, which allowed for a reduction in the agricultural workforce and a remarkable increase in productivity – which in turn fed into postwar food (safety) policy as outlined above. In order to preserve as much food as possible for human consumption, the MAFF encouraged the use of non-food industrial by-products in compound feeds. The 1950s and 1960s witnessed a tremendous growth in the rendering industry, and feeding MBM to cattle became standard practice in the context of intensified farming.<sup>59</sup>

The government devised a new food (safety) policy that was largely based on maximizing production – as a result of which farming practices, and consequently rural landscape, changed, and food prices fell considerably (cf. FSA 2004b: 4-7; Humphrys 2001: 5). As noted above, food rationing programs were continued after the war, and were even enforced more strictly than they had been during wartime. Bread was rationed from 1946 onwards; this was largely due to the necessity of feeding the population of European areas coming under Allied control, whose economies were in a state of devastation. In fact, the end of all rationing did not come until 1954 in the UK. Arguably, the extended period of food rationing, which included, for instance, a massive decline in food diversity such as in cheeses (as a consequence of the centralization of the dairy industry), proved traumatic for England's food culture (EN6-G; EN9-J; EN12-G).

Beyond sufficiency, post-war food (safety) policy in the UK was chiefly concerned with nutrition aspects: The National Food Survey was introduced and became the longest-running continuous survey of household food consumption and expenditure in the world. By 1953, the importance of the work of the Ministry of Food appeared to decrease rapidly due to the end of food rationing, and increasingly stable food supplies and arguments in favor of administrative convenience and efficiency finally led to institutional fusion and the establishment of the MAFF. Due to the already heavy workload of the MAFF, a limited amount of work on food hygiene and welfare foods was transferred to the Department of Health (FSA 2004b: 8), leading to a dispersal of responsibilities for food (safety). Food standards implementation was highly localized compared with a number of other European countries, including Germany and France, and the dispersal of responsibilities implied insufficient transparency as to who was authoring policy, with which audience in mind, and to whose benefits. In such a vein, *The Times* newspaper

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<sup>59</sup> MBM was already described as feedstuff in Europe and the United States of America as early as the 1920s; see for instance Thompson (1931) *The Use of Meat Meal in Calf Feeding: Some Recent Experiences by Farmers*.

commented upon this institutional rearrangement (that brought about the MAFF) that ‘it is asking too much of any Minister to be able to hold the balance fairly between the interests of the consumer and the powerful agricultural interest’ (cited in FSA 2004b: 60). Such concerns about consumer representation within the MAFF, and the notion that producers were put before consumers in agricultural and food (safety) policy, never entirely disappeared, as will become clear in this chapter.

The post-WWII policy discourse as described above was also shaped by and performed in the early CAP and its dominant policy discourse of productivity and strengthening of the internal market. Based on a shared, largely unquestioned policy discourse of food sufficiency and maximizing productivity, as Martin Smith (1991) points out, during most of the post-war period, food (safety) policy was formulated within a relatively closed policy community whereby issues regarding food (safety) policy were largely treated as routine and technical decisions.

In the early 1980s, however, a series of food safety issues triggered public concern and awareness: Apart from the salmonella affair in 1988, the occurrence of listeria poisoning related to soft cheese and cook-chilled meals hit the news, as well as an epidemic of botulism that was linked to faulty processing (FSA 2004b: 52-3). Next to these concerns with food *safety* the public health aspects of poor diets made for headline news, as the government resisted a report that compiled nutrition advice and recommendations for healthy eating. The 1983 NACNE report (National Advisory Committee on Nutrition Education) challenged the dominant assumption that diet and healthy nutrition were merely a matter of choice and hence turned nutrition into a political issue (Food Commission 2005: 5-9). Since then, food *consumption* never fully disappeared from the public agenda, and, indeed, the debate was going to broaden in the decades to come, as we shall see in the following subsection.

#### *4.2.3 From productionism to the ‘new food movement’*

In response to, and alongside the developments recounted above, the 1980s also saw the growth of a ‘new food movement’ (Lang 1997), which had some of its roots in socialism, trade unionism, and public health advocacy. The movement included, for instance, parents’ alliances and nutritionists, but also health campaigners with a Marxist background. This collection of citizen groups was concerned with food access inequalities, the relation between food and public health policy, and the environmental impact of farming. The emergence and growing strength of this movement manifested itself in the establishment of a range of NGOs, such as the *National Food Alliance*, the *London Food Commission*, *Sustain*, the *Soil Association* (now a certification body in addition to its campaign function), PAN UK (Pesticides Action Network), the *Food Commission*,

*Friends of the Earth*, and the *Politics of Health Group*, which criticized the national health care system and the stark inequalities of access to health care in terms of social class (Lang 1997). Despite – or perhaps because of – the diversity of issues that were taken up by these groups, the topic of food (safety) formed a common theme, as it could be discursively connected to environmental concerns, health policy, children’s health, and food poverty. As an indication of the proliferation of food (safety) concerns during that time period, it is further interesting to note that the 1985 Labour party manifesto included a critique of the food system, in particular regarding food inequalities and health aspects:

It is the extent of poverty, the *domination of the food industry* by a small number of large companies, and the present agricultural policies of the European communities, which, among other influences, now *dictate what people can and cannot eat*. [...] [W]e [the Labour party] will be providing people [...] with a *wider choice of healthier foods* and also the information they need to make sensible decisions about their diet (Labour 1985: 4, emphasis added).

As indicated above, the movement included concerns such as public health and inequalities of access to healthy foods, environmental pollution, malnutrition, and last but not least, the safety of food. Another ‘common denominator’ that characterized the collective identity of the alliance consisted of the ‘left-wing’ critical position vis-à-vis the (‘domination of’ the) food industry as well as vis-à-vis the developments concerning EU agricultural policy for its financial costs and, for some, its environmental implications. At the same time, the notion of (food) *choice* was present in the policy discourse at the time, not least because of the influence of the consumer movement in the preceding decades, exerted through institutions such as the National Consumer Council (NCC; see NCC 1988) and the Consumer Association (established in 1957, now known as *Which?*). As we shall see in chapter five, the growth of consumer advocacy groups in the English context stands in stark contrast to the developments in Germany, where assertive articulation of consumer *rights* remained marginal (at best) during that time period.

In England, as early as in 1988, for instance, the NCC (1988, cover page) called for an inclusion of consumer concerns into food (safety) policy:

Food policy is *important to all of us*. It affects the *safety, choice, nutrition, quality, purity* and *price* – of food on the supermarket shelves. It governs how food is produced and marketed. *The view of consumers* must be taken into account when decisions about food policy are being made (emphasis added; cf. NCC 1992).

Tim Lang (1997), who himself was a prominent activist at the time, understands the origins of this ‘new food movement’ to lie, in part, in the ‘radical science movement’, which was represented by the *British Society for Social Responsibility in Science*, founded in 1969 (Smith 2007: 569). During the 1970s, Lang explains, the Society focused on work hazards and critical analyses of the food industry, whereas the more high-profile food campaigns during the following decade were made possible by a more professional approach and funding provided by the Greater London Council. The fact that public funding was provided during the 1980s already suggests a certain institutionalization of a food (safety) discourse critical of the status quo, and, similarly, the coalitions built at the time indicate a gradual internalization of this food (safety) discourse, such as in coalitions between medical organizations, consumer organizations, local authorities, and health officers, as well as retail chains, in the case of the anti-food irradiation campaign (Lang 1997; Smith 2004: 569).

To Lang’s line of explanation, however, I would add that, first, the occurrence of salmonella in eggs, as well as concerns regarding food irradiation,<sup>60</sup> played an important role in creating awareness and strengthening a food (safety) discourse. Second, calls for better regulation, as indicated above, had been latent since the late 19<sup>th</sup> century, and the salmonella-related events may have functioned as discursive openings for those latent discourses. As Mette-Marie Roslyng observes, ‘the latent conflicts related to food poisoning became apparent with a particular dislocating event brought on by the Minister of Health Edwina Currie’s remarks on TV [in December 1988] that “most of the egg production in this country, sadly, is now affected by salmonella”’ (Roslyng 2006: 1; cf. Roslyng 2005). This event, as Roslyng illustrates by means of a media analysis, appeared to create the conditions for a counter-reaction from the public and various interest groups against intensive farming and related practices (Roslyng 2005: 1-3). The significance of the salmonella affair consisted of its construction as requiring wider changes in the formulation of food (safety) policy. A combination of factors, such as the increased activity of interest groups, the impact of the CAP and changes in the retail sector helped transform the food (safety) policy community into an ‘issue network’, Smith (1991) argues.

Perhaps as an indication of the success of the movement described above, in 1987, a voluntary scheme for marketing organic produce was set up by the MAFF. The organization ‘Food for Britain’ set up the UK Register of Organic Food Standards, to establish new standards

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<sup>60</sup> Food irradiation was promoted by some as a preventive measure against food poisoning and to reduce food spoilage by extending the shelf life of particular foodstuffs; others expressed concerns regarding its possible health impact, as well as food safety and environmental damage (FSA 2004b: 43-4; see also Ashwell 1989). Under the Control of Irradiation Act (1972), irradiation was banned, while in the subsequent decades, certain exceptions were introduced. The FSA is currently charged with supervising the latter.



that would be based on a voluntary code of practice.<sup>61</sup> The board that was to develop the organic food standards included representatives from Organic Farmers and Growers of Scotland, the British Organic Farmers, the Soil Association, the supermarket chain J Sainsbury, and the NCC (FSA 2004b; cf. Draper and Green 2002). The membership of the board indicates a growing coalition between discourses of environmental sustainability and consumer protection as well as rights.

The shared notion of the need for safe food made such cooperation possible, yet it did not make it unproblematic: As food prices increased due to the said organic standards, the organic option for safe food was not open to many consumers and many producers. Homegrown organic food was relatively expensive, and imported products even more so. These factors aggravated the contentious nature of food (safety): As 'good (organic) food' had been associated with its beneficial influence on health, it seemed discriminatory to present (only) the pricier organic food products as safe food while the consumption thereof remained restricted to those who could afford it. In other words, the introduction of the standards – and the failure to establish the large-scale sales of organic produce that policymakers had hoped for – made visible an element of class-based inequalities related to food (safety). This also illustrates well the political implications of the different meanings associated with food (safety) - and food quality, for that matter.

In 1989 the NCC issued its *Food Charter for Consumers*, and in 1992 the NCC book *Your Food: Whose Choice?* (NCC 1992) reiterated the call for a new independent agency that would be responsible for food (safety), standards, pesticides, food science, and nutrition. The Food Safety Act in 1990 primarily charged producers with ensuring food safety. In contrast, the NCC called for an agency that was to have prime responsibility for regulation, inspection, enforcement, and consumer protection, and whose work would be characterized by independence, transparency, public funding, and accountability to a minister, either in the Department for Trade and Industry, the Department of Health or within a new Consumer Protection Department. As we shall see later in this chapter, in the late 1990s, calls of this kind came to be mirrored in the reactions to the announcement of the linkage between BSE and nvCJD.

Parallel to the developments recounted above during the 1980s and early 1990s, the MAFF encountered more serious criticism and became open to censure for having put producers before consumers. In the 1980s, however, under the Conservative Government, policy discourse

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<sup>61</sup> By the end of the 1980s, a range of certifications had become established. The two most prominent were the relatively loose organic standards of the Guild of Conservation and the stricter standards of the Soil Association. The latter organization, for instance, permitted only much lower levels of chemical pest control than did the former (FSA 2004b: 46).

continued to frame food safety as a matter of the industry's responsibilities and food safety policy formed an element in the overall aim for de-regulation in favor of market efficiency. This policy paradigm could be seen to have limited the potential impact of nutrition and food (safety) campaigns by scientists and environmental groups alike at the time (Millstone and van Zwanenberg 2005: 59-61). As a response to public concern following a series of food scares – such as those related to food additives, pesticides, and salmonella (cf. FSA 2004b; Roslyng 2005, 2006), the government installed a Food Safety Directorate within the MAFF in late 1989. In addition, the MAFF formed a Consumer Panel in 1991, which represented various consumer groups vis-à-vis the government (Millstone and van Zwanenberg 2002: 601). Even though the influence of consumer groups within the MAFF formally increased, it was restricted to certain areas of governmental work. There was little indication of consumer groups having anything but limited or sporadic influence on agricultural policy. As will be illustrated below, these constellations, and the discourses that informed them, were to change.

Below, in the second main part of this chapter, I first recount the events of the BSE crisis as well as the institutional responses to it, in sections 4.3.1 and 4.3.2, respectively. Subsequently, sections 4.3.3 and 4.3.4 discuss the impact of yet another traumatic moment in the history of English farming: the outbreak of FMD and the related institutional interventions. These, however, should not be seen as separate from those that were set in place in the immediate aftermath of the BSE episode; instead, they should be considered as a continuation thereof, which was made possible by the experience of FMD. Since a double-focus on BSE and FMD in the English context illuminates the influence of the former on the reactions to the latter disease, the section below gives an account in considerable detail.<sup>62</sup>

### **4.3 The changing governance of food (safety)**

#### *4.3.1 The history of BSE*

As indicated in chapter one, the UK was initially considered to be the 'original' - and indeed the only - BSE-infected country. As early as in October 1987, BSE made the headlines of a UK newspaper, which spoke of an 'incurable disease wiping out dairy cows' (*Daily Telegraph* 1987). At the time, BSE was largely believed to be an animal disease; in other words, the idea of an impermeable animal/human boundary was upheld for a considerable period of time, despite mounting evidence to the contrary within some parts of the scientific community.

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<sup>62</sup>The FMD episode constitutes a set of events often neglected in the academic literature. Exceptions are Convery et al. (2005), Donaldson et al. (2002), Nerlich (2004), and Winter (2003), all of whom focus solely on the impact of FMD, from diverse perspectives such as rural sociology, social geography, and psychology.

When BSE was initially identified in the Weybridge Laboratories of the Central Veterinary Office in November 1986, human health concerns were not the first to be considered at issue. Rather, BSE was understood at the time to be a bovine variant of the sheep disease *scrapie*. The UK government was informed of the ‘new disease’ in June 1987, and by October of the same year, scientists at the Neuropathogenesis Unit (NPU) in Edinburgh concluded that BSE was a type of disease caused by the build-up of abnormal prion proteins in the brain and nervous system, a ‘prion disease’. In 1988, the government-commissioned *Southwood Committee* further concluded that the disease had been spread through animal feed. These insights, however, were only published in scientific journals and did not become part of the policy discourse on food (safety). Responsibility for food (safety) rested with the MAFF, which combined this task with representing the interests of the agricultural sector and the food production industry at large. It was this combination of responsibilities that was later felt to be inappropriate when BSE was found to pose a problem to *public* health, rather than merely animal health.

Whilst BSE was still primarily discussed in closed circles, a salmonella epidemic spread in 1988, later labeled the first ‘food scare’ in post-WWII times, and food (safety) emerged on the political agenda, as noted in section 4.2 (Smith 1991; cf. Roslyng 2005). Equally, the outbreak of *Salmonella typhimurium* in a hospital in Stanley Royd played a significant part in the setting up of the *Acheson Review* of the public health function in the United Kingdom (Kisely and Jones 1997; Kapila and Buttery 1986). In late 1988, when BSE was categorized as a *zoonosis* (an animal disease transmissible to humans), a range of measures were implemented, possibly partly in response to the pressure created by the salmonella affair. Certain cattle offal was banned for human consumption, the EU banned UK imports of live cattle aged over six months, the Spongiform Encephalopathy Advisory Committee (SEAC) was set up, and last but not least, the MAFF food safety division set up a regular series of Consumer Panels which were to discuss, amongst other things, BSE. In 1990, the Food Safety Act was approved, which – again possibly in response to the salmonella events – promised that ‘no compromise on food safety’ and ‘no coziness with vested interests’ would mark this new phase of food (safety) policy (MAFF 1989; cited in Millstone and van Zwanenberg 2005: 66). The Act, however, was primarily intended to give ministers more formal power to put in place regulations and did not fundamentally restructure the food (safety) policy regime. As a result it was criticized by many for its lack of force (cf. Millstone and van Zwanenberg 2005: 66-7).

Roughly during the same time period, BSE repeatedly appeared in the media. The BBC (British Broadcasting Corporation) *Food Programme*, which continues to exist today, broadcast scientific discussions that were being led at the time that called for a closer look at the possibility

of BSE spreading to humans (EN9-J). The program was not well-received by authorities such as the Chief Veterinarian, however, as the dominant notion of scientific expertise at the time still implied that ‘the lay public does not understand science’, as a journalist respondent recounts (EN9-J). The TV program ‘The Trouble with Vera’ showed footage of a ‘mad cow’, farmers’ magazines described the phenomenon as a ‘mystery disease’, and some media outlets, for example the British Channel 4 and the *Guardian* newspaper, occasionally approached scientists to speak or write publicly about the scientific disputes around BSE. In 1992, the suspicion that ‘mad cow disease’ may constitute a threat to public health was turned into a BBC TV drama series, titled ‘Natural Lies’. Despite these attempts by individual journalists to open up a public discussion on BSE and food (safety) issues more generally, overall, the governmental handling of the newly emerging disease remained shaped by the hegemonic discursive notion that ‘scientific experts knew best’. A symptom of this notion consisted in the policy culture of secrecy and insufficient transparency, which were to be heavily criticized only in the late 1990s, as we shall in detail in section 4.4.

Evidence for the possibility of transmission of BSE to pigs and cats (‘Mad Max’) made for major news headlines in 1990, yet controversies in scientific research concerning BSE continued throughout the early 1990s, alongside rising incidence rates of BSE in Britain. As early as 1988, two scientists had warned in the renowned *British Medical Journal* that the denial of a link between BSE and CJD was ‘naive, uninformed, and potentially disastrous’ (Holt and Phillips 1988). Richard Lacey, a prominent scientist, felt that the Food Safety Act would have no impact on BSE-related policy and reasserted his estimate that there was a probability of 60% that ‘human cases of BSE’ would emerge by 1996 (Millstone and van Zwanenberg 2005: 67). Two scientists, Stephen Dealler and Will Patterson, had been carrying out calculations of the number of infected cattle that had entered the food chain. The widely-read *Daily Telegraph* reported their conclusion that these totaled 1.5 million, in an article titled ‘Most beef eaten already exposed to mad cow agent’ (Fletcher/*Daily Telegraph* 1995). Gradually, the so-called ‘prion-hypothesis’, which saw a link between MBM as cattle feed and the build-up of abnormal prion proteins, seemed to gain firm ground.

On 1 December 1995, Sir Bernard Tomlinson, a professor of pathology at Newcastle University, announced in a radio interview that he would no longer eat beef burgers (Wales 2004: 34ff). On the other hand, alternative hypotheses on the causes of BSE held some ground as well, such as the organophosphate theory defended by David Ray and Mark Purdey (BBC2 2001; Purdey 1994) (see chapter one, section 1.2.2), and received attention in the media long after the UK and the EU approach to BSE had been institutionalized: In 2001, a BBC reporter,

Edward Stourton, presented Purdey as follows: ‘For nearly two decades Mark Purdey has been dismissed as a maverick [...] [but] he could soon be hailed as a visionary’ (BBC2 2001: 00:51).

Until 1995, government officials – with the apparent backing of scientific experts within the MAFF – maintained that British beef was entirely safe to eat. A key enactment of this stance was observed in May 1990, when John Gummer, then Minister for Agriculture, shared a hamburger with his daughter in front of British press. Some six years later, on 20 March 1996, the Health Secretary at the time, Stephen Dorrel, was forced to announce that there was a possible link between BSE and nvCJD (see chapter one, section 1.3). The announcement marked the beginning of a wide range of developments. Beef consumption dropped considerably, even if only temporarily, in the UK and elsewhere. Policymakers and scientists were faced with what was believed to be a drastic loss of public trust (Oosterveer 2002; Poppe and Kjaernes 2003; Wales 2004). On the level of the EU, a prohibition of exports from the UK was installed (Decision COM 96/293/EC), which included bovine animals, their semen and embryos, meat of bovine animals slaughtered in the UK that may have entered the animal feed production chain or the human food chain, materials intended for use in medicinal products, cosmetics or pharmaceutical products, and, last but not least, MBM derived from mammals (Philips, Bridgeman et al. 1998 Vol. 16:1). The next section presents the institutional responses in the immediate aftermath of the discovery.

#### *4.3.2 BSE and initial institutional interventions*

In response to public outrage, Tony Blair, leader of the opposition at the time, invited Professor Philip James of the Rowett Research Institute in Aberdeen to produce a report containing recommendations concerning the possible structure and functions of a Food Standards Agency. The formation of a Food Standards Agency became a Labour Party manifesto commitment, and the so-called ‘James Report’ set out the requirements for the establishment of an agency concerned with the protection of consumer health and food (safety) if the Labour Party would come to office after the coming elections – which it did in May 1997.

The James Report (1997) further recommended a commitment to ‘putting the consumer first’, ‘openness’, and ‘transparency’ in the policymaking process. In order for the government to regain public trust, the Report stated, it would be necessary to institute ‘substantial structural and cultural change’ (James 1997: part I). Central to this change would be to set public health and consumer protection as a first priority and to remove food safety policy from ‘political pressure and interference from vested interests’ (James 1997: Part II), whereby he referred to farmers, particularly the institution of the NFU and the food and agricultural industry. Citizen groups, for

instance the Consumer Association, also vehemently called for a new independent agency with a responsibility for food and with a more ‘consumer-centered approach’ (James 1997: appendix IV; Consumer Association 1996). As mentioned earlier, these concerns – regarding the influence of producers as undermining consumer protection – had previously been voiced already at certain historical junctures both towards the end of the 19<sup>th</sup> century and in the 1980s (see section 4.2.3). It was the events around BSE, however, that made it possible for this discourse to re-emerge.

A second investigation, the ‘BSE Inquiry’, was set up under the auspices of Lord Philips on 12 January 1998 in order to

establish and review the history of the emergence and identification of BSE and new variant CJD in the United Kingdom, and of the action taken in response to it up to 20 March 1996; and to reach conclusions on the adequacy of that response, taking into account the state of knowledge at the time (Philips, Bridgeman and Ferguson-Smith 1998, Vol I, page unknown).

The extensive report was produced by means of reviewing evidence such as scientific reports, written personal communications, parliamentary minutes, and press material. Completed in 2000, the BSE Inquiry Report (also known as the Philips Report) stated that ‘[t]hroughout the BSE story, the [government’s] approach to communication of risk was shaped by a consuming fear of provoking an *irrational* public scare’ (Philips, Bridgeman et al. 1998: Vol. 1, chapter 14, par. 1294, emphasis added). It concluded that (1) risk communication and consumer information had been unsatisfactory in their manner and timing, (2) communication and coordination between the various bodies involved in the BSE story (the two scientific committees, Southwood Working Party and SEAC, and the various governmental institutions, such as the MAFF and the Department of Health) had been flawed, and that (3) the advisory committees regarding the BSE problem had at times been ‘used inappropriately’, resulting in critical time delays of policy decisions. In contrast to the James Report, however, the BSE Inquiry posited that ‘in dealing with BSE, it was not the MAFF’s policy to lean in favor of the agricultural producers to the detriment of the consumer’ (Philips, Bridgeman et al.: Vol. 1, executive summary).

Both the James Report and the BSE Inquiry pointed to the pressing issue of drastically declining public trust in government and in science and concluded a need for ‘openness and

transparency' in order to overcome what they suggested to be a 'crisis'.<sup>63</sup> The introduction of the notion of trust into policy (as well as academic discourse, see chapter two) suggests that policymakers constructed a differentiation between what the 'public' 'used to be', and what it *should* be, and it suggests a rethinking of the rules, roles, and responsibilities among the different parties involved in the policymaking process in the face of the experienced institutional ambiguity. As the perceived problem of trust, however, did not only affect public officials, but also the farming industry and retailers, the notion of trust also led to a blurring of the constructed division between the roles and responsibilities of these seemingly disparate actors.

The aforementioned James Report resulted in the White Paper *The Food Standards Agency: A Force for Change* (1998) that addressed three key factors: (1) the potential conflict of interest resulting from the MAFF's dual responsibility for food (i.e. that of promoting the commercial interests of the agricultural industry as well as ensuring food safety for the consumer); (2) the fragmentation and lack of coordination between the various government bodies charged with food (safety) policy; and (3) the unsatisfactory, uneven implementation of food law (MAFF 1998; Wales 2004). Following a period of public consultation on the White Paper, the FSA was installed, the staff of which was composed to two-thirds of former MAFF officials and to one third of former Department of Health officials.<sup>64</sup>

The James Report of 1997 was not framed in terms of a 'risk assessment' and 'risk management' vocabulary, and the White Paper (1998) similarly avoided 'decisionist' terminologies of 'risk assessment' ('science') as separate from 'risk management' ('policy') as the basis for reforming the food (safety) policy infrastructure (from MAFF to FSA and DEFRA; see section 4.3.4 below). Instead, it sketched an image of an independent, 'hybrid science-based policy advisory' food (safety) authority (Millstone and Van Zwanenberg 2005: 212-4) that was to 'put the consumer first'. With the two reports and the resultant White Paper, new notions of 'good policymaking' were called into being: Not only did the committees concern themselves with the boundaries between science and policy, but they also (re-)introduced the discursive elements of consumer protection and consumer rights into the policy concept of 'food safety' which had only occupied a relatively marginal role in England's post-war food (safety) policy discourse.

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<sup>63</sup>Next to these two paramount reports, the Chief Scientific Advisor at the time, Sir Robert May, was commissioned to produce a report with the aim of reviewing and improving the approach taken by advisory committees dealing with food (safety). The conclusions were published in July 2000 and were very similar to those in the Philips Report.

<sup>64</sup>The FSA is a UK body but has separate branches in Wales, Scotland, and Northern Ireland. This study is based on documents of the central FSA in London and interviews with officials there.

Between the advice issued in the James Report and the actual establishment of the FSA, the Agency was reshaped in certain aspects from an advisory body into a more policy-oriented agency (ibid; Loeber and Paul 2005). For instance, while James had envisaged the FSA's responsibilities to be based on the 'food chain' principle – reaching from 'farm to fork', the authors of the White Paper proposed that the MAFF should retain responsibilities for farm-related processes (including pesticides, veterinary issues, genetically modified foods, and BSE), whereas the FSA should be tasked with regulatory action related to food once it leaves the farm. This proposal was interpreted by some as counter-productive and as an inadequate response to the BSE episode; others perceived it to be a punishment to the MAFF (Millstone and van Zwanenberg 2005: 215). Such differences in interpretation indicate that particular performative acts can be read in diverse ways by the 'audience'.

When the FSA was formally inaugurated in 2000, its first Chair, John Krebs, was an Oxford scientist. This appointment is interesting in two ways: First, it reflected and re-produced the FSA's pledge to 'scientific excellence'; second, having an Oxford scientist as its head, rather than a politician or a farmer, provided the FSA with a particular organizational identity and represented an enactment of the signaling of a shift in policy practices. The FSA was charged with a wide remit: the protection of public health (a mandate shared with the Department of Health); the provision of advice and information; the oversight of effective and consistent food law enforcement; the coordination of research and development, as well as surveillance; and the development of policy and representation in the context of the EU.

As we shall see later in this chapter, the FSA's initial remit concerning the relation between public health and food (safety) was to expand and change in the years to come. Before addressing these developments in more detail - and in order to understand them better – the section below gives an account of yet another crisis that hit England at a time when food (safety) policy was only just in the process of recovery from the institutional ambiguity experienced through BSE.

#### *4.3.3 The meaning of FMD and continuing institutional rearrangements*

In late 2000 and early 2001, another 'crisis' (as it is commonly referred to in academic scholarship as well as in the media and by interview respondents) struck England: the outbreak FMD. It is important to note that FMD normally does not constitute a threat to food *safety*, whereas the disease has detrimental effects on animal health and for the livestock industry, and causes significant loss of productivity. Yet this study is not concerned with revealing 'what BSE and FMD *really are*' but, rather, with what is *made* of them.



To some observers, the FMD epidemic ‘focused attention like never before on farming and fears of a genuine and continuing crisis in the countryside’ (BBC 2001). The spread of the disease had a knock-on impact on the tourism sector, which is economically more important than agriculture in the UK (Winter 2003: 50) but depends on the conditions that agriculture provides. The insufficient resources the government made available initially to control the spread of the disease were later seen as yet another government failure, referring to the recent BSE episode. In consideration of this ineffective handling of the epidemic, it is interesting to note that the country had experienced an FMD epidemic in 1967. The ‘lessons learned’ from that earlier epidemic were summarized in a document for the MAFF, and as the Chief Scientific Advisor puts it, ‘dusted [...] over and applied [...] immediately in 2001’ (House of Commons 2006: question 105). Given the considerable changes the farming system had undergone since 1967, the crisis was not only of an administrative nature, but constituted a *discursive* mismatch and hence posed a dislocatory moment for both policymakers and farmers. Livestock was now being sent from one farm to another through its lifetime, and the animal movements around the country had changed ‘dramatically’ (ibid.). In other words, the ‘reality’ of FMD in 2001 did not fit into the realities produced in the 1967 MAFF report.

Efforts to control the disease included a closing off of public walking trails in the countryside, which, given the English fondness for the outdoors, provoked strong sentiments. Keith Thomas (1983) gives a refined account of the changing perceptions of and values associated with the countryside and landscapes, in particular, in England. With respect to the 18<sup>th</sup> century, for instance, he remarks that ‘it was the English who went furthest towards [...] the ‘divinisation of nature’ (Thomas 1983: 261). Of specific pertinence here are his accounts of the changes and continuities herein, in which much of the changes constituted responses to the dislocatory effects of agricultural advances and changing uses of landscapes (although Thomas does not use this conceptual language). While Thomas’ account only stretches until 1900, his analysis is relevant here, as the early agricultural progress in England sets this case apart from countries in continental Europe.

In a more recent discussion of the implications of the FMD epidemic, Ian Convery et al. (2005: 107) observe that ‘through familiar fields and woodlands, roads and paths, people create a sense of self and belonging’. One could argue that, when these resources of identification became disrupted and literally closed off, the concept of farming itself became dislocated, destabilized, and open to redefinition. The following quotes are indicative of such a broad, societal impact and point to the experience of FMD as a societal dislocatory experience, rather than merely an economic crisis: ‘What is happening in farming and the food industry in England

today [because of FMD] raises questions for all of us: as consumers; as residents in or visitors to the countryside; as taxpayers; as those engaged in the production and processing of food' (Policy Commission 2001: 2). In a similar fashion, the head of DEFRA installed in 2006, Sir David Miliband, announced:

I've learnt that farming is at the heart of our society, our economy and our cultural heritage. It's about people, food, landscape and the environment. It touches every member of society every day. [...] [F]arming is important not just for the countryside but for the whole country (Miliband 2006).

To conclude, the outbreak of FMD in 2000/1 cannot merely be framed as an economic crisis as a result of which the different actors in the policy process had to re-negotiate their interests. Rather, the interpretation of the disease and its significance hinged upon the specific discursive context in which it occurred, where the experience of BSE played a crucial role in shaping the interpretation of FMD as an instance of crisis.

In the face of the series of dislocations experienced through the two epidemics discussed above, as well as the resultant institutional ambiguity, the responsible policymakers, officials, and scientists drew on institutionalized practices and standard operating procedures – such as installing committees and commissioning reports - in order to reinstitute their credibility, authority, and legitimacy. In this sub-section, reports and evaluations are not merely read as conventional policy practices. Rather, I consider the practices of setting up committees publicly, publishing reports, and commissioning research as *performative* practices (cf. Hilgartner 2000), as they mobilize particular sets of meanings and introduce particular understanding of objects and subjects.

As advised in the aforementioned White Paper, the MAFF was replaced by the Department of Environmental, Rural Affairs and Food (hereafter DEFRA) in 2001, based on a commitment that the Labour Party had made in its 1997 election manifesto. The institutional rearrangements generated by the FMD crisis can therefore not be seen as separate from those following the BSE crisis. Pointing to the disruption of the previously sedimented policy discourse, the DEFRA took over all responsibilities of the MAFF, and some of the 'green' policy responsibilities from the previous Department of the Environment, Transport, and the Regions. Given the post-war history of the MAFF and its related identity as having improved the nation's food supply after the war (see section 4.2), yet, on the other hand, its troubled reputation after salmonella, BSE, and FMD, the dissolution of the institution was at once traumatic and liberating:

[W]e [FSA and DEFRA] were setting up with a new culture; the openness, the independence, it was a brand new organization, nobody was being taken over, and

I think that was a very positive development... [p]lus the fact that from the Ministry of Agriculture point of view, it had had so many challenges through BSE and other food safety issues. In other words, all the issues that led to the establishment of the agency meant that you almost didn't want to see the name Ministry of Agriculture in the newspaper; you almost knew it was going to be a bad thing (EN1-G).

Then, in August 2001, the *Policy Commission on the Future of Farming and Food* was set up (with a remit solely for England), chaired by Sir Don Curry, a farmer and former member of the Meat and Livestock Commission. Its purpose was to 'advise the Government on how we can create a sustainable, competitive and diverse farming and food sector' (Policy Commission 2001: 2). In relation to the tasks of the Commission, a senior policy official working in the Countryside Agency's (renamed Natural England in 2006)<sup>65</sup> policy program *Eat the View*, which seeks to 'reconnect' consumers to food and farming, illustrates well how the related sets of dislocations experienced at the time facilitated the re-emergence of previously marginal, or latent, issues. FMD, he remarks,

brought to the head a lot of issues that had been left for quite some time. *It's not as if they became issues; they'd been there for ages.* I think it was a definite point at which the industry stopped still. It was a *crisis and so it was an ideal time for reflection* (EN4-G, emphasis added).

Similarly, the Cabinet recognized in the Commission's consultation document that

[e]ven before the current outbreak of Foot and Mouth, many of those involved with food production in this country were saying that their industry was facing crisis [in relation to] major perceived problems of animal health, food safety, and the nutritional quality of food; of environmental degradation; and of continued decline in wildlife diversity in the countryside (Policy Commission 2001:2)

The two quotations indicate that a sense of decline, if not crisis, of environmental sustainability was already present before the FMD epidemic, and most likely before the BSE crisis, too, as the historical discussion in section 2 suggested. The discursive construction of the meaning of the FMD outbreak was therefore shaped by the earlier experience of BSE.

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<sup>65</sup> The Countryside Agency has been in existence since 1909, although it was then the Development Commission (1909-1988), and subsequently the Rural Development Commission (1988-1999), the National Parks Commission (1949-1968), and the Countryside Commission (1968-1999) (see Cox 1988). More recently (in 2006/7), the Countryside Agency was again transformed into Natural England, which functions as a Non-departmental public body (NDPD) under DEFRA.

The shared understanding that the two epidemics constituted instances of crisis and that ‘something had to be done’ found expression in the broad membership composition of the Curry Policy Commission, which included consumer advocates, animal welfare campaigners, members of the food industry, and environmentalist NGOs (Policy Commission 2001: 4, 2002; DEFRA 2002c; for consultation responses see DEFRA 2001: 143ff).<sup>66</sup> The range of members indicates the relative openness of the definition of food (safety) and food quality at the time, even though the parties were officially appointed based on their personal background and expertise, and not as representatives of a particular organization. The discursive inclusiveness of the proposal helps explain why the government decided to accept the Commission’s recommendations almost in their entirety and eventually produced the *Strategy for Sustainable Farming and Food: Facing the Future in England* (SSFF), which was established in December 2002 (see DEFRA 2000a, 2000b; DEFRA 2008b) and continues to be an important point of reference for officials working in this area.

To sum up, this section gave an account of the twin-epidemics of BSE and FMD and the institutional interventions that followed. It showed, first, that the two diseases were not taken up in a discursive vacuum, but that they raised concerns that had previously been at the margins of the debate. Second, the section demonstrated the dislocatory effects of the epidemics regarding the previously hegemonic, established policy practices: The events around BSE and FMD could not be fully grasped and interpreted by holding on to the formerly hegemonic vantage points of maximizing productivity, intensive farming, and food security (rather than food *safety* or *quality*); nor could the issue be grasped and dealt with within the institutionalized working practices of scientific experts. Following this historical sketch, section 4 below is devoted to the discourse analysis of contemporary English food (safety) policy, while keeping in mind the discursive formations traced in section 2 and the moments of transformation identified in section 3.

#### **4.4 Change and continuity in food (safety) policy discourse in England**

Attentive to our findings of the foregoing sections, this section presents the collection of the discourses that inform food (safety) policy in England, their context-specific content, which is captured through the concept of notions here, and the particular discursive clusters of practices those have produced. Beyond the discussion of the composition of the five inductively derived individual discourses, I also highlight their interlinkages at a broader discursive level, that is, how

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<sup>66</sup> The National Consumer Council (NCC), the Royal Society for the Protection of Birds (arguably the most influential lobby group in the UK), the Soil Association, the National Trust (an environmentalist charity), British Telecom (BT), a former member of the Bank of England’s Monetary Policy Committee, Sainsbury’s, and Unilever.

the rival discourses produce an overall recognizable policy discourse. The discourses, their key notions, as well as the discursive clusters where we find a blurring of roles and identities between policymakers, scientists, members of the industry, and citizens, are summarized in table 4.1 at the end of this chapter.

#### *4.4.1 Good Governance*

Chapter three proposed to explore signs of institutional ambiguity as symptomatic of dislocations that necessitate (and indeed facilitate) the redefinition of roles, identities, rules, and responsibilities. The discourse of good governance has played a particular role in the effort to achieve discursive closure at such historical junctures. The composition of this discourse in England, as it appears summarized in table 4.1 in the far left column, includes the following notions to be discussed here in turn: the notion of the independence of scientific experts and policymakers from the agricultural lobby and a related, new notion of what ‘good science’ is; the need for openness and transparency in the policy process; the notion of the need to enhance and sustain consumer trust by being open towards the consumer and putting her interests before those of the industry; the notion of the competent layperson as a participant in the policymaking process; the notion of the consumer as a stakeholder with choices and rights; and the notion that all actors that form links in the food chain should work together for the sake of good food (safety) governance. The latter two notions, however, will be discussed more specifically in the presentation of the consumer protection discourse.

In the aftermath of BSE, as suggested above, criticism directed at scientific experts and their roles in allegedly holding back scientific discoveries with respect to a possible link between BSE and nvCJD marked the initial reactions. Consumer advocates charged experts with being too involved with ‘political interests’, more precisely, the policymakers at the MAFF. As a consequence, what I have referred to as the ‘science/policy nexus’ (see chapter two, section 2.4) came to be scrutinized, called into question, and, eventually, reconstructed.

As I recounted in the previous section, in a key moment of transformation, the Philips report appealed to this science/policy nexus and introduced the notion of a need for a removal of the influence of the food industry from food (safety) policymaking in order to ensure independence on the part of policymakers and scientific experts. Good governance then came to mean working independently of political and industrial interests and working for the consumer. These notions found expression in the disbandment of the MAFF and the establishment of DEFRA and the FSA, whose slogans came to be ‘putting the consumer first’, ‘excellence’, and

‘transparency.’ A scientist respondent at the FSA, who is in charge of developing science policy, experienced the introduction of these notions as follows:

[T]he shift to the Food Standards Agency [...] was a huge cultural change. I’m working in an official culture of openness. [...] It was a very different way of working [...] and we weren’t quite sure what our status was going to be, and then you’re new and there are high expectations and you’re worried about, quite legitimately, about how it was going to work out. Because it was a very different approach and quite novel and risky [...] - being open about things (EN3-G).

Keeping in mind the dislocatory effect of the BSE crisis, it is instructive to note that even ten years after the discovery of BSE, the science/policy nexus continues to be problematized and rethought. This is illustrated in the following lengthy quotation of Sir David King in his appointed position of Chief Scientific Advisor:

[Partly] as a result of the BSE crisis, followed by foot-and-mouth disease [...], the position of the science advisory system within government had fallen in terms of public confidence, and so when I came into government the first documents I read were the Phillips Commission report into the BSE crisis, and it became absolutely clear to me that the Chief Scientific Adviser needed to establish that the science advice that was given was independent advice. The politicians can then make decisions on the basis of that advice, and they may choose to ignore it, but the advice system should be independent of the political flavour of the moment. [...] The advice is put into to public domain after it has been put into the political system so that there is always that cross-check. Now, I think the phrase ‘independent science advice’ is contained in that description—that the science advice should not be driven by political convenience (House of Commons 2006, King question 61).

The quotation above indicates the impact of BSE on policymaking regarding the science/policy nexus as well as the discursive significance of the report mentioned. While, as we shall see later, the notion of independence as ‘good governance’ is a common theme across the studied contexts, it appears that even this kind of ‘neutral’ notion can be interpreted in diverse ways. Contrary to practices in Germany and the Netherlands, the notion of independence in the UK context has not entailed an institutional separation of risk assessment (‘science’) and risk management (‘policy’), as is envisaged in the three-stage model of risk analysis (see chapter two). Instead, an institutional fusion of risk assessment and risk management was established in the

form of the FSA. The former Chair of the FSA distinguishes between ‘old’ and ‘novel’ practices, as follows:

The old risk analysis model was linear in that assessment, management and communication were separate. [...]. When you’re an organisation like the FSA, which operates in public, you cannot keep the three strands distinct. They become intertwined. This non-linear approach to risk analysis is what makes the FSA different from earlier Government approaches to risk, which only informed the public once all the facts were known. The approach was to say, ‘We don’t know enough to tell people, so we’ll keep quiet about it’ (FSA 2001c: 5).

What is interesting here is the distinction between old and new ways of working in the discourse of good governance, that is, a performative appeal to a shift in practice. An analysis of interviews with scientists at the FSA (but see also FSA 2005, 2006b) indicates that this shift in discourse has also had a ‘liberating effect’. Rather than being put in a ‘scientist’s straightjacket’, taking on the perspective of consumer protection, sustainability, but also that of the industry allows for more improvisation and flexibility in the roles of scientists and policymakers – whereby, in fact, the strict functional differentiation between the actor-categories becomes blurred. The Chief Scientist points to the loosening of the three-stage model of risk analysis and the elasticity of the category of ‘evidence’:

When we develop advice and make policies - the risk management part of the business - the Agency takes into account a far wider evidence base (individual liberty, regulatory constraints, economic and social consequences and consumers’ appetite for risk). This second stage is distinct from the scientific process of advocacy and challenge that generates the risk assessment; it’s an iterative, consultative process which leads to our Board reaching and making a judgment accountably and in public (FSA-Blog 2007b).

Whilst the separation between farming and food (safety) policy through the disbandment of the MAFF was led by and reproduced the notion of independent scientific expertise, the notion of a good science/policy nexus is currently developing into a broader notion of ‘good science’. In the 2006 *Science and Technology Committee* report (at the House of Commons), titled *Scientific Advice, Risk and Evidence Based Policy Making* ([HC 900-I] (House of Commons 2006), the domain of food (safety), and more specifically the FSA, received remarkably positive attention; the latter is frequently referred to as ‘innovative’ or an example of ‘best practice’ (House of Commons 2006: 32). Regarding scientific expertise, the inquiry remarked that around 40% of FSA staff has scientific qualifications and that

the FSA seemed proud that many of its staff are recognized internationally as experts in their fields. The FSA told us that it sought to ‘develop the skills and knowledge of our scientific staff by encouraging them to attend or present papers to appropriate conferences or workshops so that their expertise is kept up-to-date and recognised by the scientific community’ (House of Commons 2006: 32).

Beyond these formal qualifications, which speak to a notion of ‘good science’ as one that is performed in a ‘professional’ way, good scientists must now be fluent in a vocabulary beyond their expertise. In the science *blog* at the FSA, for instance, the Chief Scientist, Andrew Wadge, reports on his meetings, insights, and thoughts on new research results ‘to show the importance of good science and how we use it to inform FSA policies and advice [...] to let you know what I and my scientist colleagues at the Agency are up to, what the emerging issues are, and how we propose handling them’ (FSA Blog 2006). By addressing consumers in such a way, a virtual audience is invoked and this very audience becomes constitutive of the discourse of good governance, as will become clearer in section 4.4.2. The choice of categories discussed in the context of the *blog* further suggests the institutionalization of particular discourses and the blurring of the science/policy/citizen distinctions: *Food fraud*, *General interest*, *New initiatives*, *Out and about*, *Science, safety and health*, *Science in Government*, and *Supporting consumer choice* (FSA Blog 2006; cf. FSA Blog 2007b).

These categories are not neutral or naturally given, but are constructed, reproduced, and enacted in everyday policy practice – in the composition of committees, in the publication of reports, in newsletters announcing product withdrawals, and in nutrition advice. New discourses have entered into the science/policy nexus, in particular, public health and consumer protection, as we shall see in more detail below. As far as this apparent opening of the notion of scientific expertise is concerned, it is further worth highlighting the importance of the use of social science in the FSA’s mode of operation (cf. FSA 2005). Notably, the social science unit at the FSA is situated not within the consumer unit but in the science department. This suggests that the social sciences are seen as integral to food safety policy, rather than as external input for policy.

The discourse of good governance also expresses itself in the twin-notions of ‘openness’ and ‘transparency’.<sup>67</sup> To begin with, the public availability of documents (including scientific assessments) is constantly stressed, and elements of dissent are also recorded in the minutes of meetings. The FSA regularly publishes meeting schedules (‘who said what’) online in the name

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<sup>67</sup> The notions of transparency and openness are not limited to the policy domain of food safety. In addition, they are institutionalized in the *Better Regulation Act*, the *Environmental Information Act*, the *Freedom of Information Act*, and the *White Paper on Governance* (including the equivalent EU document of the same title).



of ‘openness and transparency’. Details of meetings held and attended by the Chief Executive and Directors are published on a monthly basis, including dates, those who attended the meeting, and the purpose behind it. In a similar fashion, the notion of openness is enacted when the FSA makes details available regarding engagements of Board Members, and declarations of interests were introduced earlier in the English policy setting than in the other cases studied for the purpose of this thesis – for instance, in EU institutions (cf. Millstone and Zwanenberg 2002: 595-7). Moreover, open-plan offices have become widespread in this context. While the practice probably originated in the industry, the ways in which civil servant respondents in this study referred to their work setting indicates the importance of this spatial arrangement for their self-understandings.

Informed by the discourse of good governance, the FSA has moreover been keen to involve ‘laypeople’ in scientific meetings and to invite consumer organizations onto industry committees, which function as informal vehicles for communication between industry stakeholders, policymakers, and scientists. While this notion is certainly related to the notion of putting ‘consumer interests’ before those of the industry, it also relies on the notion of the consumer being a stakeholder within the food chain. Within the food chain concept, scientists and policymakers come to be in a relational positioning vis-à-vis ‘the consumer’. In turn, this mutual positioning and the notion that everyone has a stake in and responsibility for keeping food safe leads to a blurring of boundaries between the commonly assumed categories of ‘the scientist’, ‘the policymaker’, ‘member of the industry’, and ‘the citizen’. I shall discuss the linkage between the notion of holding a stake and being a consumer more specifically in subsection 4.4.2.

Next to the formal participation of citizen groups in the policy process, the position of the layperson either as an active participant or as a ‘neutral observer’ gives expression to the notion that the layperson has ‘policy competence’ and that her participation in the policymaking process is beneficial. In these concrete spaces and settings, competent laypeople function to engage the other policy participants in a relational position, and it becomes possible for policymakers to develop and rehearse routines that underlie their self-understandings as ‘policymakers’, as ‘scientists’, and so forth.<sup>68</sup>

While discursive notions such as those of openness and transparency contribute to the temporary fixation of the meanings of food (safety) and good food (safety) governance, these notions are contingent, constantly rehearsed, improvised, tested on different audiences, and

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<sup>68</sup> More recently, in December 2007 a General Advisory Committee on Science (GACS) was established within the FSA, which is to provide independent advice on the Agency’s production and use of science. The Committee comprises an independent Chair, four independent expert members, as well as two lay members.

enacted in particular organizational practices. Food (safety) policy in England offers literal examples of this performative dimension of policymaking: The FSA holds Open Board Meetings that are also broadcast online and additionally available as *podcasts*. Besides, the FSA Board travels across the UK in order to increase visibility – its own, and that of the audience.<sup>69</sup> The discourse of good governance also functions as a discursive resource in the efforts of policymakers and scientists to reinvent their institutional image. A case in point would be the modification of the font in which documents are published - from Times New Roman (considered to be conservative) to Arial, which is viewed to be more accessible and ‘modern’ (EN3-S). The fact that the FSA invited volunteers to redesign the FSA website presents yet another noteworthy anecdote (FSA Press 2004).

In discursive linkage to the notions of openness and transparency discussed above we find the notion of ‘putting the consumer first’ and the notion that consumer trust is essential for the functioning of policy. Returning to the open board meetings mentioned above, I propose that settings of this kind also appeal to a relationship of mutual trust (cf. Hajer and Laws 2003). In other words, where a discourse of ‘good governance’ as open, transparent, and working for the consumer is invoked, the trusting, and competent layperson becomes constitutive of this discourse and embodied in the technology used.

The significance of the notions of ‘putting the consumer first’ and ‘consumer trust’ also manifests itself in the practice of ordering regular consumer perception and consumer trust surveys. While most food (safety) agencies in Europe conduct regular surveys regarding trust in food (safety), the FSA additionally commissions surveys concerning trust in the ability of the FSA to ensure food safety and consumer protection (rather than only food safety itself in technical terms). Regarding the notion of the need to enhance and sustain citizens’ trust in policymakers, scientists, and food (safety) more generally, respondents at the FSA observe that risk communication ‘works much better if we tell consumers immediately’ (EN2-G). In other words, scientists and policymakers understand openness about risks (‘good risk communication’) to be more likely to sustain trust than keeping potential risks secret.<sup>70</sup> In June of 2001, for

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<sup>69</sup> This practice calls for ethnographic research that could capture instances of conflict such as during a recent open board meeting. Following a debate on artificial colourings, the British Soft Drinks Association raised the issue of criticizing third parties at Open Board Meetings ‘without producing evidence to substantiate that criticism’ (FSA 2007).

<sup>70</sup> The language of risk has also penetrated the work of NGOs and consumer advocates; frequently, consumer issues are framed in such terminology, whereas their language tends to be less technocratic than that of, for instance, FSA reports. See, for instance, the NCC Policy Briefing: The consumer view (2002); Involving Consumers in Food Policy; Winning the Risk Game (2003); as well as their general ‘Risk Project’, which studied the cases of food, financial services, and new technologies (2001-2003).

instance, in the uncertain case of the potential effects of dioxins released into the environment when carcasses were burnt during the FMD crisis, FSA Chairman John Krebs went on television and expressed concern about possible dioxin release and consequent residues in dairy, while at the same time emphasizing that research was underway, yet nothing was certain (cf. see FSA 2001c: 4). The following quote suggests, however, that practices which are frequently presented as ‘new thoughts’ or a ‘turnaround’ in policy styles were already present before the BSE crisis. An FSA respondent involved in consumer policy at the FSA describes her experience with these changing ‘openness’ practices as follows:

I didn’t realize before I came here that ‘safe’ didn’t mean no risk was involved. It means there’s a certain level of risk. We call that safe. I think the *language has changed*. Being a regulator, you have to understand more about risk and what people’s perceptions and attitudes are towards risks. So I’m sure *it’s always been there, but the way it’s being talked about has changed* (EN2-G, emphasis added; cf. FSA 2001a).

By including ‘people’s perceptions and attitudes’, as the FSA does, ‘good governance’ comes to mean ‘considering the consumer’, too. The injection of a ‘consumer perspective’ into scientific advice, however, as part of ‘good governance’, has not gone without friction. For instance, the aforementioned Science and Technology Committee’s inquiry remarked that ‘it remains to be seen whether there will be a conflict between sound science and a wish to put the *opinion* or the *confidence* of “the consumer first”’ (House of Commons 2006: 85, emphasis added; see also DEFRA 2006: 3). We shall further explore this tension in the next subsection.

To sum up, the good governance discourse has aided the attempts for discursive closure in the aftermath of the twin-epidemics of BSE and FMD. The practices discussed in this section, ranging from a science *blog* to particular physical work arrangements, point to the changing notions of what ‘good governance’ means and the particular significance of the notions of independence, transparency and openness as well as the notion of a competent and trusting citizen within the discourse of ‘good governance’. Building on these insights regarding the policy vocabulary in this context, I now move on to discuss the specific content of the consumer protection discourse in the English context; this will also allow us to recognize the linkages between the two discourses.

#### *4.4.2 Consumer protection*

Chapter two revealed that the concept of ‘the consumer’ and the different connotations associated with it has been one of the most central logics of contestation with respect to the impact of the series of food scares over the past decade. This discourse analysis of food (safety)

policy in England assigns a particularly important role to the discourse of consumer protection. This section discusses the composition of this discourse by explicating the following notions: the twin-notions that consumers must be put first in policymaking and that the food and farming industry must not be too prominent in policymaking; the notion that citizens' trust in food (safety), policymakers, and scientists is essential for the functioning of policy; the notion that their participation in the policymaking process is beneficial; and the notions that consumers as stakeholders within the food chain have rights and that they must be able to make informed choices, even though those may not be 'rational'. In principle, these notions are discussed in the sequence depicted in table 4.1, but at times, I will also highlight the ways in which some of them are discursively linked. Before I embark on presenting the discourse-analytical findings, a brief genealogy is in order for the purpose of better understanding the relative strength of the consumer protection discourse in England.

Following up on section 4.2.2, where I gave an initial account of the so-called 'new food movement' that has characterized the development of food (safety) policy in the English context in the 1980s, it is worth recalling that the criticism regarding the privileges of producers and farmers being put before the concerns of consumers never fully disappeared in the 20<sup>th</sup> century policy discourse. Rather, those voices were marginalized at times, particularly during WWII and the long-lasting food rationing program thereafter. At that time, the discourses of productionism and food security were still hegemonic, and it was not until the late 1950s and 1960s that the representation of citizens in an institutional context commenced (at the MAFF), as section 2 described.

Outside formal governmental institutions, a number of consumer advocacy associations were established, such as the Consumer Association (now *Which?*), which was founded in 1957. Not unlike the consumer movement in the US, the UK consumer movement had gained a comparatively strong foothold by the 1970s. In addition, the Margaret Thatcher government of the 1980s may also have left its imprints on the consumer movement; with its call for individualism and the language of 'choice', it produced a discourse based on the concept of consumers as choosing market agents.

The two major institutionalized consumer organizations, the NCC and *Which?*, came to share a particular consumer agenda that is certainly not limited to the policy field of food alone. The growth of umbrella organizations as well as particular alliances in the 1980s equally contributed to a shared agenda that merged discourses of consumer protection, environmental sustainability, and public health, such as the Maternity Alliance, the Green Alliance, and the Politics of Health Group (see section 4.2.3). The aforementioned salmonella affair provided additional momentum

to the growth of the movement (cf. Roslyng 2005, 2006). The collection of factors briefly recounted here was to facilitate the re-emergence of the consumer protection discourse with the experience of BSE.

After the announcement of the link between BSE and nvCJD, a series of moments of transformation followed, which induced a shift towards a *consumer* food (safety) policy beyond the conventional agricultural food policy. In response to the Philips Inquiry and the public outrage regarding the perceived influence of the industry in agricultural and food policymaking, the 1999 Food Standards Act announced that the UK government would seek to ‘protect public health from risks which may arise in connection with the consumption of food and otherwise protect the interests of consumers in relation to food’ (UK Cabinet 1999d: 1(2)). The subsequent institutional move of disbanding the MAFF and thereby removing the ‘smell of stables’ from food (safety) policy further reinforced this notion of a new policy era, in which the notion of ‘putting the consumer first’ was to replace the notion that food (safety) policy was a policy by and for farmers, with the primary aim of maximizing production, as the post-WWII hegemonic policy discourse had entailed.

The establishment of the Curry Commission, which was to debate the ‘future of food and farming’ in England, reinforced the FSA’s role as the institutional guardian of consumer protection and consumer rights. In order to be able to ‘inject’ the ‘consumer perspective’ into the Policy Commission, the FSA launched a widespread consultation among interested organizations (‘stakeholders’) and the interactive website ‘talkfood’ (FSA-talkfood (2001)). The FSA sought to reach ‘ordinary consumers’ – the competent layperson - rather than established organizations and consumer representatives, and therefore conducted a consumer opinion poll. Since then, the consumer protection discourse has become further institutionalized in the FSA organizational culture and has become a taken-for-granted concept in the self-understandings of many policymakers and scientists, and indeed across the discourses and the national contexts explored in this study. The usage of a wide range of consumer research as a basis for developing policies, for instance, indicates the institutionalization of the notion of a ‘knowledgeable consumer’ in food (safety) policymaking at the FSA.

Practices such as citizen forums in local contexts also appear to be distinctive compared to other food (safety) authorities in Europe, despite the general trend of establishing consumer committees in this policy area. A respondent involved in consumer research at the FSA explains that there has been a realization that it is crucial for government to *generate* and receive questions from the public, rather than seeking for *answers* only (EN2-G), as is practiced now in action-centered research. Likewise, in 2005, Demos, a leading think tank in the UK, was invited to

generate advice on what constitutes ‘effective engagement’ (Demos 2006). In their advice, Demos recommended:

Science can no longer rely upon unquestioned authority, it must be judged according to a broader set of questions [...] It is increasingly accepted within debates about science and society that people’s knowledge, experience and values can provide valuable insights, both in terms of framing issues and questions, and in assessing and evaluating solutions (DEMOS 2006: 4, 7).

In response, the FSA reformulated its approach regarding consumer protection, whereby the meaning of good consumer protection moved from merely ‘consulting’ citizens to mobilizing an active audience:

We shouldn’t think of public engagement as another form of *evidence*, because by calling it another form of evidence, it makes it quite limited. In actual fact we should see it as wider and different to that. We shouldn’t speak to the public just to seek answers to the questions we pose. In actual fact, good public engagement should be about the public asking questions about our questions, then the public would also make connections about what we are saying (EN2-G; cf. FSA 2004a).

The above quotations indicate ways in which policymakers have tried to reconstruct and redefine their own self-understandings by means of reconstructing their ‘audience’. The policy process is iterative, continuous, and entails an *active* and *interactive* search for the adequate roles, responsibilities, and general ‘rules of the game’ in this policy context. Beyond this, I propose that the reversal of sedimented roles between ‘the policymaker’, the omniscient expert, and what was previously constructed as a passive ‘audience’ produces and reflects a sense of agency on behalf of ‘the public’: The fact that the generation of questions (rather than responses to given questions) forms such an important part of the policymaking process implies that, on these new institutional stages, policymaking is multi-directional and dynamic. In this manner, the categories of ‘actors’ (policymakers, scientists) and ‘audience’ (citizens) are exposed as mutually constitutive.

This iterative process can also entail new categorizations, or the appeal to new identities and subject positions. In the discourse of consumer protection and its amalgamation with the discourse of good governance, the citizen becomes a ‘consumer’ and (some) consumers become ‘stakeholders’. The FSA differentiates between ‘individual consumers’, ‘consumer stakeholders’, and the ‘hard-to reach, disenfranchised, socially excluded, seldom-heard voices, the voiceless’

(EN2-G). An FSA respondent, who works in the area of consumer research, explains this process well:

People are talking about different things. Some people are talking about stakeholders but we were talking about members of public. So the conversations and the debate were sometimes quite confused. So what we then did was think about this new model for engagement; how were we as an agency going to engage with consumers? When we started we said: we need to really break down what we mean by consumers (EN2-G, emphasis added).

The desire on the part of policymakers to define ‘the consumer’ speaks to the lasting institutional ambiguity experienced on a new institutional stage. In the effort to reconstruct a ‘target audience’, the notion of the consumer as a ‘stakeholder’ is invoked. The discursive power of the notion of being a stakeholder lies in its empowering connotation and the flexibility of the term, in the sense that seemingly disparate actors may come to identify themselves with it. As such, a sense of *stakeholderness* has also contributed to discursive clusters where members of the industry, policymakers, and citizens come to cooperate, such as in promoting the consumption of ‘healthy food’, as we shall see further below in the discussion of the public health discourse.

Some would argue that the notion of being a stakeholder creates a sense of individualism and may hinder the development of a sense of collectiveness. However, in the current neoliberal discourse, the notion of the stakeholder is actively differentiated from the notion of being a shareholder: While the latter terms only denotes financial interests, ‘holding a stake’ can denote a variety of interests and concerns beyond those financial in nature, ranging from working conditions to ecologically sound production. In the relative bracketing out of the need to maximize profit, food (safety) can be discursively presented as a ‘non-competitive’ issue. Precisely because everyone can identify as a stakeholder (who would *not* want food to be safe?), *stakeholderness* has become a shared understanding and a basis for cooperation across institutional, national, and professional boundaries. We shall see this discursive mechanism return in the other empirical chapters.

The institutionalization of the notion of a competent layperson-consumer whose participation in policymaking is not only necessary (as a stakeholder) but also beneficial (as a competent layperson) began in 2000, when the FSA Board installed an internal Consumer Branch in an effort to raise the profile of consumer issues both in regard to internal practice and externally. Moreover, the FSA Board decided to form a 12-person strong Consumer Committee, which held its first series of meetings in early 2002, was made up of representatives of regional

UK-based consumer associations and six members appointed through open competition.<sup>71</sup> In 2007, the Consumer Committee was transformed into the *Advisory Committee on Consumer Engagement* (ACCE). John Harwood, Chief Executive of the Food Standards Agency, explained: ‘By acting as an *external challenge* [...], the new committee will help the FSA strengthen even further its engagement with individual consumers [...] [by] putting the resulting *shared expertise* into practice’ (FSA Press 2007b, emphasis added). This transformation, and the notion of citizens as stakeholders and hence an external ‘challenge’ rather than a mere ‘audience’, reflects once again the two-way, and mutually constitutive nature of the construction of actors and audience on a policy stage.

Another instance that points to the mutually constitutive nature of this relationship consists in the FSA’s development of a training program for consumer representatives, intended to help them get involved in policy more effectively. Moreover, the FSA holds so-called ‘*You Speak, We Listen*’ forums in collaboration with local public health agencies; their purpose is to improve policymakers’ understanding of the way in which people prioritize healthy eating in their diet, and the influences that lead them to establish these priorities (FSA 2006a). In addition, the FSA conducts an annual Consumer Attitudes survey (FSA 2000), whereby it does not only measure its own performance but, through asking specific questions and creating particular profiles, actively constructs its ‘audience’.

Moving on to the next cluster of notions, the consumer protection discourse is strongly characterized by the notion that consumers have (individual) *rights* and *choices* to make and that they should be enabled to do so without excessive governmental influence. An FSA respondent in the international policy branch expresses such a stance pointedly: ‘The government is committed to making change but the danger that Europe has and governments have is [...] being a nanny state’ (EN1-G; see also UK Cabinet/Better Regulation Commission 2006). Underlying such a view of the government vis-à-vis the consumer is the assumption that the consumer acts as an individualized agent who – with sufficient ‘information’ – should make her own choices. These need not be rational, but self-determined, even if those are to the detriment of the ecological or social conditions. The increasingly prominent focus on choice, both with

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<sup>71</sup> The open competition takes place under the Office of the Commissioner for Public Appointment procedures. Upon its establishment, it was charged with the following tasks: to point out to the Agency key issues of current or emerging consumer concern; comment on the Agency’s strategic objectives and forward plan; provide the Agency with responses regarding the effectiveness of its policies with respect to consumer concerns; to provide advice on consumer consultation methodologies, including ways of reaching ‘vulnerable and hard to reach’ groups, and on the value of consumer research; to review the work of consumer representatives on advisory committees; to facilitate joint working between the Agency and consumer groups; and to offer advice on any other potentially arising issues. Since its inception, the Committee has held four meetings per year, one of which (each year) has been publicly accessible.



respect to consumer protection and public health, might also imply a withdrawal from political responsibility on part of the authorities in charge of these policy areas.

In view of the hegemonic status of the notion of consumer choice, it is also important to note some of the discourses that challenge the ‘consumer-based’ policy approach at the FSA. First, a marginal ‘class perspective’ with respect to food (safety) policy has persisted since the 1970s, revived and remobilized in the aftermath of the series of food scares discussed above. A discourse that constructs food (safety) in terms of class inequalities would, for instance, challenge common representational claims, such as those of *Which?*, the NCC, as well as those of governmental agencies. Instead, it would call for more attention to disparate structures of access to food, and the constructed nature of the notion of choice in current policy discourse (see for instance, Lang 2003 and the Food Commission’s newsletters [see appendix B]). Second, the neoliberally inspired consumer approach rivals discursively with the notion that a *rational* consumer choice is not necessarily based on economic considerations, but also subjective perceptions of safety and quality and emotional concerns, which are, according to some scientists, scientifically unfounded (FSA Blog 2001; FSA 2003). The following quote summarizes this latter finding well:

People who *choose* to go organic may do so for many reasons: because they think it tastes better, they believe that it’s *safer*, more *nutritious*, better for the *environment* or better for *animal welfare*. Or perhaps simply because it’s more ‘*natural*’. This is great. By *offering extra choice* organic food has enriched the food lives of *consumers* [...] (FSA 2003, emphasis added).

In sum, the consumer protection discourse has contributed in substantial ways to the temporary fixation of meanings of food (safety) in England, not least because of the omnipresent yet flexible notions of being a consumer and a stakeholder. The discourse analysis and its focus on practice also revealed the constitutive nature of the category of ‘the consumer’: The (inter-)active invocation of a consumer ‘audience’ is essential to the development and performative rehearsal of the discursive roles that policymakers, scientists, and members of the industry take on. Finally, the findings suggest that the role of the consumer protection discourse cannot be considered without taking into account its historical roots. Its relative strength and particular nature in the English contexts can in part be explained by the dislocatory effects of BSE and FMD that facilitated a re-empowerment of previously marginalized discourses and the clusters of actors that came to discursively push for them. The next section further builds on these findings and discusses the discursive (re-)construction of food (safety) in terms of public

health, in order to show how notions of ‘healthy food’ have changed as a consequence of the dislocation of the post-WWII food (safety) policy discourse.

#### 4.4.3 *Public health*

As explained in section 2 of the present chapter, the belief in a firm animal/human boundary was upheld for a considerable period of time in England, and diseases such as BSE were considered an animal health issue, rather than a matter of food safety and public health. The discovery of the link between BSE and nvCJD and the related dislocation of the boundary between animal and human health, however, was to change this, and gradually, the discourse of public health came to shape the meaning of food (safety) in policy discourse. The key notions, which again can be found summarized in table 4.1, shall be discussed here one by one as well as in connection with one another: the notion that food (safety) in itself constitutes a matter of *individual* (consumer) as well as *public* health; the notion that policymakers, scientists, *and* members of the industry are responsible for facilitating ‘healthier food choices’; and the notion that ‘natural’ (organic) food is ‘good food’.

To begin with, the 1998 White Paper discussed in section 4.3 (UK Cabinet 1998) constituted a key moment whereby food (safety) policy discourse shifted towards a public health discourse. The document stipulated a number of specific guidelines pointing in that direction: Principle 1 indicated such a move, in its recommendation that ‘the essential aim of the [Food Standards] Agency is the protection of public health’ (cited in Millstone and van Zwanenberg 2005: 215-6). The notion that food (safety) could be a public health issue, however, can also be traced further back, not dissimilar to the German case, as we shall see in the next chapter. In fact, the ‘new food movement’, alongside with institutional interventions such as the 1983 NACNE report mentioned in section 4.2 challenged the dominant notion that diet and healthy nutrition were matters of sufficiency and otherwise choice. Supported by the breakout of salmonella in eggs in the 1980s, these interventions and joint coalitions were to push for the return of food (safety) onto the policy agenda (Food Commission 2005: 5-9).

Regarding the notion of nutrition as an aspect of food (safety) and public health, the FSA and the Department of Health came to share a nutrition remit, whereas the first FSA strategic plan (2001-2005) largely concentrated on food *safety* issues. Soon enough, however, calls for a stronger focus on health and nutrition were voiced by various citizen groups, even more so in the aftermath of FMD. In 2001, Curry Commission re-invoked an explicit link between health, food, and farming (see section 4.3.4). Given that FMD was hardly a threat to public health (with

the exception of potentially dioxins being released through burning carcasses, see FSA 2001c: 4), this link speaks to loosening, and indeed broadening, meanings of food safety at the time.

Similarly pointing to the fluid nature of food (safety) policy, in a 2002 report 'Why health is the key for the future of farming and food', prominent British academics (from various natural-scientific and social-scientific backgrounds) critically addressed the state of food (safety) policy at the time: Farming and food strategy, the authors argued, should focus on 'health for all' as a central tenet and should give equal weight to both human and environmental health (Lang and Rayner 2002). The authors equally called for the promotion of food diversity as well as biodiversity in fields, and argued that the cost of foodstuffs should reflect their real costs of production. In interesting ways, the report combined a number of discourses informing food (safety) policy: environmental sustainability; public health concerns; economic concerns; and an emphasis on local supply chains and English food culture.

Concerning the resonance of the public health discourse in recent shifts, the discourse analysis suggests that nutrition policy has become a subfield of food (safety) policy as a result of the amalgamation of a public health and a consumer protection discourse. Initially, the FSA division that was tasked with nutrition was relatively small, while the current number of staff exceeds 50 people and involves five separate branches, two of which are particularly interesting here: First, there is a division charged with nutrition policy and strategy, for example, the reduction of salt intake as well as possible plans to reduce (saturated) fats in food and the promotion of a 'balanced diet'. A second branch of the nutrition division is charged with nutrition labeling as an instrument for promoting 'healthier' food choices, also directed at children. The latter is an interesting issue for at least two reasons: First, it constitutes a policy objective shared by the FSA and the Department of Health, which reveals the fluid nature of the policy area of 'food safety' since the 1990s. Second, very recently, a possible ban on food advertisements intended towards children after nine o'clock in the evening has been subject to a broad debate, and a group of major global food companies agreed on a pledge to stop advertising 'junk food' to children under the age of 12 - in an effort to self-regulate and avoid a ban being imposed by the European Commission (Halliday 2007). While the notion of a need to protect children and the so-called 'disadvantaged consumers' frequently forms the link between the consumer protection and the public health discourse, a more neoliberally informed language of *choice* also interferes in this linkage such as in the Government's White Paper (2004) titled 'Choosing Health'. The amalgamation of the discourses of public health and consumer protection hence remains fluid and contested.

Both the FSA and the Department of Health have reached far in their approach to ‘good food’, as transpires from the new notions of healthy food choices and the need to combat obesity not only as an *individual* but as a *collective* public health problem. Whilst this already indicates changing actor constellations in this policy subfield, members of the industry have also come to take on a discourse of public health: In 2006 the FSA launched a so-called ‘traffic-light’ labeling scheme system, whereby food products are labeled with traffic light symbols on the front of the pack that indicate the levels of fat, saturated fat, sugars, and salt (‘high’, ‘medium’, ‘low’) (House of Commons 2006: 85). The traffic-light system was established by the FSA in cooperation with retailers, after a series of consumer research projects had been undertaken to explore people’s understanding of and preferences for a range of signposting concepts, from among which traffic light symbols were eventually chosen.

If we consider this policy measure in discourse-analytic terms, two things stand out. First, the fact that the measure was designed in a fluid fashion between policymakers, scientists, members of the industry, and citizens; in other words, the public health discourse formed a bridge across those actor-categories, thereby exposing their functional differentiation as constructed. Particularly remarkable is then the notion that members of the industry are responsible for healthy choices, too, rather than only scientists and policymakers. In addition, the good governance discourse finds resonance here, which added to the feasibility of the policy measure. Contrary to the previously hegemonic requirement for ‘hard scientific evidence’ for policy, this traffic light measure is explorative in its nature, which indicates a shift in food (safety) policy practice inasmuch as scientists and policymakers did not insist on a strictly defined assessment of the traffic light scheme, but rather took a risk in improvising policy. That way, scientists and policymakers were led by a changing good governance discourse, a consumer protection discourse, and a renewed public health discourse. Through this amalgamation, these seemingly disparate policy actors entered into shared discursive positions where they collectively enact notions of being responsible towards the consumer.

Through this internalization of ‘food safety’ across institutional boundaries (which, in praxis, are unstable) and through the growing discursive amalgamation, the meaning of ‘food safety’ has become temporarily fixated to the extent that ‘safe food’ turns into ‘good food’. This notion finds expression in, for instance, the separate FSA *EatWell* website. The *National Fruit Scheme*, first introduced in the National Health Service Plan in 2000, and its (by now Europeanized) precursor, the *Five-a-day* program, which suggests (sometimes through labeling products) five portions of fruit and vegetables daily, speak to such a development, too. The Five-a-Day scheme was already introduced in the 2001 *Policy Commission on the Future of Food and Farming*, which

suggests that the link between food (safety), health, and farming came to enter the policy discourse through the dislocation of the post-war food (safety) policy discourse in the face of the FMD crisis, as suggested earlier. Moreover, it points to the significance of the FMD epidemic with regard to the shifting meanings of food *safety* and food *quality*, which has thus far been granted insufficient attention in the literature.

This discursive shift towards new notions of ‘good food’ is also mirrored and reproduced in publicly visible practices, such as the FSA ‘food competences framework’,<sup>72</sup> the *What’s Cooking* Program, the *Traveling Cooking Bus*, *Healthy Schools* Programs, the organization of an annual (regionally-based) *Food Safety Week* and the 2007 *Year of Food and Farming*, and, last but not least, the performances of celebrity chef Jamie Oliver (who recently has been slaughtering chicken live on television) and his program on school dinners. Whilst they may seem anecdotal, from performativity perspective, I propose to consider these programs and initiatives as performative expression of the notion that cooking and ‘healthy food’ are socially valuable and beneficial activities for the sake of ‘reconnecting’ consumers with nature and landscape through food – a notion that was introduced in the Curry report.

Finally, the growth of media programs such as the weekly BBC’s *Food Programme* and the *Farming Today Programme* as well as the introduction of awards such as the BBC’s *Farmer of the Year* award (since 2004, where organic farmers have been awarded repeatedly) and the *Food Personality of the Year* indicate the continuous prominence of the issue. Practices such as awards can then be understood as public enactments of particular discursive positions, and the reinforcement of particular ‘truths’ associated with food. As far as other media outlets are concerned, the BBC Radio 4 *Food Programme* has a long history of reporting on food policy in general terms and food safety issues more specifically; similarly, the daily *Guardian* has constituted an important forum for the food movement in the UK, where the most renowned journalists include James Erlichman, Felicity Lawrence, Michael Pollan, and Mimi Spencer. In addition to a multiplicity of monthly magazines such as the *Observer* Food Monthly, a number of recipe magazines, some of them published by the BBC, indicate a growing trend towards (or a return to) an emphasis on localness and ‘naturalness’. Similarly, the BBC ‘talking food’ chat and the practice of inviting journalists such as Sheila Dillon and Felicity Lawrence to engage in online debates with citizens (*The Guardian* 2003) indicate that consumers are understood as active participants, rather than a passive audience for a given policy measure.

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<sup>72</sup> The framework is to be promoted through a nation-wide network of practitioners previously involved with the FSA. The framework rests on the themes of diet and health, consumer awareness, cooking, and food safety (FSA Press 2007a) and applies to children aged between five and sixteen.

As indicated visually in the clusters in table 4.1, again, these discursive shifts extend to industry practices, concerning issues such as salt intake, the use of artery-clogging trans fatty acids ('transfats'), and, last but not least, obesity. In 2004, a major industry association, the Food and Drink Federation, issued a *Food and Health Manifesto*, which committed manufacturers to reducing fats, sugar and salt in processed foods ('where technologically possible'), to reducing portion sizes, and to reflecting on tightening self-regulation with respect to food advertising (Food Commission 2004). While the FSA and the Department of Health supported the proposal, the Office of Fair Trading expressed concerns regarding possible effects on competition in the food sector. These concerns, I would argue, signal the intervention of the market efficiency discourse here, which I shall discuss further below.

After this discursive struggle to define the role of the industry in the domain of food (safety) policy, eventually, two major supermarket chains, Tesco and J. Sainsbury, announced in 2006 that they would reduce trans-fats in a range of their processed food products, following a publication in the *British Medical Journal* that recommended as much (Clark and Lewington 2006). Regarding the subject of salt intake, major retailers in the UK announced in 2006 that they would attempt to meet targets set by the FSA within a self-reporting framework, used to track progress by the food industry (see also FSA 2008b).<sup>73</sup> Moreover, the introduction of self-reporting frameworks suggests the shifts in the self-understandings of members of the industry, as some have come to anticipate what is expected of them by 'the consumer'. On the one hand, these frameworks point to the function of the notion of the consumer in forming connections at the level of discourse, as the recurrence of this specific notion in table 4.1 signals. On the other hand, the institutionalization of the notions of 'consumer expectation' and 'consumer demand' may hide away from the politics of industry self-regulation: Members of the industry are not unlikely to push for their own discourse, which is performed in the aim to maximize profits, sometimes at the expense of public health, while hiding behind the discursive shield of 'the consumer'.

In conclusion, this section demonstrated that the public health discourse that (re-)emerged in the aftermath of BSE and, notably, also FMD, has gradually come to shape and redefine the meaning of food (safety) in food (safety) policy in England. This is observable in key moments of transformation, such as in the Curry Commission report, which explicitly appealed to the notion of a link between food, farming, and public health – a link that the 'new food

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<sup>73</sup> The role of supermarkets cannot be fully explored here, but the early development and introduction of food safety standards in the form of the British Retail Consortium is noteworthy. With respect to saturated fats and energy intake, the industry-led project *Neptune* equally indicates that the shifting public health discourse has been internalized and is being enacted by the industry.

movements' had pushed for in the 1980s already. The finding that nutrition is now discursively linked to food (safety) policy, too, indicates the increasingly fluid nature of this policy field.

#### 4.4.4 *Environmental sustainability*

This section explores the fourth out of five discourses that shape the overall food (safety) policy discourse in the UK: environmental sustainability. Generally speaking, sustainability denotes a combination of values related to 'people, planet, and profit', or social, environmental, and economic aspects. The extent to which the respective notions feature in food (safety) policy, however, varies across contexts and over time. In England, the discourse of environmental sustainability is not an entirely new discourse; in its genealogy, it resembles the consumer protection discourse discussed in section 4.4.2, and its origins can be traced even further back to the 19<sup>th</sup> century, as section 4.2.1 indicated. By disentangling the various notions of which it is composed, we can arrive at a better understanding of how previously marginal notions are re-articulated here together with new notions, producing new discursive constellations. This section draws attention the following notions, which also appear summarized in table 4.1: the notion of reconnecting citizens, food, and landscape; the notions of animal welfare and nature conservation as principles of environmental sustainability; the notion that agricultural food production should be linked to environmental protection; the notion of food miles as something to be considered in organic foods; the notion of being a member of the food chain and bearing responsibilities as a stakeholder; the notion that organic prices are fair; and the notion of a collective, moral responsibility for environmental protection. I discuss these notions individually, in principle, but their very nature will sometimes require a more integrated presentation.

The notion of a disconnection between citizens, land, and food was first expressed in the Curry Commission report, and this very term, one could argue, speaks to the experience of a dislocation and fundamental ambiguity. The Curry Commission proposed that 'the real reason why the present situation is so dysfunctional is that farming has become detached from the rest of the economy and the environment' (Policy Commission 2001: 6). The report concluded as follows:

Our key message [...] is *reconnection*. Reconnection of farmers and the public through the *marketplace*, in sensitive *stewardship of the countryside*, and through dialogue about how to provide for the needs and aspirations of society at a *price* [we] are prepared to pay. We need to reconnect *all parts of the food chain* in this common purpose, managing the land for *profit* and *for public good* (Policy Commission 2001: 107, emphasis added).

Here, the notions of ‘reconnection’ and ‘being a part of the food chain’ function to discursively link seemingly conflicting discourses: that of market efficiency, on the one hand, and that of environmental sustainability, on the other hand. More specifically, the notions of the economic and profit-oriented needs of farmers are no longer seen in juxtaposition to those of society at large, the value of nature and the English countryside, or the rights of consumers. Instead, we find here an implicit appeal to a moral responsibility of not only policymakers but also society as a whole to be concerned with environmental sustainability, and the notion that agricultural (food) production should be linked to environmental protection.

These notions of reconnecting food (safety), citizens, and landscape (or environmental protection) find expression in a policy program announced in the Curry report, the aforementioned *Eat the View* program within the governmental agency Natural England. The *Eat the View* program, an involved respondent explains, emerged from a seminar that Prime Minister Tony Blair held with farming representatives: ‘They agreed that more should be done to promote the connections between food and farming and members of the public, but also people as consumers’ (EN12-G). This implies an appeal to ‘the public as consumers’, while the title of the program is in itself telling, too, as it expresses the discursive effort to link notions of landscape and ‘home’ to food consumption. A senior official involved in the program notes that

[p]eople became aware of the industrial nature of meat production and this had a huge impact on the sector. BSE was the major one that brought in a lot of food safety requirements there [...]. And because it was in papers a lot of people increased their awareness of food issues, farming issues. As well as other food scares like salmonella in eggs. The other major thing was Foot-and-Mouth disease back in 2001 (EN12-G).

The respondent points to the significance of food scares in bringing about awareness, and refers to both past crises (such as salmonella) and recent ones. This indicates that BSE cannot be considered as an isolated issue or crisis. Rather, a closer analysis points to a *gradual* process of meaning-making and a gradual shift in the meaning of ‘food safety’ that was induced by the *series* of events. Particularly when food became discursively linked to farming again through the notion of the food chain and the notion of a need to ‘reconnect’ the different parts of the food chain, seemingly disparate actors came together under a shared amalgamation of discourses, a linkage I shall discuss further below.

Returning to the notion of reconnection, again, a study of policy discourse through a performativity lens offers tangible examples. The *British Food Fortnight*, for instance, indicates a re-emergence of the notion of (re-)connecting food, farming, and citizens. The series of events



have been going on since 2002 – for instance, the annual *Ludlow Marches Festival of Food and Drink* in Shropshire, which is supported by the *Slow Food Movement*, and more generally, there has been a growth in food festivals. Whereas these series of events around Britain are not directly supported by the government, the range of supporting organizations shows the increasing interwovenness of seemingly diverse discourses, which in their re-configuration have come to share particular understandings around food (safety): churches; retailers; the Countryside Alliance, an NGO; health advocates (such as cancer prevention campaigns); farmers (such as in the NFU); the National Health Service (NHS); parents-teachers associations; and women’s groups.<sup>74</sup> This interwovenness indicates an increasing linkage between previously ‘disparate’ groups, such as farmers and health advocates, members of the industry, and environmentalists.

As table 4.1 indicates, the notion of the food chain in the discursive field around food (safety) occupies a crucial role in England (as well as in the other contexts studied here, as we shall see in chapter five, six, and seven). In order to understand its discursive function in producing coherence across discourses and contexts, it is useful to trace the notion of being a member of the food chain back to its origins. Whilst the idea of a ‘food chain’ originally stems from biology, its usage in a political sense can be traced back to two distinct sources (Jackson et al. 2006). First, in Immanuel Wallerstein’s work on world systems theory, a commodity chain is understood as ‘a network of labour and production processes whose end result is a finished commodity’ (Wallerstein 1974; Hopkins and Wallerstein 1986: 159, cited in Jackson et al. 2006). The second source is the ‘new political economy’ literature on food and agriculture, such as William Friedland’s work on the sociology of agriculture and the comparative analysis of production systems (e.g. Friedland 1984, discussed in Jackson et al. 2006). His analysis of technological change in agriculture led him to extend his perspective beyond the farm, taking into account corporate power and agricultural production systems – what would then come to be called the ‘food commodity chain’ (Jackson et al. 2006).<sup>75</sup>

The food chain, a governmental working group states, ‘is pivotal to UK society’ (Foresight Working Group 2002: page unknown). ‘As well as supplying consumers with food, [...] [food chain sustainability] has direct effects on the health of the nation, employment and general economic well being’ (ibid.). Aided by this chain notion, the twin-epidemics of BSE and FMD generated a revival of the notion of the food chain in its politicized version, and its usage across

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<sup>74</sup> For a full list, see <http://www.britishfoodfortnight.co.uk/weblinks/organisations-supporting-the-event/> [acc. 15 April 2008].

<sup>75</sup> See Jackson et al. (2006) for an analysis of the mobilization of the notion of the food commodity chain in social movements.

discourses and actor-categories has resulted in the (re-)emergence of particular discursive clusters both in governmental participatory practices and in collaborative modes between citizen groups, such as environmentalists and consumers, who, by virtue of the notion of belonging to a chain, come to negotiate a shared language of concerns.

This discursive position of the notion of the food chain is further strengthened by its interlinkage with the notion of *stakeholderness*. As the UK governmental Foresight Group expresses the discursive linkage,

food chain development is likely to be more rapid if the stakeholders are participants in the process. Indeed without such participation progress may not be possible (Foresight Working Group 2002: page unknown).

The literal alliances of ‘stakeholders’ within the ‘food chain’ have further produced constellations wherein previously marginal groups – such as the ‘new food movement’ groups of the 1980s – have experienced a sense of empowerment and have acquired more access to policymaking. In this institutional context, the notion of the food chain took on a bridging function, not least because it came to include the final consumer (Food Chain Centre 2007: 10; Foresight Working Group 2002: figure 1, page unknown).

Moving on to the next notion, the debates around organic food production and consumption reflect the discursive flexibility of the notion of ‘sustainability’ and an amalgamation of previously disintegrated discursive fragments. A closer study of the debate reveals the contested nature of this policy domain. To begin with, an important notion is that organic food prices reflect the ‘real price’ associated with supposedly more environmentally friendly, animal-friendly, and sustainable farming. By appealing to a ‘fair price’, a notion of moral responsibility towards nature is produced.

It is furthermore noticeable that interview respondents - including officials – firmly reject the notion that organic food constitutes a ‘market niche’ or ‘hype’, or a temporary trend. Virtually every supermarket chain sells and promotes organic food as more ‘natural’ or even ‘healthier’, and organic produce is frequently shelved by the entrance of large supermarkets. In addition, some retailers have chosen for TV commercials to promote organic produce, and one major retailing chain has even commissioned its own research regarding the ‘carbon footprint’ (‘food miles’) impact of a range of their organically produced food (Soil Association 2008). At the same time, the FSA officially claims a ‘neutral’ standpoint regarding the question of possible health benefits:

Basically we’re neither for nor against it, and we’re guided very much by what the science says. We recognise the important role it plays in providing choice for

consumers, but the balance of current scientific evidence doesn't support the view that it's more nutritious or safer than conventional foods (FSA Blog 2007).

Similarly, an FSA respondent in the international policy branch (with a science background) states: 'You can't tell people to eat things and what to do. The important thing is that they have the information there to help them make the right choices. You can't make them eat things' (EN1-G; see also UK Cabinet/Better Regulation Commission 2006). In contrast, DEFRA interview respondents openly declare, for instance, their convictions regarding the possible environmental benefits of organic food. In 2007, moreover, a study hailed the health benefits of organically grown fruit, vegetables and reared cattle, hence disputing the dominant FSA stance (BBC 2007).<sup>76</sup> On the other hand, counter-discourses continue to present themselves in this context and frequently come to be staged as scientific disagreements: Only shortly after the said report, a governmental report - a study of the environmental impact of food production - claimed that there was 'insufficient evidence' for claiming that organic produce has fewer negative ecological side-effects than conventional farming methods (although the authors did not take into account the aspect of biodiversity) (Milmo/*The Independent* 2007). The issuing of the 200-page document can be understood as performative in the sense that it invoked a critical counter-discourse in the debate surrounding British consumption of organic food. More specifically, it caused the staging of a renewed discussion on conventional farming methods, whilst conservationist notions of biodiversity that originated in the discourse of environmental sustainability were marginalized and the content and shape of the discussion delimited.

Over the past decade, however, organic food sales have grown tenfold, with a market growth rate of 22 percent in 2006 (Soil Association 2007); the UK organic foods market now ranks third in Europe after Germany and Italy (Soil Association 2007). In fact, organic demand has now increased to the extent that much of the organic food supply is imported, often from overseas. The latter development, in turn, has recently incited debates, both in government and with citizen groups, regarding the question of 'food miles', the ecological footprint of food products.<sup>77</sup> In addition, the DEFRA has been conducting extensive research on food miles, and the different ways in which to account for them remain debated. For instance, different means of transportation, distance, quantity, and type of product all require equally careful consideration in calculating food miles. In light of the range of discourses studied here, it is instructive to

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<sup>76</sup> The study found that up to 40% more antioxidants could be found in organic fruit and vegetables than in non-organic ones (BBC 2007).

<sup>77</sup> The prominent academic and activist Tim Lang is held to be the inventor of the concept and has recently been awarded with the *Observer Food Lifetime Achievement Award*.

consider the different meanings that ‘food miles’ can take on, and the different notions that inform the practice of calculating them. A journalist sums up the contentious nature of the concept and the debate around it rather well: ‘In measuring carbon emissions, it’s easy to confuse morality and science’ (Specter 2008).

The notion that ‘food miles’ can and should be measured connects the discourse of environmental sustainability with that of market efficiency and the notion of consumer choice, which travels across different discourses, as is also indicated visually in table 4.1. Accordingly, the notion of food miles makes visible the connections between, if not the constructed nature of the distinctions between, the roles of the policymakers, the industry, citizens, and scientists. While the concept of food miles manifests itself in technical calculations and evidence-based policy practices, the concept also relies on romanticist notions of ‘preserving nature’ and changing ‘consumer’ behavior:

We all have a duty to our grandchildren to work towards more sustainable ways of producing our food. The Green Revolution has brought us plentiful and affordable food, but at an environmental cost. In the future we must develop ways of producing food that people can afford to buy in ways that give Nature more of a chance (FSA 2003).

Here again, a moral, collective responsibility for environmental protection is appealed to that invokes duties of citizens, policymakers, scientists, and not least the industry. The constellation called into being by virtue of this moral appeal signals a shift in policy discourse with important political implications for environmental protection. More specifically, on the basis of shared (chain-related) notions, these actor constellations may come to push for the consideration of environmental effects in food production, transport, and distribution in the future. It may be worth noting here that associations such as the Royal Society for the Protection of Birds as well as the Royal Society for the Prevention of Cruelty against Animals count among the most influential lobby groups in the UK – which indicates that the sedimentation of animal welfare and ‘landscape’ discourses had begun well before the outbreaks of BSE and FMD: It was the series of dislocations related to BSE and FMD that made their re-emergence possible and that facilitated their gradual institutionalization following the experienced institutional ambiguity. In consideration of the position of the environmental sustainability discourse in England, it is instructive to note that the primary certification body *Soil Association* has called for a re-labeling of organically produced food in cases where a certain limit of ‘food miles’ is exceeded. This again serves to indicate the relative strength of the environmental sustainability discourse in informing the meaning of food (safety) in this context.

Beyond the debates on organic farming, the work of the DEFRA and the construction of the value of 'nature' in policy discourse, the importance of the environmental sustainability discourse also finds expression in the work of the FSA. In 2004, the FSA Board agreed on a preliminary mission statement:

The Agency's remit is to protect the interests of consumers in relation to food, now and in the future. In doing so, the Agency will take sustainable development into account in all of its activities and policy decisions (FSA 2004c, cited in FSA 2008a).

The introduction of sustainability into the FSA's institutional role was, however, met with resistance, when it became evident that there is a lack of clarity about what exactly is meant by 'taking sustainable development into account' and when it seemed to interfere with the consumer protection discourse that had shaped the FSA's institutional self-understanding (FSA 2008a: 2):

A number of fundamental questions have arisen such as how pro-active the Agency should be in promoting the principles of sustainable development given our statutory remit. A key question is to what extent the Agency can, or should, balance food safety, health, information and other consumer interests compared with other aspects of sustainability such as environmental protection and use of natural resources? There is also the question of to what extent the Agency should seek to mitigate negative impacts, especially where those impacts fall outside of our areas of responsibility (FSA 2008a: 2).

In consideration of the initially limited statutory remit of the FSA and the dominant status of the notions of food (safety) and 'putting the consumer first', the mobilization of the notion of sustainability is remarkable, as it indicates a shift towards food *quality*. The successful institutionalization of the notion of sustainability moreover points to its quality as a (flexible) notion that connects the discourses of environmental sustainability, good governance, consumer protection, market efficiency, and public health: planet, profit, and people, as well as healthy food. In the FSA's own words, sustainable development has now come to be seen 'as an integral part of good policy making and should therefore be considered as part of the normal decision making processes' (FSA 2008a: 2). In other words, policymakers and scientists have internalized the notion of sustainability in their generic working practices, whereby the discourse of environmental sustainability becomes integrated into the discourse of good governance.

To sum up, the analysis of the environmental sustainability discourse indicates a renegotiation of the concept of 'food safety' and a resultant shift in meaning towards favoring

discursive clusters that assert notions of sustainability. This notion itself, however, remains contested, as diverse and rivaling discourses continue to inform what ‘sustainability’ means, that is, whether to prioritize ‘people’, ‘planet’, or ‘profit’ when it comes to sustainable food production and consumption. In conclusion, it is also worth reiterating the position of the notion of being a consumer in this discourse, to which diverse meanings are assigned to, such as bearing a moral responsibility for environmental protection, on the one hand, and being a choosing market agent, on the other. This discursive function carries even more weight when put into conjunction with the notion of being a stakeholder within the ‘food chain’. We shall see this discursive rivalry return in the next subsection as well as the other empirical chapters of this thesis.

#### 4.4.5 Market efficiency

Moving further along table 4.1, this section discusses the final of the five discourses of this case study, the market efficiency discourse. This discourse frequently interferes with or wraps around other discourses and is therefore discussed in this final subsection. Accordingly, this section presents the core notions that give meaning to this discourse: the notion of the need to reduce excessive administrative burdens; the notion that a farmer’s role as an entrepreneur can be combined with that of an environmental steward can be combined; the notion of the need for cooperation and a sense of responsibility along the food chain; and a neoliberally inspired notion of the consumer whose trust is needed for market efficiency. Next to discussing the said notions in turn, this section demonstrates how these notions function to connect the collection of discourses identified here. The presentation of notions, in line with the composition of this discourse, will appear more integrated than in the previous sections.

Not unlike in other countries, food (safety) policy in England has increasingly been informed by the notion of excessive administrative burdens and the need to reduce ‘red tape’. Whilst the Thatcher government already proclaimed a ‘deregulation agenda’, the first Blair cabinet continued to assert the need for ‘better regulation’ and ‘regulatory impact assessments’ (see, for instance, the UK Cabinet Office *Better Regulation Executive*). In March 2005, the *Better Regulation Task Force* released its report *Regulation – Less is More* and the Hampton Review on ‘Reducing administrative burdens’ (see UK Cabinet 2006, cf. UK Cabinet 1999a, 1999b). In order to draw attention to the political implications of this notion, it is informative to note that the said review had been commissioned by the UK Cabinet and carried out by Philip Hampton, Chairman of J Sainsbury plc – a major supermarket chain. Hampton argued for a ‘risk-based approach’ to regulation, including the policy area of food (safety) and consumer protection, as this would

provide ‘the most efficient use of resources and [would decrease] [...] the cost on the compliant businesses while also providing protection for the individual’ (UK Cabinet 2006: 1). The fact that a supermarket chairman is tasked with developing a regulatory approach exposes the blurring of the roles of policymakers, scientists, and members of the industry in informing what ‘food safety’ comes to mean. At the same time, it also signals the ‘privatization’ of responsibilities for food (safety) and adds a producer-led tone to policymaking. Robert Baldwin (2006) furthermore points out that the Hampton Review echoes the ‘new Dutch approach’ of setting administrative reduction targets, as well as the EU approach.

In regard to food (safety) policy specifically, the Curry report invoked the need to enhance administrative efficiency in order to facilitate entrepreneurship on the part of farmers. In a similar fashion, the FSA laments ‘excessive or unclear regulations [that] can place a burden on business, the public and third sectors and so hinder effective delivery of the intended benefits’ (FSA 2006b: 3, emphasis added). In the FSA Regulatory Framework, we similarly find an appeal to

*a balanced and effective market where [...] empowered consumers have the information they need to make informed choices’ and ‘intervention is only considered ‘where the market is not balanced, effective or [when it does not] provide proper levels of food protection’ (ibid., emphasis added).*

In this quotation, one can observe the function of the market efficiency discourse in wrapping around the discourse of consumer protection and environmental sustainability. While encouraging industry self-regulation is arguably a common contemporary phenomenon, the discourse of market efficiency has come to shape food (safety) policy in specific ways. Whilst the immediate post-BSE years were marked by a discourse of consumer protection and good governance that called for combating the undue influence of the food and feed industry in policymaking, the FMD epidemic led to a new discursive amalgamation of environmental sustainability and market efficiency. The Curry Commission called for a

sustainable, competitive and diverse farming and food sector which contributes to a thriving and sustainable rural economy, advances environmental, economic, health and animal welfare goals, and is consistent with the Government’s aims for CAP reform, enlargement of the EU and increased trade liberalisation’ (Policy Commission 2001: 2, emphasis added).

Notions of environmental sustainability are clearly articulated in the Commission report, but they acquire a different meaning when expressed in conjunction with notions relating to a market-efficiency discourse. The concept of ‘sustainability’ is exemplary for this discursive re-

constellation and has strongly characterized DEFRA practices, including its *Organic Action Plan* (DEFRA 2002d), which emerged from the Commission report. The Curry Commission called upon farmers to be ‘entrepreneurs’ again, a quality that was believed to have been lost in post-war food productionism. By introducing the notion of entrepreneurship in conjunction with environmental protection and animal welfare, the report appeals to the notion that farmers can and should be entrepreneurs as well as environmental stewards. Moreover, a remarkably open (though not new in its nature) anti-EU discourse forms part of the discourse of market efficiency, as for some, the EU CAP is to blame for much of the post-war ‘inertia’, that is, an apparent lack in market orientation due to the CAP subsidy system. From a performativity perspective, the articulation of a difference between the earlier and the current approach constitutes an act whereby policymakers appeal to their new roles and responsibilities with respect to food and farming.

In the context of the institutional rearrangements discussed in section 4.3, a number of new initiatives and policy practices have been introduced that are intended to make visible a ‘new approach’ and that give expression to particular discourses. In response to what was constructed as a ‘crisis for agriculture’, for instance, the English Farming and Food Partnerships were set up, in order to ‘encourage and support collaboration and co-operation’. Another manifestation of this discursive amalgamation consists in the ‘little red tractor’ logo that was launched in 2000.<sup>78</sup> The standards that must be met for the logo to be used relate to concerns with food (safety), animal welfare, and environmental sustainability – discourses that then come to be visibly embodied in labels.

In addition, publicly funded schemes have been introduced that encourage farmers to convert to organic farming. Financial as well as practical advice (for instance, to ‘walk the chain’ – that is, visiting farms and food production premises) is then provided by the DEFRA. Moreover, farmers’ markets are encouraged – and indirectly funded through Natural England – all of which serves to indicate a growing environmental and process-oriented (rather than product-oriented) approach to food and farming policy. In an expression of this discursive amalgamation, Minister Hilary Benn addresses the farming community as follows:

You are responsible for managing around 75% of England’s green and pleasant land. [...] You and the generations before you have sculpted and shaped our landscape into the beauty that we, and millions of visitors to the country, can

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<sup>78</sup> Eleven farm assurance schemes originally set up independently regarding beef, lamb, pork, poultry, dairy, vegetables, cereals and oilseeds standards, were brought together under the single little red tractor logo in 2000. The logo is intended, amongst other objectives, to provide standardized information regarding the country of origin.



behold and marvel at. Your efforts help give us health and prosperity through the food we eat, your contribution to rural communities and to our economy, and [in] your role in providing environmental goods and services [...] [y]ou can teach us all about how to live sustainably (DEFRA 2007b).

In this quotation, different connotations of farming are invoked: Farmers contribute to the economy; they are environmental stewards; their work serves aesthetic purposes; they provide healthy food. Society, Minister Benn suggests, wants to see the food and farming industry as ‘an industry that earns its way because of the *quality*, *safety*, and *environmental* and *animal welfare* standards of the food and other products it makes; in other words, *profitable* and *competitive* domestically and internationally’ (ibid.). In this way, a discursive constellation is invoked that, on the one hand, positions policymakers in alliance with citizens (‘animal welfare’, ‘environment’, ‘quality’) while, at the same time, farmers are associated with not only an economic but also a social responsibility. In this context, it is worth introducing the DEFRA *Farming for the Future* program. In this policy agenda, English farming by 2020 is envisioned as ‘profitable in the marketplace, continuing to produce the majority of the food we consume; [and] making a positive net environmental contribution’ (DEFRA 2008a). In addition, the program aims to deliver behavior change ‘necessary to realize that vision [...] [and to set] a new direction for the relationship between government and industry’ (ibid.).

Given this apparent amalgamation of discourses of environmental sustainability and market efficiency, it is worth reiterating that the price of organic food is in England largely seen to reflect a ‘fair price’, considering the costs that farmers incur by producing under what count as more animal- and environmentally friendly conditions (see section 4.4.3). Another indication of the relative strength of the environmental sustainability discourse is that there are virtually no official calls by the government to reduce prices, as one can observe in the case of the Netherlands, which will be discussed in chapter six. Instead, the notion of the ‘emotional consumer’ has entered the debate, whereby, on the surface, a neutral stance is claimed regarding organic food, while at the same time it is emphasized that organic food consumption – and thus higher food expenditure – is a legitimate choice (even if not *economically rational*). In other words, the boundaries of the market efficiency discourse are fluid, and what we find here are the same notions we observed in the discourses of environmental sustainability as well as consumer protection. One may conclude, therefore, that notions such as consumer choice function to connect the different discourses and, in such a manner, make for a seemingly coherent and stable overall policy discourse in the area of food (safety).

Moving further, the notion of being a member of the food chain has played a key role in the reconstruction and restabilization of food (safety) policy discourse, as already observed in the discourses of good governance, consumer protection, and environmental sustainability. Regarding its function in the discourse of market efficiency, an account of the Food Chain Centre is insightful for the multifaceted meanings of being an actor-member of the food chain and the specific role of the industry therein. The FCC was established by the UK government in 2002 upon the recommendation of the Curry Commission (and disbanded in 2007 upon the completion of its mission). The Commission believed that farming had become ‘detached from the rest of the economy and the environment’ (Food Chain Centre 2007: 4). The invocation of the notion of a chain signals this sense of disconnect at a time when food and farming were once again called into question with the arrival of FMD. In line with the desire to ‘reconnect’, the main purpose of the FCC was to lead the sharing of information along the food chain, to support trading relationships, to develop improvement techniques by way of specific pilot projects in different farming sectors, and last but not least, to help promote organic farming (see DEFRA 2002c: 30; cf. Policy Commission 2002: 89, recommendation 76).

Next to its educational mission to train farmers in increasing profitability, the FCC was also charged with reviewing consumer research and its implications for farming. Even though the mission of the FCC focused on fostering industry development, the notion of a ‘demanding consumer’ entered the policy discourse here. In other words, notions of consumer demands and notions of entrepreneurship emerged alongside one another. A concrete example can be observed in the release of data regarding consumer trends that were specifically selected and interpreted for farmers. This was the first time such detailed consumer insight was made available to the farming industry in the UK (Food Chain Centre 2007: 8), which reveals the tremendous discursive effects of the diseases as well as the weakening of the institutional division between food production (farming) and food consumption. On the other hand, the notion of ‘knowing what the consumer wants’ (such as strawberries in December) can serve to hide away from what more marginal, critical groups of consumers would demand instead.

The notion of the food chain further produces a mutual positioning between policymakers and the collection of actors that come to be included as ‘stakeholders in the chain’. This chain becomes constructed as responsible for guaranteeing safe food, frequently pushed by a ‘naming and shaming’ policy with regard to product recalls. In addition, the notion of being a ‘stakeholder’ in ‘the food chain’ manifests itself in a number of industry platforms at the DEFRA and the FSA. These actor constellations, however, remain contested, in particular because of the FSA’s alliance with the ‘consumer’ vis-à-vis the farming lobby (at the former

MAFF) – in fact, both industry and consumer ‘stakeholders’ come to charge policymakers of being too involved with the other party. The ‘consumer connotation’ of the notion of holding a stake, however, does become articulated by members of the industry themselves at times: At a recent FSA *Industry Organization Stakeholder Forum*, a member of the beverage and food industry requested that the term ‘public interest group’, used by the FSA in inviting stakeholder participation, could better be changed to ‘consumer representative’ (FSA 2007: 8). Likewise, the bridging function of the twin-notions of being a member of the food chain and being a stakeholder finds expression in the proposition of FSA officials to hold joint meetings between the FSA *Industry Stakeholder Forum* and the *Consumer Stakeholder Group* (FSA 2007: 9).

Moving on to a related notion, there should be no doubt about a strong, neoliberally-inspired notion of ‘the consumer’ in England, introduced by the Thatcher cabinet and translated by the Blair cabinet into a language of ‘New Labour’. In the 1999 *White Paper Modern Markets: Confident Consumers*, for instance, the government envisages ‘confident consumers, making informed decisions in modern, competitive markets, promot[ing] the development of innovative and good value products’ (UK Cabinet 1999c, cited in NCC 2004: 2). Similarly, John Vickers, Director General of the Office of Fair Trading, constructs ‘the consumer’ as a market agent and emphasizes the need

to raise the emphasis on active and aware consumers [because] when consumers are in the driving seat, businesses will compete harder for their money. This will be good for consumers, for businesses that serve consumers well, and for the economy as a whole (BBC 2003; cf. Vickers 2003).

Once again, the notion that ‘the consumer must have a choice’ forms the connection between market efficiency and consumer protection at the level of discourse. Given the prominence of these ‘connecting’ notions, I conclude that - whilst the new institutions, FSA and DEFRA, have also been informed by a discourse of market efficiency. This relative strength of the market efficiency discourse finds expression in the notion of a need to enhance efficiency and to encourage farmers to be entrepreneurs, whereas the discourses of consumer protection and environmental sustainability have posed a significant challenge to the market efficiency discourse, too, finding expression in the notion of farmers as environmental stewards and guardians of landscapes as collective goods.

In conclusion, an important overall finding regarding the market efficiency discourse is its gradual (re-)emergence after the FMD outbreak, when its relative strength grew by virtue of the construction of farmers as ‘victims’ of FMD, whereas they had had to take a considerable share of blame in the aftermath of the earlier BSE crisis. The notion of a need to ‘reconnect’ the

members of the food chain, feed and food, producers and consumers, land and produce, played a particularly strong bridging role in this discourse, while its effects are also observable in the other discourses discussed here as part of the policy field in the UK. I shall summarize the central findings below in order to accentuate the overall stable nature of contemporary English food (safety) policy discourse and to highlight the key notions that form bridges across actor-categories and between discourses.

#### **4.5 Concluding remarks**

This chapter introduced the first of three country case-studies and was concerned with an analysis of changes and continuities in the English food (safety) policy discourse since the 1990s. The point of departure was two-fold: First, the effects of food scares and the FMD epidemic, as this chapter has shown, must be studied in terms of the context in which particular meanings around food (safety) come to prevail over others. Second, and in contrast to a great part of the previously existing research, this study understands contemporary food (safety) policy in England to be shaped by multiple historical junctures. At such moments of transformation, this chapter proposed, the hegemonic policy discourses become dislocated, some of their elements break down, and new as well as previously marginalized discourses can emerge. That way, this study could accentuate the significance of BSE and FMD in dislocating the hegemonic post-war policy discourse around food (safety) policy in the UK and in bringing about an unexpected link between farming and public health, as observable in the Curry report.

In light of the subsequent empirical chapters and the comparative angle of this study, it is useful to briefly summarize the findings of this chapter. Following a brief introduction, section 2 contextualized the chapter narrative in the history of British food and farming and drew particular attention to the discursive notions that shaped post-WWII food (safety) policy as these were to shape the interpretation of the food scares to a significant extent: the hegemonic post-WWII priority of food security and maximizing production; a specific notion of scientific expertise that was considered to be an authoritative resource for policymaking; and, last but not least, the notions proclaimed by the ‘new food movement’ of the 1980s, consisting of environmental protection, consumer protection and consumer rights, food (safety) as a public health issues, and (class-related) food poverty. Next, section 3 gave a descriptive account of the events around BSE and FMD and presented the key institutional interventions and performative moments of transformation that accompanied and followed the aforementioned food scares. The core findings of this case study are summarized in table 4.1 below.

Table 4.1: English food (safety) policy discourse: key notions

Good governance	Consumer protection	Public health	Environmental sustainability	Market efficiency
<p><b>PSCI</b></p> <ul style="list-style-type: none"> <li>* Food (safety) policy and scientific advice should be conducted in an open, independent, and transparent way</li> <li>* <b>Consumers must be put first</b></li> <li>* There is a <b>need to rebuild and sustain citizens' trust</b> in food (safety) and open communication is a good way to achieve this</li> <li>*The food and farming industry must not be too prominent in policymaking</li> <li>* <b>Cooperation along the food chain</b> is essential for policymaking and includes scientists, policymakers, industry, and citizens.</li> <li>* As part of the food chain, <b>citizens are stakeholders</b></li> <li>* <b>Lay participation in scientific committees improves policymaking</b></li> </ul>	<p><b>PSCI</b></p> <ul style="list-style-type: none"> <li>* <b>Consumers must be put first</b></li> <li>* The food and farming industry must not be too prominent in policymaking</li> <li>* There is a <b>need to rebuild and sustain citizens' trust in food (safety)</b></li> <li>* <b>Consumers have rights</b></li> <li>* <b>Consumers must be able to make informed choices</b></li> <li>* As part of the food chain, <b>consumers are stakeholders</b></li> <li>* Consumer rationality is not restricted to economic considerations</li> <li>* It is a problem that some groups of the population cannot afford organic food, but organic prices reflect the real costs of food production</li> <li>* <b>Lay participation in scientific committees improves policymaking</b></li> </ul>	<p><b>PSCI</b></p> <ul style="list-style-type: none"> <li>* Food (safety) and nutrition are public health issues</li> <li>* Citizens (should) choose to be healthy</li> <li>* Consumers (especially children) must be educated about and protected against food (safety) problems</li> <li>* Scientists, policymakers, and the industry should help citizens make healthier food choices</li> <li>* Cooking is a socially valuable activity and can contribute to better health awareness</li> </ul>	<p><b>PSCI</b></p> <ul style="list-style-type: none"> <li>* The problem is that landscape, food, and citizens have become disconnected</li> <li>* Food miles are a scientifically founded concept and should be considered in (organic) food production and consumption</li> <li>* It is a problem that some groups of the population cannot afford organic food, but prices reflect the real costs of food production</li> <li>* Sustainability should be a guiding principle</li> <li>*<b>Coordination and cooperation along the food chain</b> is essential for policymaking and includes scientists, policymakers, industry, and citizens.</li> <li>* <b>Stakeholders along the food chain have responsibilities</b> for environmental sustainability</li> </ul>	<p><b>PI</b></p> <ul style="list-style-type: none"> <li>*Excessive administrative costs should be controlled</li> <li>*Private regulation can be more efficient</li> <li>* Farmers can be entrepreneurs and environmental stewards simultaneously</li> <li>*<b>Consumers must be able to make informed choices</b></li> <li>* <b>Trusting consumers are good for market efficiency</b></li> <li>* <b>Coordination and cooperation along the food chain</b> is essential for policymaking and includes scientists, policymakers, industry, and citizens.</li> </ul>

**Categories:**

P = Policymakers

S = Scientists

C = Citizens (e.g. consumer advocates, environmental groups)

I = Members of the food industry

In bold: recurring notions that connect discourses and actors

Section 4.4.1 discussed the discourse of ‘good governance’ and the most central notions of which this discourse is composed: the notion that the influence of the agricultural lobby should be reduced for the sake of good governance; the notion that the consumer, who is also a competent lay participant and a stakeholder in the policy process, should be put first, not least for restoring and sustaining citizen trust; the notion that good governance requires ‘openness’ and ‘transparency’ in the policy process, as well as in scientific expertise. In the analysis of institutional change and praxis, I observed that the formerly linear model of risk analysis – assessment, management, and communication – disintegrated, whereby new understandings of what ‘good science’ and ‘good policymaking’ are have emerged.

This specifically integrated science/policy nexus is closely related to the relative weight of the consumer protection discourse in the overall policy discourse. As section 4.4.2 recounted, within this discourse, the key notions, as indicated in the table, are the following: consumers must be put first (and above the interests of the food and feed industry); the consumer must be enabled to make informed (and preferably healthy) choices; citizens must trust in government and scientists for policy to function; citizens are understood to be consumers and constitute stakeholders in the food chain; citizens, as stakeholders, can contribute to and participate in food (safety) policymaking; and consumer rationality need not be based on economic concerns alone. This discourse signals the function of the BSE and the FMD epidemics in empowering a discourse of consumer empowerment, which could draw on an infrastructure for such a movement that had already been established earlier, institutionalized in consumer advocacy groups, such as the NCC and *Which?*. It is therefore not as ‘new’ as it may seem, but rather, a re-empowerment of a previously existing movement. A side-effect of this development has been the emergence in the UK (compared to the other countries studied here) of participatory policy practices that, in their nature and extent, go beyond those in other EU countries, including the cases studied for this thesis (see Loeber and Hajer 2007). At the same time, the language of consumer choice and ‘putting the consumer first’

also bears traces of neoliberal market efficiency discourses and individualist notions of the consumer, not least as a legacy of the Thatcher government.

Section 4.4.3 explored the discourse of public health and investigated the meanings of food (safety) within this discourse, as well as the discursive clusters of practices it has produced, in particular those based on the notion of nutrition forming a subfield of food (safety) policy. In this context, one can observe clusters where policymakers, scientists, and members of the industry come to merge under and push for (rivaling) notions of 'responsibility' towards the consumer. Often, these clusters are equally informed by discourses of good governance, market efficiency (expressed in 'deregulation'), environmental sustainability, as expressed in the notion that organic food is good food, and consumer protection (manifested in the attention paid to 'rights' and 'choices' of the consumer). What one can observe here is a merging of previously distinct policy areas as a product of the dislocation of the post-WWII policy discourse that separated food production from food consumption by virtue of focusing on productivity and self-sufficiency, rather than consumer health protection.

Next, section 4.4.4 discussed the discourse of environmental sustainability and stressed the notions of connecting environmental protection and agricultural production, the calls for improved animal welfare, landscape and nature protection, and the notion of reconnecting citizens with the origins of food, that is, regions, landscape, and the natural environment. A particular important finding here concerned the notion of reconnection that was appealed to in the aftermath of BSE and FMD, and how this generated, at times, an appeal to a collective, moral responsibility towards the environment, but also an individual responsibility.

In section 4.4.5, this chapter examined the discourse of market efficiency and discussed the notions of which it is composed: the notion of the need to reduce excessive administrative burdens by means of encouraging private regulation; the notion that farmers must be entrepreneurs; the notion of enabling consumer choice for the sake of a well-functioning market efficiency; and the notion of the 'food chain', which supports cooperation between policymakers, industry, and scientists. At the same time, that section concluded that some of these notions form bridges between the discourses of environmental sustainability, consumer protection, and market efficiency – most importantly, those of consumer choice, the need to rebuild and sustain trust, and the notion of farmers being entrepreneurs. These recurring notions are highlighted in bold across the table above.

In sum, the new actor constellations that have emerged from the reconfiguration of new discourses and previously more marginal ones indicate both change and continuity in English

food (safety) policy discourse. While we can observe the persistence of notions of individual choice inherited from the Thatcherite policy discourse, the environmental sustainability discourse, which was more marginal prior to the BSE and FMD crises, has experienced a significant revival. Due to the double-force of BSE and FMD, an environmentalist understanding of food (safety) could emerge alongside a strong consumer protection discourse, as both could draw on a previously existing infrastructure present as early as in the 19<sup>th</sup> century and, in a more pronounced manner, in the 1980s' food movement recounted in section 2 of the present chapter.

Keeping in mind the particular composition of discourses identified in the case of England, the next two chapters present the cases of Germany and the Netherlands, where the discourse analysis will reveal the fundamental contingency of the meanings of food (safety) across those contexts and over time.



## CHAPTER FIVE: 'Nature' in crisis. Food (safety) policy in Germany

### 5.1 Introduction

When the first German-born cow was diagnosed with BSE in November 2000, the food (safety) agenda in Germany was rapidly reframed in environmentalist terms, whereby prominent politicians announced an *Agrarwende* and an end to 'agriculture as we know it' and to 'sausage factories' (Künast 2001a; *Der Spiegel* 2001a, 2001b). The term *Agrarwende* itself appears in 176 articles of the weekly newspaper *Die Zeit* in the year of 2001 (Gerlach et al 2005: 6), and while the term was hardly present prior to the discovery of BSE in German herds, a representative study suggests that 54% of the population became familiar with it that year (Feindt and Ratschow 2003: ff). How can we explain the emergence of the *Agrarwende* policy discourse and its specific ability to integrate discourses of environmental sustainability consumer protection, policy areas that were previously disconnected? Rather than framing the *Agrarwende* in terms of a 'window of opportunity' for the German Green Party (see, for example, Feindt and Ratschow 2003), this chapter explores the dislocation of the post-WWII discourse and how, as a result, food (safety) became imbued with a range of new, often conflicting, meanings. In doing so, this chapter reveals that, while policies do change, there may be remarkable continuity in the discursive foundations on which they rest.

The chapter proceeds as follows. After a brief introduction, section 2 situates this case in its socio-historical context in order to highlight the contingent conditions underlying the understanding of and the reactions to the range of food (safety) issues over the past decade in Germany. Four hegemonic discursive notions structured food (safety) policy discourse before the advent of the series of food scares in the 1990s: the notion of food (safety) as a public health matter; the notion that agriculture provides social stability and welfare; the immediate post-WWII notion of the need for food autonomy; and the related construction of food (safety) as a national matter and BSE as an external problem.

Section 3 of this chapter examines the discovery of BSE in German domestic herds and the struggle to make sense of the related events. In particular, I address the key moments of (institutional) transformation when new discourses and meanings were invoked: the Hedda von Wedel report (named after the president of the *Bundesrechnungshof*, the Federal Auditing Court, at the time); the installment of the 'Consumers' Ministry'; and the related institutional rearrangements in the 'science/policy nexus'.

As in the previous chapter on the English case, section 4 is devoted to the analysis of the five empirically derived discourses that have informed the meaning of food (safety) in

Germany, their composition and interlinkages, and the discursive clusters that they produce and where they are performed: the discourse of ‘good governance’; the discourse of environmental sustainability; the market efficiency discourse; the discourse of consumer protection; and the discourse of public health. These empirical discourses and the notions that give meaning to them are summarized in table 5.1. The final section of the present chapter sums up the findings on the German case and draws conclusions.

## 5.2 A history of food (safety) policy in Germany

### 5.2.1 Food (safety) since the nineteenth century

An awareness of fraud and food adulteration problems in Central Europe can be traced back to the early Middle Ages, when, for instance, chalk and cast were mixed into bread. In the nineteenth century, those problems were aggravated due to the improvement of chemical manipulation techniques and the lack of central administrative control. As Wolfgang Wippermann (2001) recounts, the authorities sought to counter those challenges by way of ‘scientization’ (i.e. the development of the new discipline ‘food chemistry’) and administrative centralization. With the onset of the Bismarck Empire, official food (safety) controls were first introduced in 1876 with the establishment of the *Kaiserliches Gesundheitsamt* (Imperial Health Office) in Berlin, which framed food (safety) in terms of human health, rather than merely food fraud or spoilage. Three years later, in 1879, a law regarding the trade in food and non-food products (*Verkehr mit Lebensmitteln, Genussmitteln und Gebrauchsgegenständen*) was passed, and numerous institutions were established across the *Reich*, including local ones in the federal states (*Länder*). By 1907, Prussia alone counted 147 institutes of this kind. In 1918, the regulatory infrastructure was transformed into the *Reichsgesundheitsamt* (1918-1945); later, in 1952, the *Bundesgesundheitsamt* (Federal Health Office, hereafter BGA) was founded (Wippermann 2001), which fostered an early institutional understanding of food (safety) as a public health matter.

Aside from the emergence of official food (safety) controls, the 19<sup>th</sup> century also witnessed the growth of a movement that called for more ‘natural’ farming methods. During that time period, Germany found itself in an intense phase of industrialization, whereby population growth and mobility were reaching unprecedented rates (Linse 1986: 14). In addition, environmental conditions were deteriorating and urbanization led to the destruction of landscape. Two movements were to emerge and shape the food (safety) policy discourse at the time: the so-called *Lebensreform* [life reform] movement and the anthroposophist movement led by Rudolf Steiner. The two movements shared an anti-industrialization

discourse critical of civilization at the time and deplored what they perceived to be a growing alienation from the environment through processes of ‘scientization’, rationalization, mechanization, environmental degradation, and poor nutrition habits (Krabbe 1974: 14, cited in Wiesbröck 2007: 5ff).

Industrialized agriculture became a target of critique, given the beginning intensification of farming that entailed the use of chemicals and changing technologies (Vogt 2000). The skepticism was primarily articulated in environmental terms: the two movements pointed to issues such as soil compaction, acidification (of soil), and soil exhaustion, next to growing pest contamination (Vogt 2000: 30-32). In addition, these movements raised concerns in regards to possible effects of chemical fertilizers on the taste and health value of food (Rathke and Kopp 2004: 34). Finally, the *Lebensreformer* and anthroposophist movements expressed concern with regard to the decline of small-scale farming (Vogt 2000: 32). As a consequence, Steiner’s anthroposophist movement developed the model of ‘bio-dynamic’ farming, which brought all of the aforementioned concerns together (cf. BMELV 2005).

These issues had been addressed already decades earlier by the *Natur- und Heimatschutzbewegung* (movement for the protection of nature and homeland), but by the 1920s these criticisms took on a new dynamic: Poor harvests despite the growing use of mineral fertilizers and unknown soil damage diminished the trust in further intensification (such as more use of fertilizers). Particularly the adherents of the *Lebensreform* movement mentioned above were inspired by Romanticism, a movement originating from the latter half of the 18<sup>th</sup> century. Although a diverse movement, which included literary, musical, and artistic elements, a common feature of Romanticism formed the opposition to increasing rationalization and the appeal to a ‘pure nature’, to which writers such as Johann Gottfried von Herder and Johann Gottlieb Fichte added nationalist ideas. Consequently, the *Lebensreform* and anthroposophist movements could draw on such discourses and produce a new kind of ‘agro-Romanticism’ that strengthened the socio-romantic connotation of farming and (organic) food production.

In the early 20<sup>th</sup> century, Germany witnessed the formation of a number of associations for *Naturschutz* (nature protection) and *Heimatschutz* (homeland protection) (Lekan 2004). By 1914, an organized environmental reform movement had emerged with members in every German state and province (ibid.). These organizations devoted themselves to the preservation of nature. Their practices included researching and cataloging Germany’s natural features, lobbying government agencies to formalize the protection of the *Heimat* landscape, and raising public awareness about the ‘beauty of nature’ and the need to care for

the ‘natural environment’, which included animals (Lekan 2004: 3). In the 1920s, these organizations began to involve themselves in regional landscape conservation, known as *Landschaftspflege*, which advocated future-oriented, environmentally sensitive planning and may be regarded as a forerunner of today’s sustainable development (Lekan 2004; D4-ENV).

Although the *Lebensreform* movement consisted of a variety of networks, groups, and actors from diverse political perspectives, their common denominator was a rejection of luxury and extravagant enjoyment (e.g. of food), and a striving for a more ‘natural’ way of life in harmony with nature (Christmann 1997: 47-48). Among their aims related to organic farming were a more responsible treatment of the natural environment, the production of healthy food, the sustenance of small-scale farming, regional farming structures, and socially responsible enterprise. The combination of discursive elements described here – health, the natural environment, social responsibility, and the notion of a more natural way of farming – would prove to be highly pertinent to the contemporary food (safety) policy discourse in Germany, as I shall demonstrate in section 4.

Parallel to this growing movement promoting organic farming and a ‘natural way of life’, the so-called ‘Iron Triangle’ shaped German food policy and farming in important ways. From the mid-18th century onwards, this coalition between farmers, policymakers, and the bureaucracy had grown (cf. Rehaag and Waskow 2004), and by the outbreak of WWI, agrarian interests had been firmly established in the policy infrastructure around food and agriculture, such as in the Farmers’ Association (*Bund der Landwirte*) founded in 1893, 15 years ahead of the establishment of the NFU in England.<sup>79</sup> This early institutionalization of agrarian interests implied that a discourse of productivity tended to dominate at the expense of wider public concerns, such as those related to the environment, the fight against food fraud, and other aspects related not only but also to food quality. Another reason for this marginalization of a potential ‘consumer movement’, Gisela Hendriks (1987, 1988) suggests, was the rise of the political organization of German farmers during the agricultural depression of the 1870s ‘as a reaction to the competition from foreign producers and to the social changes which were accelerated by the transition from a static agricultural society to a dynamic industrialized economy’ (1987: 39). In addition, the legacy of the feudal epoch, its landed *Junkers*, and the ‘agrosocial philosophy’ (Hendriks 1987: 39) of that epoch led to the construction of agriculture as having a special status within the economy, associated with social values such as stability, continuity, and solidarity (ibid.). The propagation of a policy

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<sup>79</sup> The BDL was to collaborate with the Nazi regime and merged into the *Reichsnährstand* – the centrally controlled agricultural and food supply system. It was dismantled shortly thereafter.

discourse that depicted the role of agriculture as one of such intrinsic social value, the powerful position of farming interests was fortified and the uneven relationship between farming interests and those of citizens became discursively and institutionally sedimented.

Gustavo Corni and Horst Gies (1997) point out that an analysis of historical developments in German agricultural policy shows a strong continuity of ‘conservative market instruments’ as well as agrarian ‘interest politics’ from Bismarck’s policy of ‘wheat autonomy’ (*Getreidepolitik*) up to WWII (ibid.: 43, 61). Similarly, Hendriks (1987) suggests that, despite considerable changes in the range of territorial, socio-economic, and political conditions in this context, the agricultural concepts that had shaped the Wilhelmine period continued to shape both the Weimar period and the so-called *Third Reich*. In economic terms, she suggests, it would have made more intuitive sense after WWII to pursue a low price policy for opening up export markets and to abandon protectionist agricultural policies. Yet, despite the weakening of Germany’s food self-sufficiency, even post-WWII Germany (what was known then as the Federal Republic of Germany) continued to follow a quest for food autarky.

Bearing in mind the role of discourses in constructing meaning around events or developments, one can understand this post-war continuity in terms of the narrative of ‘independence’ that it (re)produced: A notion of political and economic independence was cherished – particularly following economic recovery from the war and the end of food rationing. During WWI, German food production suffered to such an extent that in 1916 (after a year of failed potato crops – the so-called ‘winter of carrots’), a serious food shortage hit the country. After the *Reichsernährungsministerium* (Ministry for Food and Nutrition) was established in 1919, throughout the 1920s a total export ban was implemented, and even after 1925, when Germany had reached pre-war levels of food supplies, strict controls were held in place regarding exports as well as tariffs. In 1930, it is interesting to note, the agrarian crisis was portrayed as a *Volkskrise* (Corni and Gies 1997: 45-6), which indicates a sense of collective crisis, not least because of the institutionalized meanings associated with agriculture, such as solidarity and continuity (Hendriks 1987). Beyond the economic hardship and severe food shortages experienced in Germany at the time, the image of a collective crisis also relied on the construction of a discursive alliance between, amongst others, two discursive positions (Corni and Gies 1997: 73): agrarian nationalism and racist ideology.

Indeed, until the Second World War, self-sufficiency with respect to food was regarded as a means of ensuring economic and political independence, as was reflected in Bismarck’s policy of wheat autonomy and the later export bans. Similarly, during the *Third Reich*, the

*Reichsnährstand* – the centrally controlled agricultural and food supply system – was intended, on the one hand, to ensure autarky and, on the other hand, it emphasized the importance of *Blut and Boden* ('blood and soil') in Nazi ideology by promoting domestic products, sometimes with an explicit military motivation (Wippermann 2001; see Corni and Gies 1997), such as in the infamous slogan '*Kanonen statt Butter*' [cannons instead of butter!].<sup>80</sup> The Nazis, as Wippermann (2001) points out, employed a public health discourse as part of their ideological agenda, thereby emphasizing territorial autarky and the 'healthiness' of German produce (see Corni and Gies 1997 for an exceptionally detailed analysis). A modern consumer movement did not exist at the time, however, bearing in mind the subordination of civic associations under the Nazi regime.

### 5.2.2 Post-war food (safety) policy

As Hendriks (1987) points out, food (safety) policy hardly changed after the war, as food *autonomy* became a key objective after the worst food shortage crises had been overcome, even though the discursive framing changed. Before 1945, Germany had been in the position to produce approximately 83% of its own food (Hendriks 1987: 36), whereas in the immediate post-war years, Germany faced a period of starvation, which reached its peak in the winter of 1946/7 when food intake fell below 1000 calories per capita per day in some regions. The key objective came to be defined as guaranteeing food *security* and the provision of affordable and nutritious food, as was the case elsewhere in Europe at the time. It was not until 1949 that the Marshall Plan funds had strengthened food imports and restored consumption levels to around 2000 calories per capita, per day. Nevertheless, the following years saw the return of the food autonomy discourse, which - given the trauma of the war and the related food shortages - signified political and economic independence. This discourse of food autonomy manifested itself in the intensification of agriculture and, importantly, a strengthening of the position of and the general respect for farmers and the German Farmers' Association (*Deutscher Bauernverband*) (newly founded in 1948), which was not countered by a consumer movement comparable in strength, size, and influence at the time (ibid.; Pfeffer 1989: 60ff).

In part, this lack of a consumer movement can be explained by the post-war discourse of 'agricultural exceptionalism'. As suggested earlier, agricultural food production in Germany represented more than merely economic activity – rather, agriculture was seen to produce

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<sup>80</sup> The slogan '*Kanonen statt Butter*' [cannons instead of butter!] implied prioritizing military expenditure over civilian goods (such as food).

and guarantee social stability (Hendriks 1987). Max Pfeffer (1989) emphasizes the importance of family farms as a ‘social force’ in sustaining an ‘ideology [...] [that was] rooted in German romanticism [and] has been conjured up to elicit widespread support’ (Pfeffer 1989: 60; cf. Mayhew 1970: 55). Consistent with the idea of the ‘Iron Triangle’, he understands post-war food policy in (West) Germany to reflect the capacity of the Farmers’ Union, policymakers, and bureaucrats to mobilize a system of values that could be used ‘to justify the adoption of economic policies for agriculture unlike those applied in other sectors of the economy’ (1989: 61). This notion of an ‘agricultural exceptionalism’ was to stabilize and nourish all of society, because of the ‘special qualities’ of agriculture in general, and of family farming more particularly.

The 1955 *Landwirtschaftsgesetz* (Agricultural Act) codified the notion that farmers required and deserved special (price) support from the state authorities to compensate for their natural and economic disadvantages, given their ‘responsibility to all of society’, phases of poor harvests, and relatively low income in relation to comparable occupations (Hendriks 1988: 76, Pfeffer 1989).<sup>81</sup> The Act further reinforced this view, backed by the influential position of the Farmers’ Union, its relationship to the ministerial bureaucracy, a general consensus on agricultural policy among major parties, the lack of momentum in the consumer protection discourse, and a reluctance of trade unions to take up ‘consumer issues’ (ibid.).

All this is not to say that there is an essential conflict of interests between farmers and consumers. Rather, in a context of industrialized agriculture, adverse farming conditions, and a capitalist discursive horizon, the interests of farmers are constructed as being productive, turning labor into product in the most efficient way, and – as some have put it – ‘prioritizing economics over nature’ (Busse et al. 2001). In the German context, the post-war farming conditions added yet another dimension to the construction of farming interests, given the severe food shortages, the loss of food sufficiency and disruption of the ‘food autonomy’ discourse, and not least the legacy of the Third Reich *Blut und Boden* ideology (see also Jahn and Wehling 1990). Post-war food (safety) policy in Germany, as it appears now, was conflictual: On the one hand, food shortages might have required more food imports; on the other hand, agricultural policy in the immediate post-war years aimed to raise domestic food production at any cost and keep as many people on the land as possible (Pfeffer 1989). The

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<sup>81</sup> Wyn Grant (1996: 1) points out that the CAP agenda came to mirror that of the German Agricultural Act of 1955 (*Landwirtschaftsgesetz*). The aim of this study is not to establish causal relations, yet it is nevertheless interesting to identify such ‘matches’ in discourse over time and across contexts.

romantic discourse of (family) farming aggravated this tension, as it seemed to conflict with the desire to raise productivity by means of industrializing agriculture.

As Alan Mayhew (1970: 55) points out, the high level of expenditure related to the rapid industrial expansion in the post-WWII period was not significantly questioned in Germany, in part due to the close discursive linkage to the *Gemeinschaft* [community]. The agricultural sector, however, provided only a relatively small share of the gross national product and at the same time was characterized by a declining labor force and high, but inefficient, capital input, at least until the late 1950s. Mayhew interestingly observes that highly developed machinery could be seen on nearly every farm, but the state policy to promote small-scale, family farms meant that those were not efficiently employed in production (Mayhew 1970: 64). One may argue that in such a way, machinery simultaneously symbolized progress in the form of industrialization (a positive image) and the decline of the romantic image of family farming. It is essential to be mindful of this discursive conflict as the later food scares were to reveal its fundamental ambiguity and its socially constructed nature.

The first challenge to the policy discourse of food autarky emerged from the European Community and the launch of the CAP after the Treaty of Rome (1957). In 1968, the German government launched a new farm program, wherein the introduction of low-interest loans to those who would be willing to cease farming and sell their land constituted an unprecedented measure (Bundesregierung 1958). The second major challenge in this context consisted in the Sicco Mansholt Plan, commissioned by what was then the Commission of the European Economic Communities, and named after its head, the Commissioner for Agriculture, at the time. The German government's response, however, indicated a general unwillingness to increase the rate of structural reform in this policy domain. One may argue that the initiation of these reforms themselves caused a sense of threat and hence helped sustain the food autonomy discourse that focused on the protection of German food production and land use, relying in part on a romantic notion of farming and the post-war discourse of self-sufficiency.

Notwithstanding the pressure exerted in the negotiation of the early EU CAP, and helped by the unforeseen period of monetary instability in the 1970s, the dominant policy discourse of food autonomy persisted throughout the 1970s. The German position in the CAP-related negotiations has frequently been reduced to a mere protectionist policy approach (cf. Hendriks 1987, 1988) but can perhaps better be understood as a continuation of the food autarky narrative. Given the legacy of the severe and traumatizing food crises of 1949, a particular discourse developed that strongly linked agricultural production to the aim



of ‘keeping the nation healthy and strong’. This may help explain why food policy was subsumed under the responsibilities of the health authorities early on - rather than those of the agricultural ministries, as was the case elsewhere.<sup>82</sup>

In light of the later discursive interpretation of the discovery of BSE, it is instructive to briefly highlight here the emergence of a renewed environmentalist discourse in the 1980s and early 1990s. Ingolfur Blühdorn points out that – despite the relatively late mobilization of an environmentalist movement in this context compared to equivalent developments in Britain – there has been an unprecedented ‘total agreement between business leaders, representatives of government and opposition, environmentalists, and the general public on the absolute necessity of tackling environmental problems quickly and effectively’ (Blühdorn 1995: 167). In the 1994 election campaigns, he points out, no party failed to include a chapter on environmental policies in its election manifesto and virtually all politicians made reference to the ‘natural environment’ at the time. As far as the success of non-governmental organizations (NGOs) in this field is concerned, the *Naturschutzbund* (Association for the Protection of Nature), for instance, benefited from the German reunification in the sense that its activities in the East infused the organization with new momentum, not least because the organizational profile moved away from a mere conservationist approach. Nevertheless, the environmental movement (and, one may add, the consumer movement) suffered from a decline in involved activists and internal coherence, which may be explained by considering the economic impact of the German reunification as well as the recession during the early 1990s. The main obstacle, however, consisted in the fact that ‘the ecology movement [was] less than ever of one mind on the question of *what kind of nature it wants to preserve* at all’ (Weinzierl 1993: 11, cited in Blühdorn 1995: 169, emphasis added).

To sum up, this section was also concerned with tracing out the particular discourses and meanings that historically shaped agricultural and food (safety) policy in Germany. First, agricultural activities symbolized more than merely an economic sector; they bore a connotation of social stability (Hendriks 1987), whereby the policy discourse of maximizing production and supporting farmers tended to dominate at the expense of the consumer and the environmentalist movements. Second, the German context did not witness the institutionalization of the human health/animal health boundary that was dominant in other contexts, such as the UK. Rather, there was a relatively strong tendency to frame food

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<sup>82</sup> To scholars of organizational capacities and decision-making, an interesting question to explore would be whether this institutional arrangement led to an increased efficiency and effectiveness in handling the BSE ‘crisis’ in 2000.

(safety) in terms of human health to begin with, as it was institutionalized, for instance, in the Federal Institute for Consumer Health Protection and Veterinary Medicine (*Bundesinstitut für Gesundheitlichen Verbraucherschutz und Veterinärmedizin*, hereafter BgVV). Third, German food and agricultural policy featured a characteristic food autonomy policy discourse that continued to shape food policy after WWII. Finally, it is useful to recall the mixed success of the environmental discourse in shaping policy discourse in the mid-1990s.

Given this historical account, viewed through a discourse-analytical lens, the next section introduces the key moments of transformation related to the discovery of BSE, which to date forms the most significant food scare in Germany in terms of its disruptive impact.

### **5.3 The changing governance of food (safety)**

This section recounts the events related to the discovery of BSE in Germany in order to help us understand better why, and how, food (safety) was then (re-)constructed as a policy issue. In addition, it traces out the key moments of institutional intervention whereby the formally responsible authorities sought to overcome the pervasive sense of crisis. Particular attention is drawn to an overall understanding of what these interventions stood for in terms of the shifts in the dominant policy discourse.

#### *5.3.1 BSE as an external problem*

In 1986, news about a suspected cow disease in the UK emerged, later to be known as BSE. Despite expert opinions suggesting that prions, the BSE pathogens, resisted high temperatures and would therefore render the disease easily transmittable, farmers and industry in Germany insisted that the German pressure sterilization technique could in fact overcome this problem. In 1989, Germany prohibited imports of MBM and related products of British origin, and in 1990, the EU imposed a ban on bovine-derived MBM throughout Europe. German scientists were indeed skeptical towards the British claims that British beef was safe to eat, and the German authorities were proactive in banning British beef, at first unilaterally, and later at the level of the EU. Nevertheless, the German authorities were slow in developing a domestic BSE policy, and did not ban the use of domestically produced MBM in ruminant feed until March 1994.

Thomas Lenz (2006) points out that Germany's handling of BSE in the 1990s was also driven by political competition between the federal and the *Länder* ministries, which makes Germany a specific case, as responsibilities for food (safety) control and inspections, as well as public health policy, continue to be matters of *Länder* regulation (see also Lenz 2004a, 2004b). This discrepancy between, on the one hand, the proactive role played by Germany

within the EU and, on the other hand, its hesitant domestic policy regarding the eradication of BSE points to the assumption in German policy circles that BSE was an *external* problem, and that German beef was safe and ‘clean’. In other words, although Germany was one of the few countries to acknowledge BSE as a *public health* hazard rather than merely an animal disease, this framing only applied to foreign cattle, not to German herds (ibid.). Rather, the discourse of the primacy of domestic food production and food (safety) as a national matter informed the interpretation of so-called ‘expert opinions’ at the time.

Notably, in the EU, food (safety) regulation was still a matter of national regulation at the time - hence, the so-called ‘specified risk material’ (SRM), as determined by the EU, did not have to be removed from cattle intended for consumption in Germany (Millstone and van Zwanenberg 2005: 195-6). Furthermore, there was little experience in dealing with scientific disagreements at the level of the EU. A scientist formerly involved with the Federal Health Office BGA recalls:

It was a totally new experience - that we had to cooperate with the others [the EU member states], and that we had to try to convince others of our risk assessment. Obviously, there was a wide range of different opinions at the time! To begin with, this institute [the former BGA] had foreseen very high risks [...] [but] had only made very careful suggestions for action. It was not that easy to find common ground on the European level (D14-S).

Common ground was reached eventually and, after the EU imposed import restrictions in 1990, German certification measures were implemented at the EU level in order to ensure consumer protection and the functioning of the internal market (Lenz 2006: 154). In 1992, the first case of BSE was discovered in Germany in Schleswig-Holstein, although a conclusive diagnosis could only be established in 1994. During that year, three further cases were identified, all of them being cattle imported from Britain, as were the two cases of BSE found in 1997.

Three factors make for the particularity of the German stance on BSE: The first particular feature, as indicated earlier, consists in the fact that responsibilities for BSE (or animal health more generally) were shared between the Ministry of Health and the Ministry of Agriculture in the German context, whereas in other countries, such as Britain, Switzerland, France, Portugal, and Ireland, only agricultural ministries were charged with developing BSE policies. In the latter countries, this implied that BSE was predominantly understood as an animal disease, whereby the constructed distinction between animal and

human health was upheld institutionally. In contrast, the German authorities called for caution prior to the official linkage between BSE and nvCJD (BgVV 1995).

As a second characteristic feature of the German policy discourse at the time, the German actions and reactions were shaped by the institutionalized precautionary approach. The precautionary principle (*Vorsorgeprinzip*) emerged out of the German socio-legal tradition in the 1930s and implies that, in the face of scientific uncertainty (or the lack of a scientific consensus, for instance, regarding environmental risks), action to prevent potential harm is favored over non-action. Whilst the precautionary principle has been predominantly associated with environmental policy and risk assessment, it has a particular history in the German context and has been integrated into other policy areas, too, in recent decades (see for instance Feindt and Öls 2005).<sup>83</sup>

The third particular feature of the pre-BSE policy discourse consists in the notion of German cattle being ‘clean’ and healthy which marked the developments in the early 1990s. The latter notion is reflected, for example, in the establishment of the *Aktionsgemeinschaft Deutsches Fleisch* (Association for the Promotion of German Meat) in 1994, an association of the German meat industry that was formed in response to increasing numbers of BSE found in the UK. The association emphasized and promoted the ‘BSE-free’ nature of German beef with confidence – as the notion of domestic herds being healthy and ‘clean’ was still dominant at the time. In fact, the idea that German cattle could be infected did not surface during this time period, and even after the announcement of the link between BSE and nvCJD, the Minister of Agriculture insisted:

I want to emphasise [sic] explicitly that for us [...] health and consumer protection [...] [and] precautionary measures have the highest priority in Germany and in the European Single Market. That means that beef available in Germany is safe, hygienic and harmless. Consumers can rely on the quality and safety of the beef supply in Germany (Federal Parliament 1996: 9462A, cited in translation in Lenz 2006: 155).

It becomes clear that, at the time, a strong sense of a ‘natural order’ prevailed and dominated German food (safety) policy. As a result of the discursive construction of BSE as an ‘external disease’, the German authorities opposed the installment of strict EU-wide measures for the eradication of BSE. Along with France, the German Ministry of Agriculture

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<sup>83</sup> See, for instance, *Journal of Environmental Policy and Planning*, volume 4 Issue 3 (July/September 2002). Regarding the EU institutional context, key documents would be the Maastricht Treaty, the 2000 *Communication on the Precautionary Principle* (COM/2000/01final) and the 1997 *Communication on Consumer Health and Food Safety* (COM/97/183 final).

insisted that countries not affected by BSE should not have to incur the considerable costs related to the new rules. While the said financial considerations regarding the costs of BSE controls (for instance, those incurred through laboratory tests), should be taken seriously, we can better understand them within the particular discursive horizon under which the German authorities found themselves, whereby the hegemonic discourse was based on the notion of German beef being healthy and clean.

The treatment of Cindy, a Galloway cow raised in Höxter, North Rhine-Westphalia, forms a tangible expression of this notion. In January 1997, the state Ministry of Agriculture reported a suspected case of BSE – Cindy. From her earmarks and papers, it initially appeared that Cindy had been born in Germany to a cow imported from Britain (Groche 2003). After resource-intensive genetic testing, it appeared that, in fact, Cindy had been born in Britain, hence the image of Germany being BSE-free was upheld, and no evidence was found that would support the thesis of maternal infection. Yet it is interesting to point out that prior to the results of the genetic testing in March 1997, the federal Minister for Agriculture at the time, Jochen Borchert (of the Christian Democratic Union party CDU [*Christlich Demokratische Union*]), insisted that Cindy had been directly imported from Britain and that her proof of origin had been ‘manipulated’. Conversely, the state Minister of Agriculture of North Rhine-Westphalia, Bärbel Höhn (*Bündnis 90/Die Grünen*), was convinced that the animal had been born in Germany (Groche 2003: 11). These disagreements and the political reactions to them indicate that there were indeed some who thought BSE could possibly exist in domestic German cattle, while others insisted on BSE being an external problem. Food (safety) remained generally regarded as something that could be guaranteed by installing import restrictions on British beef and MBM. For instance, in the discussion of the government’s annual Agricultural Report (*Agrarbericht*)<sup>84</sup> in 2000, Minister of Agriculture at the time, Karl-Heinz Funke (of the Social Democratic party SPD [*Sozialdemokratische Partei Deutschlands*]) announced:

I want to say this to the consumer: In Germany, a lot of BSE tests have been conducted [...]. Germany is – thank God – free of BSE. [...] You can trust in German beef. You can eat it with pleasure (Federal Parliament 2000, Plenary Session 14/133, 12851B, cited in translation in Lenz 2004b: 55).

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<sup>84</sup> The *Agrarbericht* was issued annually until 2007, whereas it is now published once every four years. Instead, monthly as well as yearly statistics are now issued (*Gesetz zur Änderung des gesetzlichen Berichtswesens im Zuständigkeitsbereich des BMELV*).

This, of course, was hardly a coincidence, as from the conservative-agriculturalist position of the CDU, agricultural policy should remain the way it was at that time – hence the conviction that the cow must be foreign. Similarly, the possibility of a domestic case of BSE did not seem likely in the Greens’ discourse, either. Given the dominant construction of BSE as an external problem (cf. Lenz 2006; Dressel 2002), 24 November of 2000 had a dislocatory impact on German food (safety) policy, as the section below demonstrates.

### 5.3.2 *The discovery and interpretation of BSE*

Cow Trixi, aged four, would have been sold for sausage production, if it had not been for Richard Basche of Itzehoe, Schleswig Holstein, who offered parts of Trixi’s brain to a private laboratory in Hamburg in order for it to be tested for BSE. As mentioned above, the German authorities had previously assumed Germany to be free of the cattle disease, yet on 24 November 2000, the first case of native BSE was confirmed in Schleswig-Holstein – symbolizing what the Minister of Health at the time, Andrea Fischer, referred to as the ‘GAU of the industrialized agriculture’, thereby invoking an image of tragedy and trauma.<sup>85</sup> Only a few weeks later, BSE was confirmed in three cows in Bavaria, ‘where cows still have their own names’ (*Der Spiegel* 2000), shattering the long-defended legend of the ‘clean’ Bavarian cattle feed.<sup>86</sup> Shortly after the confirmation of the laboratory results, the Minister of Health Andrea Fischer and Minister of Agriculture, Karl-Heinz Funke, who had wrongly declared German beef BSE-free, were forced to resign as they found themselves in a ‘crisis amidst a crisis’: Not only was BSE confirmed in German cattle, but authorities had also lost credibility and trust (D9-G). Chancellor Schröder declared an ‘end to agricultural factories,’ and beef consumption dropped dramatically; in the period between December 2000 and February 2001, 47% of German households avoided beef and beef products (Gerlach et al. 2005: 5; Barlösius and Bruse 2005: 18). Within weeks, a law was passed banning the usage of MBM as animal feed.

The resignation of two ministers and a set of institutional rearrangements, which shall be further discussed below, were intended to address the widespread public outcry over the events and the apparent problem of mistrust vis-à-vis the authorities.<sup>87</sup> The developments recounted above, however, were additionally accompanied by an explicit critique of the

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<sup>85</sup> The acronym GAU originated in the context of nuclear power accidents and stands for ‘Grösster Anzunehmender Unfall’ (worst case scenario).

<sup>86</sup> Only a few months later, the Bavarian state organized a citizens’ panel on the subject of BSE. For an analysis see Hendriks (2004).

<sup>87</sup> In fact, BSE was even experienced as a trauma by some (D1-CO, D4-ENV).

informal and formal influence of the agricultural industry in the former Federal Ministry for Nutrition, Agriculture and Forestry (*Bundesministerium für Ernährung, Landwirtschaft und Forsten*) and the emergence of a broader critical discourse. Renate Künast, the newly appointed Minister of Agriculture of the Green Party, famously announced the *Agrarwende* in her inauguration speech in 2001 (Künast 2001a).<sup>88</sup> The *Agrarwende* program, supported by the Green Party and the Social Democrats, explicitly aimed at a 20% market share of organically produced food against ‘the ills of an agricultural policy geared to mass production’ (Künast cited in Nicholson-Lord 2001/*The Independent*). As indicated earlier in this chapter, Renate Künast invoked a language of ‘putting an end to agriculture as we know it’ (Künast 2001a), and Chancellor Gerhard Schröder called for ‘an end to factory farming’, despite his alleged fondness for *Currywurst* (curry sausage), arguably an icon of industrial meat production.

The phrase ‘factory farming’ certainly pre-existed the discovery of BSE, for instance, in the documentary film ‘A cow at my table’ (1998). In the context of the discovery of BSE in Germany, it was mobilized in order to make sense of an unexpected event and eventually led to a call for a new approach to agriculture. This ‘new approach’, it was announced, would focus on ‘Quality, not quantity’ [*Klasse statt Masse*] (Künast 2001a) in order to ‘never return [...] [to] the treadmill of thoughtless mass consumption’ (Künast cited in Nicholson-Lord 2001/*The Independent*). Similarly, a Green MP considered BSE to represent what the Chernobyl disaster had represented to nuclear power: the beginning of the end (*Der Spiegel* 2001a). Furthermore, Minister Künast called for a *Reinheitsgebot* (imperative of purity) in German meat production, in analogy to the purity law followed in beer brewery (*Berliner Zeitung* 2001a; NABU 2001).

While the events around BSE appear to constitute the most significant instances that produced a language of the need for a radical change, other food scares did not go by unnoticed, either. In the 1980s and 1990s, most safety alerts had concerned products imported from abroad (or not reaching Germany at all), such as growth hormones found in animal feed, packaging fraud, nematodes in fish, labeling fraud regarding supposedly organic fruit juice (*Naturtrunk*), glycol in wine imported from Austria, swine fever in Lower Saxony in 1994, contaminated soft drinks (that crossed the border from Belgium) in 1999, the discovery of dioxin-contaminated feed in Belgium and neighboring countries, and, just before BSE was discovered in Germany, a high level of pesticide residues found on peppers imported from Spain in early 2000 (cf. IFAV 2000). Since the German BSE crisis in 2000/1,

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<sup>88</sup> As suggested above, the term itself was virtually absent prior to this speech (Feindt and Ratschow 2003).

a series of scandals related to the discovery of forged labels on rotten meat (*Gammelfleisch*) have triggered strong public reactions in Germany. In addition, in January 2002, a Bavarian producer of baby food discovered high levels of nitrofen, a herbicide that had been declared carcinogenic and consequently prohibited in 1980 in Germany and in 1988 by the EU. Nevertheless, it took until May 2000 for the German authorities to be informed of the discovery. In June, the nitrofen contamination was successfully traced back to a factory in Malchin, Mecklenburg-Vorpommern (Mecklenburg-West Pomerania) – ironically, a producer who had converted from conventional wheat processing to organic methods. Ultimately, the EU renounced the imposition of sanctions on Germany, and the nitrofen incident was quickly presented as an instance of fraud that required stricter controls by the *Länder*, rather than a failure of the German checks and control system itself (Bundestag 2002). The startling discovery exposed diversity in scientific opinions and is frequently referred to in speeches and presentations, as an example for (difficult) risk communication, the need for more transparency (cf. BfR 2006a), and as a trigger for the plans for a ‘consumer information’ legislation at the time (cf. Foodwatch 2005a).<sup>89</sup>

At a closer look, this study suggests that the dislocatory experience of BSE has strongly shaped the interpretation of and consequently, the reactions to these more recent food scares. In particular, the critical discourse accompanying the *Gammelfleisch* scandal has been marked by a language of consumer protection and consumer *rights*, whereby the notion that public authorities have successfully placed food (safety) under their control through institutional arrangements and new modes of cooperation has been called into question (see, for instance, Foodwatch 2007). In addition, the very term *Gammelfleisch* appears to have become a synonym for both industrial fraud and failure of food (safety) inspections. It is at this point difficult to gauge the effects of these more recent scares; this chapter therefore places its focus on the key moments that brought about demonstrable changes in policy discourse in the German policy context.

The next section will recount the most crucial institutional interventions that followed the discovery of BSE in German herds, before I focus in on the discourses that have informed these changes in section 4. In particular, three interrelated key moments are highlighted: (1) the 2001 Hedda von Wedel report; (2) the establishment of a new ‘consumer ministry’; and (3) the struggle to institutionally delineate the science/policy nexus. These three instances represent the most pertinent moments in the German context whereby the

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<sup>89</sup> The calls for a law of this kind came from the opposition (B90/Grüne, SPD) and were repeatedly blocked in the Upper House (Bundestag) until it was finally passed in 2007.



German government sought to regain legitimacy and credibility. As such, we can consider them as performative in the ways in which policymakers called new ‘rules of the game’ into being, thereby also invoking particular discursive clusters of actors. The presentation of these key institutional moments serves to demonstrate that (new and old) discourses produce and shape institutional rearrangements, instead of institutional changes being ‘fresh’ and rational responses to crisis moments.

### 5.3.3 Institutional Interventions

In order to understand the reasoning behind the von Wedel report and, indeed, the very idea of commissioning it, it is useful to recount briefly some of the institutional arrangements in place when the BSE crisis hit Germany. To begin with, several food-safety related tasks were carried out by a number of institutions, ranging from the Federal Ministry for the Environment, Nature Conservation, and Nuclear Safety (*Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit*), the Federal Ministry for Economics and Technology (*Bundesministerium für Wirtschaft und Technologie*) and the Federal Ministry of Health (*Bundesministerium für Gesundheit*). Some observers of institutional design would dismiss this constellation as inefficient; conversely, I would argue that it signals the multiplicity of meanings that food (safety) can take on and the dynamic and fluid nature of the policy area. In those different discursive premises, the very concept of ‘food safety’ connoted different things, such as public health, the avoidance of environmental risk, or of potential economic damage, or a combination of these. Beyond this, the institutional set-up also reflected the aforementioned ‘Iron Triangle’ and a rationalist approach to farming as a legacy of the post-WWII food (safety) policy discourse. As for the science/policy nexus, Kerstin Dressel (1999: 5) emphasized that scientific committees typically played a much less formal role than those in the UK, and scientific expertise was drawn from various public sector research institutes as well as EU scientific committees in urgent cases, such as that of BSE.

In a 1999 evaluation of the institutional infrastructure in this policy domain, the *Wissenschaftsrat* (Scientific Council) had already concluded that a ‘clearer definition of the tasks of the BgVV was necessary [...] [and that] to implement the tasks of the BgVV more strictly and to make it more efficient, their proper responsibilities should be located within the Federal Ministry of Health’ (*Bundesministerium für Gesundheit, BMG*)’ (*Wissenschaftsrat* 1999; cf. *Wissenschaftsrat* 2001).<sup>90</sup> In view of the rearrangements following the BSE crisis, and certainly from the vantage point of organizational culture, it is interesting to note that

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<sup>90</sup>The evaluation report was commissioned by the government in 1996.

the *Wissenschaftsrat* particularly recommended a reconsideration of the BgVV's double-function as a bureaucratic and a scientific institution (2001: 3). A number of the ideas articulated here, in fact, were to reappear in the von Wedel report that was commissioned shortly after the first domestic cases of BSE were identified in late 2000.

Drawn up by the president of the Federal Auditing Court Hedda von Wedel, the report relied on cooperation between, amongst others, experts at the federal auditing court, and an 'advisory committee' comprising representatives of farmers, consumer groups, and scientists (Steiner 2006: 193). Echoing the broad composition of the English *Policy Commission on the Future of Food and Farming* discussed in chapter four, the composition of the committee reflected the struggle to define food (safety) in this situation of ambiguity and simultaneously helped produce and define a particular vision of what BSE stood for, or what it was *an instance of*. It is equally interesting to note that von Wedel was at the same time the federal commissioner for operating efficiency in public administration (*Bundesbeauftragte für Wirtschaftlichkeit in der Verwaltung*), as a reflection of which the report introduced notions of efficiency, coordination, and transparency. In light of this background, we can understand the commissioning of the report as an authoritative act that invoked the image that BSE was not least also a matter of inefficient governmental coordination on food (safety) controls, rather than a symptom of the ills of industrialized food production, as the environmentalist discourse would have it.

The main points of criticism articulated in the von Wedel report concerned (1) the fragmentation of responsibilities in the domain of food (safety) policy, (2) the lack of an 'independent scientific centre' to advise the ministry, and (3) the insufficient coordination between authorities at the federal level, the federal states (*Länder*), and the EU in this policy field. Alongside these organizational matters, the report insisted on the institutional separation of risk assessment ('science') from risk management ('politics') in order to 'regain and sustain consumer trust in food safety' and to ensure that science was to be conducted in a manner independent from 'political or economic influence or other interests' (von Wedel 2001: 94-5).

Around the same time, however, the Federal Office for Technology Assessment (*Büro für Technikfolgen-Abschätzung beim Deutschen Bundestag*, hereafter TAB) published their own evaluation of the institutional infrastructure and science/policy nexus, whereby it recommended the opposite: the integration of risk assessment ('science') and risk management ('policy') (Bösch, Dressel et al. 2002). It is instructive to note that the TAB report was commissioned prior to the discovery of BSE in domestic herds, while it was

finalized around the same time as the von Wedel report.<sup>91</sup> The 2001 report criticized the ‘science bias’ in the von Wedel report, its tendency of ‘command and control’ (ibid: 22), and its ‘one-sided emphasis on efficiency’ while leaving out questions related to democratic qualities of institutions (ibid). Arguably, the reports were produced from opposing discursive premises. To begin with, the appointment of a lawyer, von Wedel, represented an enactment of authority, order, and crisis management on the part of the government. The notions of efficiency, management, and coordination in the von Wedel report are therefore an expression of public authority, whereas the TAB report was produced from a more marginal position and a less institutionalized (perhaps less co-opted) discursive premise. This institution, though not strictly non-governmental (as it was established by the *Bundestag* – the lower house of the parliament - in 1990 and receives public funding), formed a discursive premise from which critical policy evaluation was possible, as its self-understanding is to ‘develop alternative options for action and guidance for political decision makers’ (TAB 2005). Following a hearing at the Bundestag, however, the von Wedel report was to be implemented (Henning 2003: 1). This implies that the institutionally superior position – the Court of Auditors – prevailed over the critical view of the TAB.

In view of the conflicting recommendations discussed above and in light of the converse, more integrated institutional arrangement in England (discussed in chapter four, section 4.3 and section 4.4.1), we can consider the science/policy nexus formed as a discursive site of contestation. Due to the inability to understand the BSE-related events within the previously hegemonic policy discourse, policymakers and scientists were faced with acute institutional ambiguity as to what food (safety) meant, what it means to be a good policymaker and a good scientist, and the associated roles and rules in the policymaking process. Unlike in other countries, such as the UK, however, German scientists had been informed by a discourse of public health – a legacy of the institutional history of the *Kaiserliches Gesundheitsamt* (1876-1918) and the *Reichsgesundheitsamt* (1918-1945), which had linked food safety controls and public health (see section 5.1.1). The traumatic experience of the events around BSE in the German context was therefore not so much related to the identification of the link between animal and human health but, rather, to the discovery of BSE in *German* domestic herds. Nevertheless, the government embarked on a re-evaluation of the ‘science/policy’ nexus.

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<sup>91</sup> In spring 2000, the Social Democratic fraction of the *Bundestag* (the lower house of the German parliament) had ordered a re-evaluation of the ‘structures of organization and communication in the research area of transmissible spongiform encephalopathies’ (Böschchen, Dressel, et al. 2002: 2).

This objective was informed by, first, the 1999 evaluation of the BgVV, and second, the wave of similar institutional rearrangements in Europe (cf. Bösch 2003).

Following the recommendations of the TAB and those articulated in the von Wedel report, a new Federal Institute for Risk Assessment (*Bundesinstitut für Risikobewertung*, hereafter BfR) and the Federal Office for Consumer Protection and Food Safety (*Bundesamt für Verbraucherschutz und Lebensmittelsicherheit*, hereafter BVL) were founded. The BVL was to create a data network regarding food safety incidents, to harmonize control standards, and to exist as intercept for the European Rapid Alert System. In addition, the BVL was tasked with numerous legal tasks (risk management), in particular for assuring the implementation of directives and laws regarding pesticides and their effects on both human health and nature conservation. The domestic institutional partner of the BVL, the BfR, is charged with 'risk assessment' and 'risk communication'. Along with the Federal Institute for Agriculture (*Biologische Bundesanstalt für Land- und Forstwirtschaft*), the BfR evaluates scientific concerns and potential food (safety) questions. This was an innovative arrangement in the European context, bridging the previously disparate domains of plants, animals and humans in a 'horizontal approach', later also foreseen on the EU level in Regulation 178/2002 EC in the 'farm to fork' approach (BVL 2004). At the same time, contrary to the UK arrangement, the science/policy nexus was restored here by way of drawing boundaries between the two seemingly separate spheres of practice. The notions of transparency, independence, and the need to restore citizen trust formed the backbone of the drawing of these boundaries, which will be further explored in the discussion of the discourse of good governance in section 5.4.1.

Moving on to the next key moment of institutional transformation, the conversion of the Federal Ministry for Nutrition, Agriculture and Forestry (*Bundesministerium für Ernährung, Landwirtschaft und Forsten*) BML into the Federal Ministry for Consumer Protection, Nutrition, and Agriculture (*Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft*, hereafter Ministry BMVEL) was the most prominent. While the renaming of the Ministry predates the von Wedel report by a few months, the precise responsibilities and sharing of tasks were allocated upon the recommendations of von Wedel. It is interesting to note, moreover, that the von Wedel report suggested that Schröder's administrative order issued in January 2001 (Bundestag 2001) immediately after the discovery of BSE in Bavaria had not successfully installed an institution in charge of *comprehensive* consumer policy. Instead, von Wedel suggested, one could have allocated consumer policy entirely to the Ministry of Health (*Bundesministerium für Gesundheit*, BMG). This indicates the institutional ambiguity caused by

BSE, the legacy of a strong discursive linkage between consumer protection and public health, and the unstable nature of the meaning of food (safety) itself (von Wedel 2002: 22-23).

The Ministry BMVEL is most frequently referred to as the ‘Consumer Ministry’ (*Verbraucherministerium*), and the telling name of the new institution and the non-agrarian background of its head Renate Künast symbolized a dismantling of the institutionalized power of the agrarian lobby, removing, as it were, ‘the smell of stables’ from policymaking (*Der Spiegel* 2001). The new institution was charged with the policy domain of consumer protection previously belonging to the Ministry of Health, and took over the responsibility for consumer policy from the Ministry for Economic Affairs and Technology. As a result of this discursive re-formation, the Ministry BMVEL announced that its work would be based on three areas of responsibility: (1) precautionary consumer protection, (2) quality assurance, and (3) sound production processes, where the regulation would take into account environmental protection and animal health (Reisch 2003; BMVEL 2004a, 2004b). The Ministry BMVEL therefore integrates several disciplines that were previously seen as separate (D2-CO, D6-G) and has resulted in the 2002 Law on Food and Feed Safety (*Neuordnung Lebensmittelsicherheit and Futtermittel*) and puts feed and food on an equal footing with respect to ensuring safety. The Act represents the integration of what were previously eleven separate laws regarding food safety.

The recent creation of a Consumer Information Law (*Gesetz zur Neuregelung des Rechts der Verbraucherinformation*, commonly referred to as the *Verbraucherinformationsgesetz*) forms a related institutional move. The law is rather ‘technical’ in nature but relies on the idea of an essential consumer right to information, rather than merely protection. The consumer information law was accompanied by a revision of the Law on Foodstuffs and Feed (*Lebensmittel- und Futtermittel Gesetzgebung*). More specifically, paragraph 40 of the latter now stipulates that, in cases of suspected health risks associated with already distributed foodstuffs, the responsible authorities will (rather than ‘may’, as previously stated) inform the public (BMELV 2008a: 10). This amendment implies that public authorities may now openly identify the producer or distributor of a given feed- or food product – as has been common practice in the United States of America, the UK, France, and a number of Central and Eastern European countries, such as Hungary and Bulgaria.

To sum up, this section provided an initial sketch of the impact of BSE with regard to dominant policy practice at the time, such as the strong influence of the agricultural lobby in food (safety) policymaking, insufficient consideration of consumer protection, and unclear

division of responsibilities. Having recounted the institutional arrangements that were put in place in response to these criticisms, I now proceed to the discourse analysis of contemporary German food (safety) policy in order to disentangle the different discourses that inform the *Agrarwende*, to assess their ‘life courses’, and to reveal the connections between them.

#### **5.4 Change and continuity in German food (safety) policy discourse**

With the knowledge of the historical developments in German food (safety) policy and the key institutional moments of transformation laid out above, this section is devoted to the five inductively derived discourses that inform the different meanings of food (safety) in the overall policy discourse. As was done in the previous chapter on England, table 5.1 summarizes the findings as follows: The columns represent the five discourses, while the cells are filled with the key elements that make for their specific content in the German case - these are captured here as ‘notions’. Notably, the discourses are intertwined and draw on each other in a contextually contingent fashion; it is nonetheless - for practical purposes - possible to schematize them as follows: the discourse of ‘good governance’; the ‘environmental sustainability’ discourse; the ‘market efficiency’ discourse; the ‘consumer protection’ discourse; and the discourse of ‘public health’. I shall discuss these discourses and their specific compositions in turn, while I also point to notions that recur across discourses, which are also highlighted visually in table 5.1.

##### *5.4.1 Good governance*

The discourse of good governance played a particularly significant role in the struggle for discursive order and institutional rehabilitation in the face of the acute institutional ambiguity caused by the domestic case of BSE in late 2000. The meaning of ‘good governance’ in the German case is composed of the following notions: the notion of a need for a ‘new approach’ to food (safety) policy, where consumer interests should be put above those of the industry; the need for transparent and open policymaking, also for the sake of restoring and sustaining consumer trust; the need for a separation between science and policy (at the ‘science/policy nexus’); and the notion of a need for open communication with citizens, who have rights and are seen as stakeholders within the food chain. Beyond the notion of citizens as stakeholders, good governance also implies that there is a need for cooperation and coordination along the food chain, although this notion will be discussed in more detail in the accounts of other discourses, too. These notions, as I will show below, concretely manifest themselves in particular policymaking arrangements, institutional practices, and

public performances. The concluding section points to the political implications of these changes.

Whereas the public authorities had traditionally been responsible for food (safety) in Germany, the dislocatory experience of BSE and the resultant institutional ambiguity led policymakers to announce a 'new approach'. By renaming the former Ministry of Agriculture to make it the 'Consumers' Ministry' (i.e. the BMVEL) only weeks after the first discovery of BSE in a German cow, policymakers expressed the notion that the farming lobby should be removed from policymaking, as policymakers had done in the UK, too. By appealing to the notion of an end of the 'Iron Triangle' (see section 5.2), the telling name of the new institution and the non-agrarian background of its head Renate Künast were to signal a removal of the institutionalized power of the agrarian lobby ('the smell of stables').

The call for a 'new approach' found expression in the ministerial integration of the policy domain of consumer protection with nutrition policy and agriculture. In another turn towards a 'new approach', whereby the consumer is put before the possible interests of the industry and those of politicians in power, the 'philosophy' of the new scientific institution BfR introduced in section 3 was declared to rest on three principles: (1) the health of the consumer and protection against possible dangers and risks; (2) free consumer choice (as well as protection against misguidance and deception); and (3) the continuous optimization of the precautionary consumer protection on the basis of scientific evaluations (BfR 2003a). This amalgamation of previously disconnected policy areas signals a shift in what food (safety) stood for in the view of policymakers and scientists when they came to take on the shared discourse of good governance.

The notion of a need for a 'new', more 'modern' approach is also expressed in physical enactments at the level of organizational practice. The institutions described above – the BVL and the BfR, as well as the renamed Ministry – can be understood as new stages where policymakers, scientists, and the industry could reconstruct, rehearse, and re-interpret their roles vis-à-vis the consumer, who has lost trust in food (safety) and those in charge of it. Enactments on these new stages can consist in participatory policy practices, public events, 'open days', relocating institutions in order to 'make a fresh start', or even performances at cooking shows or events promoting (organic) food. Other performance practices in which the discourse of good governance is produced and performed include the development of a 'corporate [sic] identity', which may entail a new institutional logo or the introduction of pins to be worn (at least) at public events, as it is done at the BfR. Similarly, the BVL has used business terminology in reference to its institutional evolution, which provides civil servants

with a ‘modern’ understanding of ‘good governance’. For instance, the former BVL president declared the BVL to be a start-up business, and institutional talk of ‘customer-oriented practice’ is becoming pervasive (see BVL 2003).

Beyond this call for a new approach, the twin-notions of ‘transparency’ and ‘openness’ have shaped organizational practice at the BfR. Whilst these terms could be understood to denote technical arrangements and administrative rules, or ‘mere talk’ by others, they can better be captured as discursive notions that come to be guiding principles for the iterative enactment (as well as contestation) of discursive roles, rules, and responsibilities in food (safety) policymaking. A senior natural scientist at the BfR recounts that it was not always common practice to note down the whole thought process that would shape her evaluation of a given substance or its benefits. At the former Federal Health Office (BfG), she recalls, reports tended to be half a page long, ending with ‘best regards’, without an extensive explication of the employed evaluation procedure, a discussion of the existing literature, or a detailed documentation of the tests performed. This formerly institutionalized and legitimate practice signals the taken-for-granted authority of the expert at the time. In reference to what she identifies as ‘old practice’, the respondent recounts:

I had a difficult situation with a colleague once - it was probably on some novel food. I remember there was a colleague who stood in my door and kept asking me to re-read her evaluation [...]. So I asked her: what is your result? [She said:] Well, there is no risk. So, I said: then write it down. – Yes, but I don’t want it to be on the market [the novel food product]. So I said: then find a reason why it shouldn’t be! [laughs]! (D15-S; see also BfR 2005).

The notions of openness and transparency within the good governance discourse are, of course, not only performed at the individual level but are also made visible in the redefinition of an overall institutional identity: The BfR is keen to assert its ‘uniqueness’, its open and self-reflective mode of operation (‘we have read Popper, too, you know!’), and its ‘modern, open approach’, which includes the publication of controversial exchanges with Greenpeace, for instance (D11-S; see BfR 2006b, 2006d).

Another notion in this ‘good governance’ discourse, the notion of trust, concerns the ways in which institutions have developed practices to track their own performance, particularly in relation to citizens’ trust (for instance, aid 2003). In the immediate aftermath of BSE, the European Commission provided funding for an EU-wide trust-building campaign, which was carried out by a broad constellation of actors in Germany, including policymakers, health officials, and scientists, as well as members of the industry and



consumer organizations (see aid 2001, 2004; COMM 2002b). For all of these actor-categories, good governance entailed the restoration perceived loss of trust and this shared sense points to a pervasive experience of dislocation and ambiguity. As for scientists, the growing role of the social sciences in informing ‘risk communication’, as we have also seen in England, points to a perceived need to ‘reconnect’ with citizens as a result of the acute ambiguity experienced in the aftermath of BSE. Scientists and policymakers have come to employ interactive modes of communication rather than what is referred to as the conventional ‘one-way’ mode of risk communication as part of the institutionalized, linear, three-stage model of risk analysis referred to in chapters two and four. As the BfR developers express it themselves, the aim is

not to convince others that a given risk is either manageable or unacceptable, but rather to enable the affected parties to practice their right to choice through offering information, dialogue, or active participation in finding solutions and decisions (Hertel and Henseler 2005: 3).

The notions of a need to reconstruct and sustain the relation between scientists and policymakers, on the one hand, and those actors’ relations with citizens, on the other hand, find further expression in the hiring of consultants to conduct studies regarding the popularity of or public knowledge about the BfR.<sup>92</sup> Good governance, in other words, comes to be about *how* things are done, rather than only about *what* is done. As a result, the adequacy of the performance, to use the dramaturgical metaphor, depends on the judgment of the ‘audience’ – whereby the actor/audience binary distinction becomes dissolved.

At the same time, there appears to be a discrepancy between the official calls for involving consumers in policymaking and the actual extent to which participatory practices have been introduced in Germany. Yet it would be misleading to distinguish between ‘language’ and ‘real practice’. Instead, the double-focus of this study reveals that policymakers and scientists draw on a ‘Europeanized’ discourse in order to express a reflective, modern way of thinking about risk analysis, whereas this discourse has not yet been internalized in organizational practices in Germany.

Beyond this Europeanization effect, the apparent discrepancy between official calls for participation and a relative lack thereof in practice can be better understood by noting the skepticism and cynicism with which some of the aforementioned measures (and the

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<sup>92</sup> For instance, the BfR has recently commissioned the consultancy firm *aproxima* to evaluate public knowledge about the BfR. To that end, political and economic ‘experts’, as well as associations, consumer organizations, and media representatives will be interviewed.

resources invested in them) were met by civil servants (including scientists) at the newly created institutions. This skepticism and cynicism became apparent in in-depth interviews conducted for this study, in particular with senior civil servants and scientists who were socialized in a different kind of organizational culture. In other words, the newly constructed ‘rules of the game’ following the institutional ambiguity caused by the food scares – in particular BSE – are also resisted by some, in particular persons charged with implementing the new rules of the game, and those who feel that their authority and credibility may be undermined thereby – not an uncommon feature of organizational reform, as we shall see again further below.

Moving on to the next cluster of notions, the notion of a need for an institutional separation between science and policy – ‘risk assessment’ and ‘risk management’ - for the sake of good governance was introduced and reproduced in a number of institutional interventions, as section 5.3 recounted. In line with the performative appeal to a ‘new approach’, within the new institutions, some scientists experience or present the institutional separation between risk assessment and risk management as a ‘paradigm change’ in the sense of ‘a new political culture in dealing with risks’ (Büning-Fesel/aid 2004) and ‘communication [...] in the form of a dialogue’ (Hensel/aid 2004: 17). In comparison with other contexts – as is widely known – the institutional commitment to the precautionary principle is much more sedimented in Germany (see section 5.3.1), but otherwise, its guiding principles overlap largely with those of its European counterparts. Notwithstanding these similarities, taking a closer look at the practices and organizational culture of the BfR, with its ‘double identity’ as both a scientific institute and a public body (D13-S, D14-S; Wissenschaftsrat 1999) reveals that – despite the increasing Europeanization – policy practices are still contextually contingent and open to contestation. A senior BfR scientist recounts her experiences of these institutional interventions as follows:

The separation of risk management from risk assessment I find absurd. Maybe it even leads to double-work, or maybe not, but especially the *constant deliberation about what our responsibilities are*, and those of the BVL [the risk managers]. Where are we allowed to cooperate, where should we not go too far into their work area? I find that very, very difficult, time-consuming, and a waste of resources [...] I have always done risk communication! When I was invited to give lectures, that’s exactly what I did! And now, suddenly, there is a new department [for risk communication]. *It’s not well-defined*, and as a natural scientist, of course I have a problem with that. [...] In this house [the BfR],

there is often an attitude of: But this is risk management! *It is a political decision*, and not ours to make (D14-S, emphasis added).

In a similar fashion, a senior civil servant at the Ministry BMVEL emphasizes the value and prevalence of informal communication between ‘stakeholders’ along the food chain, policymakers, and scientists (D9-G, cf. D6-G). Indeed, in some cases, the interview respondent admits, risk assessors and risk managers have come to what he refers to as a ‘gentlemen’s agreement’, whereby the ministry does not await scientific advice from the BfR but rather handles and communicates the pertinent ‘risk’ through either an existing study or one they commission from elsewhere. The respondent explains:

[Informal communication] is what it is all based on. If you consider the different systems [or steps in risk analysis] as separate, it disintegrates [*klappt das zusammen*]. *You can’t consider risk assessment, management, and communication as isolated*. The assessors have to talk to the *stakeholders* while they are in the process of evaluating (risks) - they also have to ask us: did we understand your question correctly [if the ministry commissions advice from the BfR]. [...] They always have to remain in *exchange* and should never stay in their ivory tower! (D9-G, emphasis added).

This reference to the importance of ‘exchange’ signals a process in which boundaries are negotiated and (re-)produced; officials interviewed for the purpose of this study frequently referred to regular conversations ‘in the hallway’ or ‘over lunch’ when they were asked about the subject of exchange, or asked to comment on how one (as a scientist or a policymaker) comes to ‘know’ whether one is adhering to the institutional ‘rules of the game’. At the same time, the respondents thereby indicate the dynamic and unstable nature of those boundaries and how they shape organizational culture.

Finally, a key notion in the discourse of good governance can be found in the reference to the food chain as a collection of stakeholders. The case of the ‘acrylamide scare’ is exemplary of the ways in which seemingly diverse actors come together on the basis of the shared notion of *stakeholderness* in the *food chain*. In 2002, new research findings suggested that potatoes developed high levels of acrylamide, a potentially carcinogenic chemical, when treated with high temperatures. This was not a new problem as such, as frying and roasting have been common cooking practices for long, and these new research findings were more or less incidental.<sup>93</sup> In light of the uncertain nature of the issue and its possible carcinogenic

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<sup>93</sup> Swedish health authorities performed an assessment of workers’ health in the sector that year and incidentally found elevated levels of acrylamide.

character, however, a round table discussion was called for by the BVL and the Ministry BMVEL that included ‘all relevant stakeholders’ along the food chain, including members of the food industry, consumer organizations, professional associations such as in the tourism and restaurant sectors, as well as women’s associations, environmental NGOs, and *Foodwatch*, a prominent private food and consumer watchdog. These different groups, one could argue, are informed by diverse and also overlapping discourses – they constitute different ‘discursive premises’. As a result, the content of discussions, and the ultimate suggestions proposed by the different groups, ranged from developing new frying techniques both for industrial and household purposes to finding new ways to grow potatoes. In short, the discussions took place ‘from farm to fork’.

Contrary to the strict institutional separation between ‘science’ and ‘policy’, the whole ‘policy process’ – including scientific risk assessment, risk management, and risk communication – was eventually a process of ‘co-production’ of policymakers, NGOs, and particularly representatives of the food industry. In reference to this sort of practice, a BVL official remarks that ‘[t]he good guy/bad guy distinction simply does not hold anymore [...] [and] this is something like a paradigm change’ (D6-G). The active involvement of these different groups and their self-understanding as stakeholders indicate a renewed sense of agency, too, which makes possible a renegotiation of roles and discursive meanings. The following quotation of a high-ranking official at the Ministry BMVEL sums it up well:

One cannot view these systems as separate from one another. One has to view [these structures] across systems, horizontally, and across national borders. Particularly in times of globalization, it does not make sense to view things each on its own terms. One has to view everything, from farm to plate, production, transport etc. [...]. It has to be one (D9-G).

To conclude, the discourse of good governance has considerably shaped institutional changes, organizational culture, and policy practices in the German context and has aided the reconstruction of authority and order. Of specific importance here is the performative appeal to a ‘new approach’ for the authorities; the notion of a need to remove the agricultural lobby from food (safety) policymaking; a need to conduct scientific expertise and policy in a transparent and open fashion for the sake of restoring citizens’ trust; and the notion of the ‘food chain’ as a collection of stakeholders. We shall see some of these notions return in the other discourses, too – especially that of the food chain and the notion of being a stakeholder.

#### 5.4.2 Environmental sustainability

This section is devoted to an analysis of the specific composition of the environmental discourse in Germany and its role in the *Agrarwende* policy discourse. As its content and position in the overall policy discourse sets the German case apart from the other cases studied here, the following discussion will proceed in considerable detail.

The composition of the discourse of environmental sustainability is summarized in table 5.1 and is discussed here as follows: the notion of an intrinsic value of ‘nature’, and a collective responsibility for it; the link between agricultural production and environmental protection; the interrelated notions of being a member of the ‘food chain’ and a stakeholder; the notions that food and (environmentally friendly) farming are of collective social value; the notion that naturally produced food is quality food, and that quality can refer to the process of production, rather than only the features of the product. Beyond this, environmental sustainability here also means that the comparatively high prices for organic foodstuffs reflect the real costs of production, as it does in the case of England. In accordance with the holistic character of this discourse, the presentation of these notions will be more interlinked than those in other subchapters.

While in the UK the BSE episode as well as the occurrence of Foot-and-Mouth Disease (2000-1) certainly triggered strong debate and a period of negotiating responsibilities, the policy discourse of the *Agrarwende* suggests a different reasoning, as well as a different experience of the same disease, the economic and health-related effects of which were actually much greater in the UK. Whilst in the Netherlands, as we shall see later in the thesis, BSE was understood to require a technical fix, that is, more efficient controls, Minister Künast announced an end to ‘agriculture as we know it’, even though numerically speaking, the impact of BSE in Germany was not considerably higher than in the Netherlands. Upon the discovery of BSE in a Bavarian herd, the prominent newspaper *Die Zeit* commented as follows:

Like a criminal tribunal, BSE has swept over the country, has decimated the number of cattle, as well as the government. Now, it is also reaching the agricultural industry, the industry that for decades, led to a primacy of the economy before nature (*Die Zeit* 2001).

In this quotation, ‘the economy’ refers to the privileged position of the farming lobby in this policy domain - a position that had been discursively institutionalized in particular in the post-WWII period, when notions of self-sufficiency and productivity had become dominant vis-à-vis the more marginal, romantic, notions of farming and food production (see section

5.2.1). The juxtaposition of ‘economy’ and ‘nature’ signals disorder, and BSE – as a symptom of the ills of industrialized agriculture - symbolizes a violation of nature.

This is not to say that this environmentalist understanding remained uncontested. A member of the German Liberal party (*Freiheitlich-Demokratische Partei*, FDP), for instance, understood BSE to be ‘the consequence of the messy production of MBM in Great Britain’ (Heinrich 2000), hence a more technical problem. A prominent consumer watchdog, *Foodwatch*, has similarly criticized the environmental framing of the issue, accusing the government of over-emphasizing the promotion of organic food as a ‘market niche’ (Bode and Foodwatch 2006; Foodwatch 2005c). Yet, generally speaking, the language of a ‘point of no return’ and the announcement of a *Wende* are dominant in the German context and consequently catch our interest here, as well as the impression that BSE was received as a crisis of environmental sustainability across the political spectrum, rather than only the Green Party.

In order to understand why and how a discourse and its particular composition come to resonate with seemingly disparate actors, and thereby produce discursive alliances or clusters, it is informative to examine the ways in which discursive notions are called upon in particular settings. On the occasion of a forum in September 2003, the *Agrarbündnis*, an alliance of a variety of NGOs as well as farmers, organized a trip to an organic farming estate, Gut Körtlingshausen, in order to inspire discussions on the future of agriculture (Agrarbündnis 2003):

[Should we] create permanent and lasting conditions or engage dynamically with our environment, because agricultural activity implies change? What are the limits to change and intervention, and who sets these limits? [...] In order to develop common goals, mutual understanding is necessary [...] [and] a democratic landscape can only grow through a collective participatory process (Agrarbündnis 2003: 1-2).

How can a landscape grow democratically then? During the interviewing process for this research, it became clear that the *Agrarwende* and the German implementation of the ‘farm to fork’ approach had to be further contextualized, and that, indeed, the understanding of the discovery of BSE in domestic herds was strongly shaped by environmentalist language and the notion that food (production) had turned ‘unnatural’ in the course of industrialized agriculture. As explicated in section 5.2, notions of the ‘natural environment’ and an essential obligation to protect and cherish it had informed food and farming policies in earlier periods, whereby historically sedimented notions drawn from the Romantic movement acquired

different meanings over time – instrumentalized during the *Third Reich*. Although post-war food (safety) policy was still shaped by romantic farming notions such as small-scale family farming (cf. Hendriks 1987, 1989; Mayhem 1970; Pfeffer 1989), the environmental discourse was later disrupted in the context of the progressing EU CAP.

A diffuse conceptualization of ‘nature’ now again forms part of agricultural and food (safety) policy in Germany and finds expression in notions of environmental stewardship, that is, the construction of a link between agricultural production and environmental policy, and the construction of natural food as ‘good food’. The construction of *nature* here implies an essential obligation on the part of the population and, of course, farmers to act as guardians of the natural environment and landscapes. In addition, the notion of the intrinsic value of nature introduces an element of aesthetics into the discourse. Commenting on ‘Germany’s ideas for a new agricultural policy’, Minister Künast, for instance, envisages

[w]alking through a countryside where fields and meadows alternate with trees, hedges and ponds, a countryside with animals grazing [...], bright friendly animal houses [...] and a farmyard café with home-baked cake and flour produced on the farm [...], and agriculture backed by the people (Künast 2001b).

Similarly, speaking at a women’s forum on nutrition, food, and rural policy, Bavarian state secretary at the time, Emilia Müller, expresses these connections in the following way: ‘If we want to preserve the identity of rural areas [...], we have to include their social and cultural essence: the togetherness of their inhabitants, heritage and traditions, and our Christian values’ (Müller 2004). A concept that expresses the notion of a holistic connection between an intrinsically valuable nature, humans, and food is that of *Bäuerliche Landwirtschaft* (‘peasant agriculture’), which denotes more than merely employing organic principles in farming. *Bäuerliche Landwirtschaft* is

a way of living [and it depends on] natural, societal [...] and cultural conditions [...] [Its principles are meant to] form a bridge between society and agriculture [that is built on the pillars of] social, ecological, economic, global and intergenerational sustainability, and animal welfare. [It requires] thinking in terms of cycles: first, in terms of production techniques (preserving fertility and biodiversity), second, regionalism, and third, thinking in generations (Agrarbündnis 2001: 63-4).

The link between land and food is presented here as one of cyclical interconnectivity in the idea of *Kreislaufwirtschaft* – a holistic concept that denotes a self-sustaining food

production system that takes into account social as well as ecological concerns. The notion of the societal value of agriculture and the notion of an intrinsic value of nature both find expression here, a reasoning that resonates in various discursive premises, ranging from consumer organizations to animal welfare campaigns and environmental organizations, churches, and across political parties (see Agrarbündnis 2002b; Verbraucherzentrale 2004).<sup>94</sup> This signals the discursive sedimentation of a new kind of ‘agricultural exceptionalism’ that is different from what I discussed in section 2.

In this cluster of holistic notions, food - *Lebensmittel* literally means ‘means for life’ - is seen as derived from what some consider to be the ‘god-given’ *Lebensraum* (Kirchenamt 2002: 4), and it follows that ‘the task of agriculture [is] the protection of water, grounds and air in the original meaning of *Lebens-mittel* [...] and respecting animals and plants as God’s creation’ (ibid.).<sup>95</sup> This gives expression to the notion that environmentally friendly food production forms a social responsibility and that it is beneficial for all in a holistic way. In a further performance of this holistic notion of agricultural food production, the current Minister for BMVEL, Horst Seehofer of the Bavarian Christian Conservative Party (*Christlich-Soziale Union*, CSU) comments that ‘the food industry and the agricultural sector are not only responsible for our food but also our landscape and nature, and to ensure respect for farmers as well as rural areas, the environment, and landscapes, we have to enter a societal contract’ (Seehofer 2005). As an environmental NGO puts it, punning on a German saying: *Landschaft geht durch den Magen* – landscape has to be tasted (BUND 2005). This notion resembles the theme of ‘reconnection’ observed in food (safety) policy in England.

It becomes evident that food scares such as BSE have led to a specific rethinking of food (safety) policy here, more so than in other contexts, as we shall see in chapter six in the study of food (safety) policy discourse in the Netherlands. The key to understanding this particularity (against the shared EU-based policy approach) is to recognize that events, diseases, phenomena, and so forth, are not taken up in a discursive vacuum. Rather, the discursive resources that are available to us to make sense of events are contingent upon particular contextual discursive foundations. In this particular case, the importance of the ‘natural environment’ – including ground, plants, and animals – had been a latent notion in

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<sup>94</sup> The 2006 campaign by the VZBV consumer association ‘Nähe schafft Vertrauen’ communicated a similar stance (‘Proximity [of food] can be trusted’).

<sup>95</sup> Several church-based associations (Catholic and Protestant) are members of the Agrarbündnis (to be discussed below). For an up-to-date list of members, see <http://www.agrarbuendnis.de/index.php?id=92>. This sort of discourse is not restricted to church-based organizations. In a TV interview, former Minister Künast (Greens) called for ‘respect for God’s creation’ in reference to changes in the husbandry of laying hens. *Arte Info*, Friday April 7th 2006; 19:45.



the German cultural context, but marginalized in the industrialization process, the intensification of agriculture, and the growing significance of agricultural trade. Pinpointing the dislocatory effect of industrialization itself, and consequently, the ways in which BSE exposed the socially constructed nature of the pre-BSE policy discourse, an environmentalist respondent with an organic farming background indeed describes the experience of BSE, and the agricultural practices that are assumed to be the cause of the disease, as an ‘alienation from nature’ (*Naturentfremdung*) (D4-ENV; cf. Weiland 2007).

The re-emergence of this previously marginalized discourse is also embodied in particular clusters of food (safety) governance. For instance, the organic labeling scheme *Biosiegel* was established in response to the BSE crisis in 2001, and by 2006, over 28,000 products had successfully applied to be labeled in this manner (Bode 2006: 256). Interestingly enough, this legally protected label for organically produced food features considerably stricter requirements than the EU equivalent (Kropp et al. 2005), which reinforces notions of environmental stewardship, the holistic importance of animal welfare, and an aesthetic notion of nature and food production.<sup>96</sup> In addition, a number of associations add their own label to the EU (‘eco’) label, in particular associations that predate the food scares of the 1990s.<sup>97</sup> The government further launched the Federal Organic Farming Program (*Bundesprogramm Ökologischer Landbau*) and awarded an annual prize to organic farmers with particular achievements regarding animal welfare, plant breeding, production methods, or marketing tools (Gerlach et al. 2005: 22; cf. Bio-Kann-Jeder 2006). In resemblance to what we found in the UK case, practices such as awards for ‘farmer of the year’ embody the notions of what counts as ‘good food’, ‘good farming’, and ‘food quality’. These notions are then not ‘free-floating’ ideas; they are expressed and reproduced in a concrete, material fashion to give visible expression to particular ‘truths’ that make up and sustain the policy discourse.

Moving on to a related notion that finds expression in consumption patterns, according to sociological research (Kropp et al. 2005), ‘naturally’ produced food represents ‘good food’ to consumers. According to the said studies, buyers of organic food in Germany have the

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<sup>96</sup> The EU Regulation 2092/91/EEC is statutory law and is directly applicable in all Member States of the European Union. In countries such as Denmark, Spain and Finland the relevant governmental authorities are responsible for its implementation. In Germany, however, private agencies are in charge of correct implementation, which are periodically checked by governmental authorities (‘Kontrolle der Kontrolle’).

<sup>97</sup> These earlier organic labelling associations include Biokreis (1979), Bioland (1971), Biopark (1991), Demeter (1924), Ecoland (1926), Ecovin (Bundesverband Ökologischer Weinbau, 1985), Gäa (1989), Naturland (1982). Notably, these associations originate from different regions of the country. Gäa, for instance, was founded in what was then the German Democratic Republic.

following motivations for their behavior: Organic food is assumed to be less ‘polluted’ with pesticides, it is thought to be ‘more natural’ and ‘less risky’, in sum ‘somehow healthier’, and ‘good for body and mind’ (Kropp et al. 2005: 40). Buyers also see organic food as being produced ‘in harmony with needs of the environment and the needs of animals’, as well as ‘under fair conditions’ (ibid.). It becomes evident here again that the connotations of ‘organic food’ range far beyond production methods. Within this discourse, safety turns into quality, which does not only include factors such as taste, texture, and keeping produce free of contaminants, quality increasingly refers to procedural quality, such as in the aspects of animal welfare and concern with the environmental effects of food production (Apel 2004; BUND 2005; VZBV 2001a; NABU 2001). This is reflected, for instance, in the regulations concerning animal husbandry (for instance, regarding chicken) that are stricter than those of the EU, as suggested above (e.g. the Order on Animal Protection in Slaughtering [*Tierschutz-Nutztierhaltungsverordnung*] 2002; cf. Tierschutzbund 2006). Policymakers also enter this discourse by way of the federal government’s organic agriculture campaign (*Bundesprogramm Ökolandbau*) that suggests that ‘your head says “organic” and your stomach must agree!’ (*Ihr Kopf sagt Bio und ihr Bauch muss ihm recht geben*), which implies that spending more for organic food (‘Bio’) is in fact ‘rational’ (what ‘your head says’) and that organic food tastes better, too (Bio-Kann-Jeder 2006).

Members of the industry also give expression to the notion of a valuable link between food (safety) and naturalness. As a campaign by the food industry association CMA between 2002 and 2006 put it: Safety means ‘nature on our plate’ [*Natur auf dem Teller*]. Even large fast-food chains have adopted and internalized notions of naturalness, which one can find embodied in a recent campaign by a large burger chain that calls for nature protection in collaboration with the environmental NGO Conservation International. The same fast-food chain invites ‘food scouts’ to follow their burgers back their origins in the food chain in order to experience the ‘rural idyll and the multi-generational farm’ where cows are raised. The campaign combines discourses of environmental sustainability (idyllic landscape) and consumer protection (the empowered consumer who can trace her own burger); food safety, however, is not mentioned in the two-page ads one can currently find in magazines that are set against a romantic, idyllic photographic image of a small- or medium-scale farm.<sup>98</sup> Given this internalization of the value of nature and the notion of a collective responsibility for it, it

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<sup>98</sup> This so-called scout program launched in 2006 is not limited to Germany, but the photographic image the ad is based on is an interesting anecdote in light of the prominence of the notion of naturalness in the German context. One may argue that the ad is designed in such a way as to appeal to the German expectations – based on a discursively sedimented idea of what appeals to German consumers.

is intriguing to see that even abroad, ‘naturalness’ matters with respect to German food. The Central Marketing Agency (*Centrale Marketing-Gesellschaft der deutschen Agrarwirtschaft*, CMA)<sup>99</sup> conducted a study that enquired after the qualities that importers of German agrarian products associated with the latter. The results indicated that even abroad, ‘naturalness and cleanliness’, along with ‘firm control and quality’, are strongly associated with the image of German food (Bauernverband 2004).<sup>100</sup>

Closely related to the notion of ‘nature’, we find the notion of being an actor in the food chain. While I argued above that the BSE crisis functioned as a dislocatory and therefore empowering moment for those voices that were previously marginalized, this empowerment did not come ‘naturally’, but with the discursive vehicle of the chain metaphor. Chapter four introduced the origins of the notion of the ‘food chain’ and indicated that, while originally a biological concept, in the present case, the notion of the food chain matters in three respects. *First*, it denotes interconnectivity and a systemic character of the food (safety) system, which has brought a new sense of ‘collectiveness’ to the fore. As a range of seemingly disparate actors come together under this notion, new discursive constellations and clusters of practices come about. For example, in 2000, the NGO Food Chain Initiative (*Initiative Nahrungskette*) was founded in Germany, which seeks to campaign for ‘safe and healthy’ food. The campaign calls for ‘the realization that sustainable improvements are only possible through improvements along the whole food chain – plants, animals, humans, environment – as well as a chain of solidarity among consumers [...] [and] the cooperation of all those affected, consumers, politicians, the industry, science, and the media’ (Initiative Nahrungskette 2006). The construction of the meaning of the food chain in this context reflects again the notion of a collective responsibility. Given the relative strength of the environmental sustainability discourse in the *Agrarwende* policy discourse, it may be interesting to note here that environmentalists typically employ the notion of ecological *systems* in their articulation of issues, concerns, and possible solutions. In part, this background can explain why the notion of the food chain has been successfully mobilized in Germany and why it has brought about a specific sense of collective responsibility and interdependence.

*Second*, the discursive function of the notion of the food chain is recognizable in the employment of the notion of being a ‘stakeholder’ that has emerged in recent years and is

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<sup>99</sup> The CMA (Central Marketing Agency) is a quasi-governmental organization that promotes German agricultural products. Farmers have to pay taxes for their (compulsory) membership.

<sup>100</sup> Traces of this ‘hygiene’ notion can be found, for instance, in the initial assumption that the ‘German’ sterilization technique could prevent BSE transmission.

frequently employed in policy documents as well as by interview respondents.<sup>101</sup> Resembling the findings in the English case, the linkage between the chain metaphor and the notion of *stakeholderiness* has an empowering function and allows, for instance, previously marginalized groups, such as those concerned with the environment as well as consumer rights advocates, to (re-)enter the policy process in both formal and informal ways. At the level of discursive policy practice, this has also modified – in fact, expanded – the discursive clusters across discourses: Scientists, policymakers, citizens, and members of the industry alike have taken up the notion of the ‘stakeholder’. In addition to a clear linkage to the discourse of good governance, the notion of *stakeholderiness* is also a key feature of the Europeanized food (safety) policy discourse, as chapter seven will show – not least because ‘stakeholder’ is a term that is left untranslated across contexts, which suggests a relative penetration of ‘Euro-speak’ into national policy discourse.

*Third*, a further indication of this sense of ‘being in this together’ can be found in a number of initiatives and alliances present in this policy domain. While some of them emerged in the midst of the BSE events, such as the aforementioned Food Chain Initiative, the Alliance for Animals in Agriculture (*Allianz für Tiere in der Landwirtschaft*),<sup>102</sup> and the *Plattform 2007*,<sup>103</sup> others, such as the prominent *Agrarbündnis* and the alternative Consumers’ Initiative (*Verbraucher Initiative*) have been in existence for as long as twenty years. At first sight, these alliances seem counter-intuitive. The quasi-non-governmental Consumer Association (*Verbraucherzentrale Bundesverband, VZBV*),<sup>104</sup> for instance, has been an actively supporting member of the *Allianz für Tiere* – and it does not make immediate sense that consumer rights should be related to animal welfare (see also Verbände 2003). Yet through

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<sup>101</sup> The English term is used in Germany, too. Judging from interviews conducted in Brussels with both NGOs and policymakers, the term is likely to have been transported from Brussels via forums such as conferences, expert meetings, Council meetings, and the European Food Safety Authority. See also chapter seven for the discursive function of the term.

<sup>102</sup> The animal welfare alliance is composed of the German branch of *Friends of the Earth* (*Bund für Umwelt und Naturschutz Deutschland, BUND*); the German animal protection association (*Deutscher Tierschutzbund*); the Schweisfurth Foundation (*Stiftung Schweisfurth*); and the federal consumer association (*Verbraucherzentrale Bundesverband, VZBV*).

<sup>103</sup> Founded in 2001, the platform aims to represent the interests of environmental, agricultural and animal protection associations in the domain of agricultural policy, particularly in the EU context (CAP). It is primarily financed by the *Stiftung Europäisches Naturerbe* (European Nature Foundation; EURONATUR), *Arbeitsgemeinschaft Bäuerliche Landwirtschaft* (AbL) (Association of Traditional Farmers) and the Federal Office for Nature Protection (*Bundesamt für Naturschutz*). In addition, the following associations are represented: *Bioland Verband*, BUND, *Bund Naturschutz Bayern* (Bavarian Association for Nature Protection), *Deutscher Naturschutzring*, *Deutscher Tierschutzbund*, *IG Bauen Agrar Umwelt* (Association for Construction, Agriculture, and the Environment), *NaturFreunde* (Friends of Nature), *Naturschutzbund Deutschland* (Association for the Protection of Nature), *Neuland*, and the Schweisfurth-Foundation.

<sup>104</sup> The VZBV is quasi-governmental in the sense that it relies on funding from the federal government and the *Länder*.

dislocation and ambiguity, cooperation and new discursive formations become possible on the basis of shared discursive notions such as the food chain.<sup>105</sup> For instance, on the occasion of the International Consumers Day on 6 April 2001, a prominent consumer advocate, Hedda Müller, called upon the notion that ‘consumer interests are inseparably linked to environmental protection and animal welfare, as it is not in the interest of the consumer that production and consumption occurs at the cost of the common good, the environment, animals, and social justice’ (Müller 2002; see also VZBV 2001b).

The overlapping membership compositions of alliances accentuate the production of common meanings. The notions of the ‘food chain’, ‘nature’, and the notion of being a ‘stakeholder’ constitute the central shared notions that ‘make sense’ across different discursive premises, as their frequent occurrence in table 5.1 indicates. This is particularly due to the systemic connotation of the category of the ‘food chain’ and that of ‘the stakeholder’, as at the level of discourse, the two interlinked notions create a sense of interdependence and an inherent need for cooperation along, and indeed beyond, the production chain. Whilst this point counts for all the studied cases here, including the transnational policy discourse at the level of the EU, in the German case, it is the notion of a natural environment as a system, as it is expressed in ecology, that accentuates the sense of interdependence, as suggested above.

While discourses come to be shared across these seemingly disparate actors, the notions that they are composed of only find their performative expression in the practices by which these groups enter into opposition as well as dialogue. For instance, the *Agrarbündnis* issues an annual *Kritischer Agrarbericht* (Critical Report on Agriculture; e.g. Agrarbündnis 2002a, 2006), which includes contributions from various organizations and serves as a non-exclusive discussion forum. The report includes the following sections: agricultural policy; international relations; production and market; regional development; agriculture; animal protection; agriculture and ecology; genetic technology; organic agriculture; and consumers. This combination indicates the formation of a particular discursive actor constellation (discursive cluster) within the re-empowered environmental sustainability discourse. Those categories – animal welfare, agriculture, and consumer protection – and the actors that push for their

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<sup>105</sup> In addition to the shared discursive notions on a national level, a number of organizations additionally link up with equivalent organizations abroad, frequently via European federation associations, such as BEUC (The European Consumers’ Organization), *Eurocoop* (European Association of Consumer Cooperatives), CIAA (Confederation of the Food and Drink Industries in the EU), COPA (Committee of Professional Agricultural Organizations in the European Union), and the *Eurogroup* for Animal Welfare. Through these transnational networks, additional meanings can be mobilized and transported across institutional and national boundaries.

importance are constructed as equivalent and integrated. This helps explain the apparent coherence of this policy discourse, and the remarkable absence of the notion that the price difference between conventionally and organically produced foods should be reduced.

To conclude, the environmental sustainability discourse is exemplary for the ways in which dislocations may produce a re-emergence of previously marginalized discourses. In the German context, this section demonstrated, the notions of the food chain and the stakeholder have had an empowering function for citizen groups as ‘stakeholders’; they are also key notions that cut across and form bridges between the five discourses identified here. The central notions of an intrinsic value of nature, landscape, a collective responsibility for protecting the natural environment, and a sense of aesthetics interact in this discourse, insinuating a link between the health of the ‘natural environment’ and the ‘health of society’. Keeping in mind the notions related to environmental sustainability that were discussed here, below I move on to the analysis of the market efficiency discourse, where one can observe the function of notions that connect seemingly separate and, at times, rivaling discourses.

#### *5.4.3 Market efficiency*

Above, I discussed the ways in which a notion of ‘systemicness’ marks the environmental sustainability discourse as well as the particular notion of nature within it. This section addresses the discourse of market efficiency but at the same time seeks to indicate how it is ‘wrapped into’ and rivals with other discourses. The following notions, as indicated in table 5.1, are of particular pertinence: the notion that the industry bears essential responsibilities for food (safety) along the food chain; the notion that being a member of the food chain brings responsibilities as well as rights and *stakeholderness*; and the notion that environmental conservation should be and can be integrated with agricultural production and market efficiency. The table also makes visible, in bold print, the function of key notions in connecting seemingly divergent discourses, such as consumer protection and environmental sustainability.

To begin with, the *Agrarwende* policy discourse has not remained uncontested from the vantage point of a market efficiency discourse. In particular, the Farmers’ Union received the announcement of the ‘end to agriculture as we know it’ critically and pointed to possible effects for the competitiveness of German farmers (cf. *Berliner Zeitung* 2001b). The emphasis on organic food production, it was argued, would create a distinction between ‘good farmers’ and ‘bad farmers’, the latter being those who were to adhere to conventional production

methods.<sup>106</sup> The proliferation of the environmentalist discourse in the immediate aftermath of the BSE discovery, and its alliance with a consumer protection discourse, which constructed consumers as the victims of BSE, rather than farmers, overweighed the *Agrarwende* policy discourse for a considerable period of time.

The sense of a need to overcome the legacy of the ‘Iron Triangle’ brought with it the notion that members of the feed and food industry along the food chain bear *essential* responsibilities and must work together with regard to food (safety) and ‘food quality’. The discourse of market efficiency, in other words, came to integrate a consumer protection discourse. The following scheme gives expression to this amalgamation: In 2001, the *Quality Assurance* scheme (QS: *Qualität und Sicherheit Stufenübergreifend* - ‘Quality assurance across the food chain’) was established in response to BSE; it is based on voluntary declarations on the part of the industry. Instead of taking on pre-existing food safety standards, such as those of the British Retail Consortium (as the Dutch retailers did), in October of 2001, representatives of the Farmers’ Union (*Bauernverband*), feed processors, meat processors, and retailers convened with the Central Agricultural Marketing Agency CMA. Together, they held that a specific (German) quality assurance label should be established, not least for the sake of restoring consumer trust in food (safety). This echoes the stance taken by German authorities before BSE was discovered in domestic herds, when it was assumed that ‘German beef was healthy’ due to what they thought were ‘specifically German’ sterilization techniques.

As for the QS system, the parties decided to form a limited liability corporation with the purpose of establishing a quality assurance scheme based on a national label for (conventionally produced) meat and meat products (cf. Steiner 2006: 187ff.). The requirements for the QS system are set ‘by *the whole food chain* [...] because only something that *is supported by all* can be implemented’ (QS 2006, emphasis added). Furthermore, the QS

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<sup>106</sup> Another element in this discourse forms the notion of the need to reduce ‘bureaucratic burden’ (see BMELV 2007b; COMM 2001a; for the UK context Cabinet 1999a, 199b; for the Dutch context LNV 2005c) however, this discursive element is not of high relevance here in terms of its actual presence in policy discourse (i.e. the documents analyzed in the context of this study). The *Programm Bürokratieabbau und Bessere Rechtsetzung* (Policy Program for Better Regulation and the Reduction of Bureaucratic Burden) was only commenced in 2006 at the BMELV in the form of streamlining legislation and working towards reducing administrative burdens for farmers. The extent and shape of this discursive change could not be assessed sufficiently at the time of the analysis of this case, which was completed in late 2006 (see Paul 2007). It is nevertheless interesting to point out that this discourse in part relies on initiatives originating from the EU institutional context – for instance, the aims articulated in the EU Lisbon Strategy, that is, ‘cutting red tape’, making regulation more (cost-)efficient through harmonization, and reducing administrative-technical requirements for both farmers and administrators (COMM 2006b). This discourse of reducing bureaucracy, ‘better regulation’, and ‘improving efficiency’ (at times, supposedly, by leaving certain tasks to ‘the market’) has spread across contexts (see also chapter six).

system ‘creates linkages that put all elements along the food chain on an equal footing’. The individual firm has to fulfill its obligations with respect to quality assurance, but it is not the sole bearer of responsibility: ‘We all have to engage in quality assurance *together across the whole food chain* [...] [because] only cooperation across the whole chain can make these efforts *visible to the consumer*’ (QS 2006, emphasis added). This private ‘self-regulatory’ scheme employs standards that are in essence the same as those set by the governmental authorities – with the additional requirement of a veterinary surveillance based on private contracts and a renouncement of the use of antibiotics in animal rearing (QS 2006). The nature of this practice, one may argue, shows an implicit construction of ‘collectiveness’, turning food safety into a ‘societal endeavor’, and reflects the internalization of a new food (safety) policy discourse in the private sector.

This internalized notion of the food chain is further enacted in the practice of *traceability*, an inherent feature of the farm-to-fork approach across the EU: *Downstream tracking* refers to the systematic control of food safety practiced on a day-to-day basis and facilitates *upstream tracing*, which refers to the process of finding the ‘weakest link’ in the food chain in cases of concrete problems that arise and makes possible the withdrawal of food products when necessary (Ökolandbau 2006).<sup>107</sup> When the system was introduced in Germany, it initially created confusion, particularly with small businesses, as they had understood it to be a merely technical (and potentially costly) measure based on information technology. As a senior official at the Ministry BMVEL expresses it, ‘it took a while for them to understand that this is not only a *technical* matter, but that all parties along the food chain *depend on each other*’ (D9-G). As it turned out, the measure also implied a sense of *interdependence* in addition to the technical aspect. This shift from a technical understanding of the meaning of the ‘food chain’ towards a more holistic understanding exemplifies the role of discourses in informing changing the changing roles, rules, and self-understandings of seemingly given policy actors. Indeed, it seems as though the notion of the ‘food chain’ has become something like a code, as ‘one no longer has to explain to journalists what it means’ (D4-ENV).

As suggested earlier in the discussion of the good governance discourse, the notion of being a member of the food chain is closely linked with the notion of *stakeholdersness*. The strength of this interlinkage lies in its capacity to resonate in and ‘make sense’ across seemingly divergent discourses and the actor-categories those produce. In the German

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<sup>107</sup> According to EC Regulation 178/2002, the principle of traceability aims at ensuring that businesses are at least able to identify the immediate supplier of the product in question and the immediate subsequent recipient, with the exception of the step from retailers to final consumers (see chapter seven for a more detailed discussion of the EU regulatory measures).



context, Minister Künast first used the term ‘magic hexagon’ to refer to the six essential *stakeholders*: the feed industry, the food industry, retailers, farmers, civil society such as consumer organizations, and politicians (Künast 2001a; Bundestag 2001; see also BMVEL 2004c). By invoking the term ‘hexagon’, Renate Künast went against the previously institutionalized ‘Iron Triangle’ that had consisted of farmers, other members of the food and feed industry, and bureaucrats. By announcing a shift towards a ‘new approach’ and by appealing explicitly to the inclusion of consumers as ‘stakeholders’, the Minister invoked new rules and roles in German food (safety) policymaking in a performative fashion.

For the purpose of accentuating the role of the notion of *stakeholderness*, two aspects are worth noting here. First, it appears that the notion of being a member of the chain created the conditions of possibility for the collaborative practice in the acrylamide case, which I discussed section 5.4.1 in the context of the good governance discourse. Second, the fact that the setting – the BVL – constituted a new ‘stage’ made it possible for participants to express their discursive positions more effectively, to improvise, and for each to bring into the situation their own understanding of the problem. Second, on a more general level, we can consider an instance of this kind as exemplary for the ways in which meaning is produced around (uncertain) events or phenomena, that is, the very definition of the ‘problem’ and, consequently, the formulation of appropriate solutions hinge upon discursive negotiation. The changes in the market efficiency discourse, in this instance, facilitated a multiplicity of interpretations regarding what the problem was, and who was to be held responsible.

To conclude, the position of the discourse of market efficiency in the overall policy discourse (depicted in table 5.1) is shaped by the relative strength of the environmental sustainability discourse. The notion of a need to ‘remove the smell of stables’ from food (safety) policy and the notion of ‘the food chain’, which has come to include also consumers as ‘stakeholders’, function to delimit the market efficiency discourse. At the level of practice, these notions provide the basis for newly emerging alliances and organizational (business) practices, and the notion of the food chain has come to represent more than just a series of technical procedures. It now connotes the (negotiated) collective endeavor to keep food safe as an endeavor that needs to be performed collectively by the food chain itself – the ‘stakeholders’ across institutional boundaries.

#### *5.4.4 Consumer protection*

Chapter two discussed the significance of consumer protection as one of the empirical logics on the basis of which the meanings of food (safety) came to be contested following the dislocatory food scares over the past decade. In the present chapter, the rise of this

vocabulary is also evident in the discussion of the discourses of good governance, environmental sustainability, and market efficiency above. This section provides an account of the position of the consumer protection discourse, its contextually-contingent composition in terms of key notions, and the discursive clusters that have emerged in and beyond this discourse. I shall discuss the following notions in turn, while also highlighting how they link up at the level of broader discourses: the notion that consumer protection must be prioritized over the concerns of the industry even if consumer perception is ‘irrational’; the notion of the need to sustain consumer trust; the notion of consumers as stakeholders with rights and choices to make; and the notion of a link between nutrition (and the marketing of food) and consumer protection. Given the contingency of the meaning of ‘the consumer’ across contexts, a brief genealogy is in order here before embarking on – if not for the purpose of – an in-depth discourse analysis.

‘The consumer’ has been mentioned a number of times in this chapter without much explication as to the origins or the qualities of the term in the German context. Its origins of ‘the consumer’ category are diffuse and diverse, but the consumer is ubiquitous in food (safety) discourse, as already suggested above, in the world of food industry, processors, retailers, scientists, and policymakers. Hendriks (1987) points out that the influence of consumer associations in Germany in the post-war period could by no means be compared to that of the agricultural lobby. While the aforementioned Federal Consumers’ Association occasionally organized boycotts, a wide-scale consumer mobilization never took place. In addition, the considerable influence of a Christian discourse that valued ‘family farms, entrepreneurial initiative, [...] family involvement, nature and animals, and a sense of knowledge about growth, maturing and death’ (see also section 5.2) was hardly conducive to the growth of the kinds of consumer movements observable in the UK or the USA at the time (Hendriks 1987: 43). Overall, the notions of maximizing production for the sake of food autonomy tended to dominate, at the expense of notions of consumer *rights*.

However, while the consumer rights discourse was blocked from developing into a strong movement in the post-war period, ‘the consumer’ does have a history in Germany. Between roughly the 1970s and 1990s, the principle of consumer health *protection* was institutionalized in policy, due to its connection with the ‘precautionary principle’, a policy approach considered to be ‘typically German’ (see section 5.3). The concept of the consumer here, however, was at best implicit, considering that the precautionary principle primarily referred to environmental issues rather than potential effects for the individual. The

economic crises of the 1970s and 1980s again slowed down the initial momentum of the notion, and consumer policy continued to lack an institutional basis (Gerlach et al 2005: 17).

Whereas the US already saw a firmly established consumer movement by the 1980s in Europe, the increasing level of welfare and discourses of economic liberalization during that time period aided the emergence of a consumer protection discourse in Europe.<sup>108</sup> Yet it was not until the late 1990s, and particularly the BSE-related events, that the consumer protection and consumer *rights* discourse in Germany could be mobilized against the hegemonic discourse of intensive farming and industrialized food production.

Given this historical background, the installment of the Consumers' Ministry in 2002 was of particular significance inasmuch as it formed a publicly staged performance of the notion of a need to reduce the influence of the agricultural lobby in food (safety) policy. In its 2001 Agricultural Report, the government announced that

the BSE scandal marks the end of agriculture as we know it [*des alten Typs*]. In the future, consumer protection in the sensitive areas of agricultural and nutrition policy will be put before economic interests. At the same time, it will be about production methods that are environmentally friendly and ecologically sound [*naturverträglich*]. From now on, we will follow the principle of precautionary consumer protection (Bundestag 2001: 1).

The juxtaposition of 'old' and 'new' policy approaches signals the performative appeal to a new relation between policymakers and 'the consumer', while at the same time, a connection between environmental sustainability, the social value of agriculture, and consumer protection is upheld. This articulation therefore indicates the integration of two formerly conflicting meanings of food production - modernizing machinery on the one hand, and romantic, small-scale family-farming on the other hand. In addition, the authoritative position of policymakers is rehabilitated by drawing up a discursive alliance with 'the consumer':

Consumer policy includes all measures by which the state and all organizations that receive our support, contribute to protecting the *interest of consumers vis-à-vis the distributors*. [...] In addition, the objective of consumer policy is *to guarantee consumer choice* – the ability to *make free decisions* as much as possible (BMELV [2005] 2008: 8, emphasis added).

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<sup>108</sup> The very prominent consumer magazine *Öko-Test*, founded in 1985, combined environmental aspects with consumer protection from the very beginning and still does so today. It conducts tests on food and some consumer products, such as cosmetics.

Through the call for a new consumer protection policy that would focus on *choice*, too, the government gave expression to notions of ‘credible consumer health protection’, transparency, and ‘good governance’. Moreover, this oppositional, relational discourse represents a realignment of policymakers with citizens vis-à-vis the industry: The state and those organizations it sponsors are to protect citizens and enable choice; the consumer should be put above those of the industry. The political implications of this discursive re-clustering are significant as, through the (re-)emergence of the notion, new actions, strategies, and discursive actor coalitions become possible in the realm of civil society.

The internalization of the consumer protection discourse can also be demonstrated by the pervasive mainstreaming of consumer rights, which implies that attention should be paid to potential implications for ‘the consumer’ in any policy area under discussion. Similarly, food (safety) and quality become linked to consumer policy in nearly any given context (though to different degrees) – it is noticeable, for instance, that in nearly every single issue of the newsletter of the VZBV (the federal consumer association) between 2000 and 2007, at least one article, opinion piece, or interview treats the subject of food (safety) (see appendix B).<sup>109</sup> In addition, it is interesting to note that the VZBV recommends that, ideally, consumers should be buying organic produce from their own region (VZBV 2004), whereby again, no mention is made of the relatively high prices associated with organic food. The contextual-discursive conditions of possibility enable the consumer organization to articulate this recommendation, whereby a consumer protection and an environmental sustainability discourse are tied together.

The ‘infrastructure’ for a consumer rights discourse of this kind was already present to a certain extent, primarily in the form of publicly funded consumer associations.<sup>110</sup> But it was the dislocatory experience of BSE and, along with it, the mobilization of the notion of the food chain as a discursive resource that made possible a sense of *empowerment*. Indeed, the reinvention of a new identity vis-à-vis the government and the industry as the primary targets of criticism indicates the emergence of *agency* through these dislocatory experiences. In this process, the notion of the consumer was incorporated into the food and agricultural policy discourse, linking, as the current Minister BMVEL, Horst Seehofer, states, ‘these three

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<sup>109</sup> In addition, the organization’s annual report reserves a permanent section for ‘nutrition and agricultural policy’, which indicates the internalized linkage between food production and consumption and ‘being a consumer’ in post-BSE policy discourse.

<sup>110</sup> At the time, the VZBV was called *Arbeitsgemeinschaft der Verbraucherverbände* (Consortium of Consumer Groups).

political domains [nutrition, consumer protection, agricultural policy] in a circular relation [...] [as] the basis for a safe and a prosperous future' (Seehofer 2005). Looking back to the discussion of the notion of the food chain above, it is similarly interesting to note that the consumer is now also considered as a link in the food chain: A parliamentary report on food quality states that 'the food chain includes primary outlay, agricultural production, manufacturers (and the packaging industry), distributors, retailers, gastronomic businesses, and consumers' (Bundestag 2003: 25). This understanding of concept of the food chain echoes what Horst Seehofer's predecessor Renate Künast invoked in the term 'magic hexagon' (Künast 2001a).

The notion of a link between agriculture, environmental issues, consumers, and (organic) food has not remained uncontested. When the current government came into office in 2005, the priorities of the 'Consumer's Ministry' (BMVEL) were reordered rhetorically, producing a Ministry for Nutrition, Agriculture, and Consumer Protection, placing agricultural policy in second (rather than third) place. Such actions, however, are not uncommon when new governments (with a different coalition) come into power. In a more interesting move of contestation, *Foodwatch*, for instance, argues that the *Agrarwende* was too strictly connected to organic farming and hence sustained a market niche, rather than considering the wider context of the mass food sector (Bode 2006). The organization, whose founder Thilo Bode is a former head of *Greenpeace*, criticizes the 'wrong concepts' currently used in German consumer policy: The construction of the link between agriculture and consumer policy, it is argued, creates a normative image of the 'good consumer' buying organic food (Foodwatch 2005c; see also Empacher 2000: 10ff). In light of this critique and the findings in the English case, however, it is interesting to note that, contrary to what we will see in the Dutch case in chapter six, there is virtually no mention made of the difference in prices between conventionally and organically produced food. In cases where the price difference is mentioned, such as in the discourse of the consumer watchdog *Foodwatch*, the prominent food-consumer watchdog, studies are used to justify the price difference, thereby expressing relative support for organic farming and the notion that the consumption of organic food, even though financially more burdensome for many citizens, is not 'irrational' (Foodwatch 2004).

Nevertheless, the more liberal notion of being a consumer - as it appears in the discourse of *Foodwatch* - emphasizes the notion of individual choice and indeed stands in stark contrast to the hegemonic consumer protection discourse that manifests in a number of publicly funded projects and campaigns (ÖkoFair 2006). In the *fair-feels-good* initiative, for instance, a

variety of NGOs in the alter-globalization movement, the environmental movement, and a consumer organization have launched campaigns focusing on a range of issues, such as workers' rights, fair trade, and organic farming (Fair-Feels-Good 2005). Notably, the government itself has also launched a number of campaigns promoting 'sustainability in the shopping bag', such as in the context of the Federal Program on Organic Farming (Bio-Kann-Jeder 2006), fair trade campaigns (such as the 'Truly Fair' [*Echt Gerecht*] campaign between 2004 and 2006), and numerous campaigns promoting organic food (ÖkoFair 2006; Bio-Kann-Jeder (2006). Farmers are encouraged to convert to organic methods, and citizens are invited to demonstration farms. Asserting a notion of reconnecting citizens with nature and food, the Ministry BMELV has furthermore sponsored over 30 *Bioerlebnistage* (events to 'experience organic food'), and cooking contests (with solely organic ingredients).<sup>111</sup> At the same time, the Ministry states that:

In the final instance, the development of organic farming is up to the consumers. They [...] must be prepared to pay higher prices for organic produce and, in this way, to reward the special ecological contribution and quality features of organic farmers (BMELV 2008b).

The quotation above signals the notion that 'the consumer' is a responsible agent who, beyond and above economic concerns, is expected to value nature, sustainability, and a socially and environmentally responsible lifestyle. Numerous (governmental and private) initiatives aim at raising this 'responsible consumer' by way of organizing school activities around nutrition 'from the crèche to the canteen' (D5-QG).<sup>112</sup> Overall, this material suggests that the hegemonic understanding of the 'right decision' in this context is to consume *healthy* and *safe* food that is produced with consideration for animal welfare and the environment, as well as fair trade products.

Another cluster within this discourse expresses itself in the semantic move from 'öko' to 'bio'. As already apparent in the discussion of the environmental sustainability discourse above, recent surveys suggest a changing connotation of organic production methods due to a partial integration of the discourses of consumer protection, public (and individual) health, as well as environmental sustainability. To begin with, in the 1980s, organic produce and fair

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<sup>111</sup> Former Minister of Agriculture Künast frequently participated in events of this kind, such as demonstration farm visits, openings of organic farms, as well as cooking contests. For photographic images of these performances, see <http://bilder.oekolandbau.de/index.html>. [acc. December 2005].

<sup>112</sup> For instance, the 2006 Aid campaign "Was Wir Essen" [Food information campaign]. [www.was-wir-essen.de](http://www.was-wir-essen.de) [acc March 2006].

trade products were referred to as 'Öko' (ecological), which at the same time carried a connotation of altruism, self-discipline, and a moralistic attitude (Sinus Sociovision 2006: 7). In contrast, the contemporary term 'Bio' is understood as combining enjoyment, high quality, health, safety, as well as benefits for the environment and animal welfare (ibid.).

In the *Agrarwende* policy discourse, policymakers plead support for what they see as a return to a 'natural' (*naturnabe*) form of agriculture (Lorenz 2005: 65). Yet in contrast to the *Öko* movement of the 1980s, citizens are encouraged to do so as empowered *Bio* consumers who are concerned with the environment and food (safety), as much as they are with taste, experience, and enjoyment of food. Indeed, Minister Künast herself explicitly called for a move away from the *Ökonische* (organic food as a niche market segment) and for ridding organic production of its ideological connotation (BMVEL 2005; see also NABU 2001).

The semantic move from *öko* to *bio* indicates the fluid boundaries around the object of this study, as previously disconnected policy fields have increasingly been merging – such as nutrition advice and environmental sustainability. In generic terms, I would argue, *Bio* also relates to the *LOHAS* trend (Lifestyle of Health and Sustainability), a shift that further accentuates the fluid nature of the area of food (safety) policy. Whilst this shift could imply that the notion of living in an environmentally sustainable way is now accessible to a broader audience, the fact that *öko* is now perceived to be moralistic has important implications, as it can bracket out certain aspects of what 'living naturally' used to represent: a *collective* concern for 'nature', rather than the currently hegemonic notion that *bio* is beneficial to one's *individual* health.

This discursive turn has met resistance, too, especially from those who still view organic farming methods as an oppositional force. The criticism articulated by those who considered themselves the pioneers of environmentally sustainable consumption and brought organic food to urban areas in the 1960s is exemplary for this internal tension within the movement and across the fluid boundaries of the policy area of food (safety). A particular target of criticism has been the growth of discount supermarkets that sell organic food products, where critics fear a possible loosening of standards in organic food production against the original idea of regional production and consumption (*Der Spiegel* 2007).

The policy aim of mainstreaming organic consumption also stands in tension to the increasingly hegemonic notion of the 'informed and responsible' consumer (Bundesregierung 2003), which has entered the world of policymakers as a *Leitbild* ('mission'), or a new audience, both literally and metaphorically. The notion of being a consumer and the construction of her interests, preferences, and emotions have come to represent a

benchmark for institutions to measure their own performance, which manifests itself in regular surveys measuring trust and risk perception, both on a national and on a supranational level.<sup>113</sup> Notions of what constitutes a consumer and her ‘interests’ are not free-floating ideas but they are constructed, for instance, in the annual Consumer Policy Report (*Verbraucherpolitischer Bericht*) and the annual National Nutrition Survey (*Nationale Verzehrstudie*). In this context, notions of *trust*, *consumer protection*, and *transparency* inform the self-understandings of officials (e.g. BfR 2003b).

Beyond this link between consumer protection, trust, and empowerment, citizens are also invested with a sense of individual responsibility. Most recently, the new consumer information law was approved in late 2007 and has been implemented since May 2008 (see section 5.3). Prominent consumer associations such as *Foodwatch* and the VZBV had lobbied for such a piece of legislation for a number of years through mobilizing a language setting the fraudulent industry against the disadvantaged consumer. Horst Seehofer, Minister for BMELV articulates the new law as a ‘milestone in the history of consumer protection’, with which he wants to ‘create more transparency, provide better information, and strengthen the role of consumers’ (Seehofer 2008, cf. BMELV 2007a). The law is a key performative moment in this context in the sense that it provides citizens with new subject positions. The setting up of information hotlines constitutes an important discursive practice in this context that gives expression to the notion that the informed consumer has individual rights in addition to a right to be protected against the industry.

The notions of consumer protection and consumer rights have equally entered the sphere of scientific experts: In order to demonstrate the pervasiveness of a newly emerging consumer protection discourse, it is instructive to see how scientists have also taken on this discourse:

The BfR works for the consumer, both indirectly (via the consumer ministry) and directly. His [sic] safety is central. He will be involved and informed. Because only an informed consumer has the freedom to decide which risks he wants to take and which ones he doesn’t want to. [...] The institute [BfR] wants to ensure that their work is oriented along the needs of the consumer (BfR 2003b, cf. BfR 2004).

BfR declares its work to be based on the principles of consumer *health*, free consumer *choice*, and the continuous optimization of precautionary consumer *protection* (BfR 2003a).

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<sup>113</sup> See, for instance, the *Eurobarometer* surveys, the EU-funded Trust in Food project [www.trustinfood.org] (last accessed 5 October 2006), and, on a national level, surveys by the Dutch Food Safety Agency (VWA, *Voedsel en Warenautoriteit*), and the UK Food Standards Agency (FSA).



These slogans signal that scientists have taken on the consumer protection discourse themselves, which puts them in a discursively equivalential position with policymakers and citizen groups, whereby the constructed boundaries between these actor-categories become blurred. The scientist as an actor-category that comes with certain expectations, criteria, and assumed definitions is then exposed as a fluid, dynamic category that only becomes defined through the construction of an ‘audience’. In a further expression of the construction of an actor-audience relation, scientists seek engagement with citizens through informal participatory practices such as ‘Open Science Nights’ and Open Days on which ‘laypeople’ are invited to look over the shoulders of experts.<sup>114</sup> One can conclude that part of the ‘paradigm change’ that interviewees refer to consists of the dissolution of the strictly defined identities of ‘so-called experts and so-called laypeople’, as the president of the Federal Risk Assessment Institute puts it (BfR 2004). The consumer, in a sense, has become part of the laboratory.

Another indication of the blurred nature of the boundaries between scientists and citizens lies in the two-fold *Leitbild* of the BfR (BfR 2004): the protection of consumer health and the facilitation of consumer choice. In other words, the way scientists perform their work and develop their institutionally based self-understandings are dynamic, relational, and contingent upon the construction of a target audience, or an ‘imagined layperson’ (Maranta et al. 2003), the consumer. In light of the constant struggle to draw boundaries between ‘science and policy’, and ‘expert and layperson’, it is also intriguing to note recent criticism which suggests the BfR might be ‘taking things too far’: In December 2007, the BfR issued a health warning regarding cinnamon cookies that are typically eaten in Germany around Christmas, hence carrying a particular social meaning. Amongst other actors, the Centre for Nutrition and Health Communication (*Zentrum für Ernährungskommunikation und Gesundheitspublizistik*) vehemently accused the BfR of overstepping the boundaries of their mandate (BfR 2006b). This controversy signals the discursive legacy of the early framing of food (safety) as a public health matter, but also the ways in which a renewed consumer protection discourse is taken up by scientists, yet contested by others. More specifically, this episode suggests that, at times, the assertive articulation of more neoliberally inspired notions of ‘consumer demand’ and ‘consumer choice’ become dominant over scientists’

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<sup>114</sup> Similar practices can be found in the UK FSA (e.g. Open Board Meetings), the Dutch Food Safety Agency (VWA), and the European Food Safety Authority (EFSA). See Henning (2004) for a comparative overview of recent developments of participatory practices in this policy area (cf. Loeber and Hajer 2007).

interpretations of risk. As a result, scientific opinions on a particular product may be silenced.

The recent assertion of the notion that risk assessors (i.e. the BfR) are also responsible for ‘perceived risks’ constitutes an interesting development as far as the experience of institutional ambiguity and the consequent attempt to re-stabilize and re-establish particular roles and rules in the policy process are concerned.

Risks that are *perceived*, but *not scientifically grounded*, are part of social life and shape people’s everyday behavior. For politicians, *they are real* and must not be ignored. To avoid crises, the state is therefore also responsible for acting in the face of perceived risks. An open and intelligible form of risk communication, which involves the position of scientists as well as those of the different *stakeholders*, is of central importance. It is important to explain and be open about knowledge gaps and uncertainties regarding scientific data, next to our scientific insights. In the past, this has not always been the case and has led to a *loss of trust* in the institutions charged with consumer health protection (BfR 2007, emphasis added).

Several things stand out here. To begin with, the constitutive nature of the BSE crisis with respect to the development of new institutional identities becomes evident. While other food scares did not go by unnoticed, the discovery of BSE in domestic herds was decisive in dislocating the notion of food (safety) as a national matter, the notion of German beef being ‘healthy and clean’, and the internalized notion of (intensive) agriculture as a means for social stability. Another remarkable feature of this new consumer protection discourse finds expression in the notion that the state is required to act against *perceived* risks – a notion that, arguably, would have been unthinkable a decade ago in the more conventional, linear, three-stage model of risk analysis and where it was scientists who essentially determined what constituted a risk or a benefit (see, for instance, BgVV 1996 for such a stance). Particularly the construction of a consumer *right* to be emotional is remarkable in this context: The consumer, who would otherwise be seen as ‘overly’ concerned about the potentially carcinogenic effects of pesticide residues, is not seen as irrational (or that alleged irrationality is accepted as legitimate in the name of ‘consumer behavior’) (cf. aid 2005).

To conclude, the current shape of the consumer protection discourse owes its relative strength in the overall policy discourse to the dislocatory effect of the BSE crisis and the mobilization of the ‘food chain’ concept as a discursive vehicle. Helped by the notion of *stakeholderiness*, the consumer protection discourse has come to feature the notions of a well-informed consumer, consumer *rights*, and *choice* (rather than merely protection), a discourse

taken on by policymakers, scientists, and civil society groups alike. In addition, the composition of this discourse signals alliances with discourses of environmental sustainability and public health, as one can observe in citizen groups that cooperate, such as the *Agrarbiündnis*. These modes of cooperation and discursive amalgamation indicate a shift towards a stronger role of the notion of individual consumer choice and rights, even though these discursive reformations have not remained uncontested. We shall see similar discursive re-constellations in the discussion of the public health discourse that follows below.

#### 5.4.5 Public health

Concerning the specific content of the discourse of public health in German food (safety) policy, this section discusses the following key notions: the notion that food (safety) constitutes a public health issue; the notion that public authorities are obliged to advise citizens regarding food (safety) as well as nutrition; the notion that following a natural diet is healthy; the notion that policymakers, scientists, as well as the industry can facilitate healthier consumer choices; and the notion that food products should be evaluated in terms of their potential benefits (rather than solely their potential harm). In addition to discussing these notions and their functions, I also point to an overall changing public health discourse by virtue of its integration with a newly emerging consumer *rights* discourse. The presentation of this discourse, in line with its composition, will appear slightly more integrated than in the previous sections.

The German food (safety) policy infrastructure was historically more integrated with that of public health, and in contrast to what was observed in chapter four in the case of England, a constructed boundary between animal and human health did not become subject to institutional disintegration as it did across the other studied contexts. Regarding the notion of state responsibilities for food (safety), a brief return to the series of food scares recounted above in section 3 is useful, as it exposes the notion of public (scientific) authorities as the vanguards of a healthy nation more concretely. In instances of food (safety) crisis, such as the discovery of dioxins, nitrogen, or acrylamide in various foodstuffs, it was the BgVV, the Federal *Health* Office, that initiated risk evaluations (as these food scares occurred prior to the establishment of the BfR), which signals an early understanding of food (safety) as a public health matter, as mentioned above. This practice left marks in the self-understandings and identities of those in charge of risk analysis - the notion of public health, rather than, for instance, trade, being at risk due to food *safety* issues persists, as it transpires from health warnings issued by the BgVV, on dioxins, nitrogen, and acrylamide.

Looking further to more recent developments in the policy discourse, nutrition has become a subfield of food (safety) policy, whereby the intricate discursive relation between health and food (safety) in German policy discourse reappears. Two examples help demonstrate the specificity of the German public health discourse in relation to food (safety): First, vitamin supplements have been classified as nutritional supplements in the Netherlands, while the German authorities insisted on their classification as medicinal products according to German food law, which constituted the regulatory framework for food safety prior to introduction of the EU General Food Law in 2003 (EC 178/2000 final) (cf. BgVV 2000). Given the principle of non-discrimination within the internal market of the EU, which implies that a given member state cannot ban another's products based on 'idiosyncratic' standards, the German authorities eventually had to give in. Nevertheless, this signals that the public health discourse in the German context relies on the notion that 'natural' food (or organically produced) food is healthier and more desirable.

A second example of the specificity of the German public health discourse forms the debate around *Noni*-juice, the introduction of which has equally caused disagreement with respect to its classification and the 'cure-all' claims associated with the juice made from Caribbean fruit. In Germany, the BfR began to review cases of acute hepatitis that could have been caused by *Noni* products in 2006 (BfR 2006c). In this case, the EU intervened, and following a safety assessment by the former Scientific Committee on Food (SCF) in 2003, *Noni* juice was released for sale, based on Regulation EC 258/97, which allows for novel foods or ingredients that are 'substantially equivalent to an existing product' to be placed on the market once the applicant (usually a particular producer) has informed the European Commission (COMM 2002a).<sup>115</sup> Contrary to the German tradition of evaluations, the SCF did not evaluate possible health *benefits*, but merely the safety of the product. Eventually, the German agency concurred with the EFSA's scientific opinion, while it additionally highlighted that the assessment at that time was limited to the juice products, and that an assessment of related products, such as *Noni* pills, was still pending.

A BfR interview respondent who was formerly involved with the health office BfR, who is a pediatrician by training, recounts that, traditionally, the scientific (health) community had only been concerned with the potential benefit of novel foods rather than its potential harm. Similarly, the scientific community had typically assumed that 'Germans don't need

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<sup>115</sup> *Noni* juice again caused disagreement between a member state (in this instance Austria) and the European Commission and European Food Safety Authority (EFSA) in 2006. While Austrian scientists had linked consumption of *Noni* juice to a particular liver disease, EFSA scientists again disputed the opinion (EFSA 2006).

supplements of minerals and vitamins'. As the respondent puts it: 'We think the consumer should just stick to a normal (*vernünftige*) diet. Pills cannot make up for a healthy diet. [...]. If that's not possible, or one is sick, maybe *then* you'll need supplements' (D15-S, cf. BgVV 1996).

The notion of the benefits of a 'natural diet' also found expression in the organizational culture of the predecessor of the BfR, the BgVV, which stated in 1996 in a press release that nutritional supplements (in particular vitamins) were not recommended, as they did not appear to provide any health benefits. The growing availability of vitamin supplements, the BgVV warned, was creating the idea that citizens could not remain healthy with a 'normal' diet. In a rather strong tone (compared to the current, more technical and hesitant tone in which press releases appear), the BgVV stated:

With a balanced diet, [nutritional supplements] are completely superfluous in the opinion of the BgVV! The German consumer is critical and informed. He [sic] expects high quality food, free from residues of any kind. He views food irradiation<sup>116</sup> as critically as he opposes the use of genetic modification. It is even more surprising then to see how irrational consumers are if they think that the consumption of so-called nutrition supplements will compensate for supposed deficits in their diet and that supplements could have positive effects on their bodies and well-being (BgVV 1996, cf. BgVV 2000).

Two things are particularly noticeable here. First, only a decade ago, the BgVV actively constructed a notion of the consumer as irrational if she was to believe in the alleged benefits of supplements that were reaching the German market. In today's policy discourse, I would argue, the conditions of possibility for labeling the consumer 'irrational' are no longer given. In addition, the BgVV here presents itself, or performs its self-understanding, as an institution that is in the position to distinguish right from wrong, and rational from irrational behavior. Seen in relation to the current tone of policy discourse, an important element of which in some contexts is the notion of letting the consumer choose, it is remarkable that the statement *declares* consumers to be opposed to residues, genetic modification, and food irradiation. As indicated in the previous subsection, this 'paternalistic' policy discourse partially gave way to a discourse based on the notion of consumer choice and consumer rights, contrary to the previously sedimented notion of consumer protection.

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<sup>116</sup> Food irradiation refers to the process of exposing food to ionizing radiation for the purpose of removing bacteria, insects, microorganisms, and so forth.

The linkage between the consumer protection discourse and that of public health is embodied in discursive clusters where the seemingly distinct policy actors – policymakers, scientists, members of the industry, and citizens – come to merge through being informed by the same, or at least similar, discourses. The *Plattform Ernährung und Bewegung* (Platform for Nutrition and Physical Activity), which was founded as an initiative of the BMELV in 2004, constitutes such a cluster (PEB 2008). Next to the formation of such clusters and the consequent institutionalization of a public health discourse, however, one can also find instances of contestation. For example, a discussion around possible ‘traffic light’ labeling has recently been taking place, which is intended to address obesity by way of indicating the nutritional value of products and levels of sugar, unsaturated trans fats, and salt on packaging.<sup>117</sup> The possible introduction of a scheme of this kind forms part of the National Action Plan to tackle problems of nutrition, obesity, and lack of physical activity – a public health discourse that appears in several contexts in the EU.

The intention of the current Minister BMVEL, Horst Seehofer, to adopt a voluntary ‘traffic light’ scheme that was developed by the industry has been criticized as too loose by consumer groups and politicians of the Green party (Der Stern 2007). Here, consumer groups such as *Foodwatch* draw strongly on a notion of consumer rights in juxtaposition to the interests of the food industry, a discursive notion that came to be prominent only with the BSE crisis and the ways in which the government entered a discursive coalition with consumers by way of installing the ‘Consumer Ministry’ (see, for instance, Foodwatch 2005a, 2005b, 2007; Frontal 21 2008). The nature of the discussion suggests a discursive negotiation between the public health discourse and divergent notions within the consumer protection discourse: consumer protection (‘keeping the nation healthy’) against consumer rights. Whereas the former is at times constructed as a moralizing mode of governing, the latter is constructed as providing ‘true choice’ for the knowledgeable consumer.

The changing notions within the public health discourse and its linkage to the consumer protection discourse also manifest themselves in scientific practice. The following quote serves as an excellent indication thereof.

And then one day, at the level of the EU, it was announced, that this is not accepted, benefits are not relevant. The main thing is that it doesn’t do any harm. [...] So for ten years we didn’t talk about beneficial aspects at all. [...] Food then suddenly turned into a risk event that had to be ‘managed’. That was painful, but

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<sup>117</sup> See also chapter four (section 4.4.3) for similar schemes in the UK.

really that is how it was viewed for 10 years. [...] That puts limits to nutrition as a science. I had always seen nutrition as something positive: I eat in order to stay healthy, to stay alive, to fulfill bodily functions, to be in a good mood, it should be tasty, it is a social event – that is nutrition [to me] (D15-S).

In this account, the scientist respondent again gives expression to the notion that potential benefits, rather than only harm, should be considered in risk assessment of novel foods. This further signals the contextual contingency of risk, the fluid meanings of food safety and food quality, and the contested nature of this policy field.

Further in regard to the notion that food safety refers to more than the final qualities of a product, as one could see in the environmental sustainability discourse, it is useful to draw attention to the ways in which recent hygiene regulation has been contested. This notion, however, has political implications and has been met with resistance. Consumer associations, for example, criticize advertisements for conventionally produced meat that draw on an idealized image of *Bäuerliche Landwirtschaft* that links the consumption of meat with health and strength (Müller 2002: 4). The consumer, some have argued, is not (only) being protected, but also ‘misled’ (Bode 2006/Foodwatch). Environmentalists, on the other hand, contend that the increasing focus on making products appear hygienic suggests ‘cleanliness’, and consumers ‘no longer understand what ‘natural’ *really* means’ (D4-ENV).

In view of the suggestion that natural food is safe, it is interesting to note that even *before* the discovery of BSE in domestic herds, the Federal Consumer Association VZBV<sup>118</sup> recommended that consumers restrict themselves to organic meat, if they had to eat beef at all. In addition, consumers were advised to eat exclusively German beef, where additional safety would be guaranteed by selecting meat from one’s own region (IFAV 2000: 29), which indicates that the notion of ‘natural food’ as ‘safe food’ was already present and discursively internalized before BSE was discovered in German domestic herds in 2000.

Following up on the recent criticisms of environmentalists and consumer advocates mentioned above, some environmentalists conceive of the recent German Hygiene Regulation (*Hygienepaket*), both on the national level and at the level of the EU, to send the ‘wrong signals’ to the consumer. These criticisms demonstrate that the meaning of risk and ‘safety’ continues to be contested, as hygiene may come to be interpreted not only as safe, but also as *healthy* – a quality not necessarily associated with vacuum-wrapped foodstuffs (D4-ENV; Fink-Kessler and Fuchs 2006), whereas others would define ‘safe’ as ‘natural. A

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<sup>118</sup> At the time, the VZBV was called *Arbeitsgemeinschaft der Verbraucherverbände* (Consortium of Consumer Groups). See footnote 110.

particular product – for instance, minced meat – may seem ‘fresh’ and ‘healthy’, but, for example, the consumer cannot tell whether she is buying formerly frozen meat (Fink-Kessler 2006: 258-9). In addition, the amount of documentation and implementation of technicalities required by the Hygiene Act implicitly excludes organic food products from the market, when a ‘*Lebenslandwirtschaft* [a type of agriculture that values life] collides with a particular understanding of hygiene’ (ibid.). Regulation as a manifestation of policy discourse, therefore, can also function as an exclusive force, in the sense that a particular ‘truth’ about food (safety) is asserted in a performative fashion, with (legal) authority. That way, alternative meanings (such as ‘natural as safe’) are partially crowded out.

To sum up, the public health discourse informed the meaning of ‘food safety’ even before the discovery of BSE in domestic herds, and, in fact, in a more substantial manner than in the English case, as I indicated in chapter four. At the same time, the discourse itself has undergone a number of changes following the dislocatory events. This section has identified a growing alliance with the consumer protection discourse that policymakers called into being in the *Agrarwende*, whereby earlier meanings have been pushed away: for instance, the notion of ‘natural’ as ‘safe’ food and the notion of assessing benefits, rather than merely possible harm of foodstuffs for the purpose of improving public health protection. As an expression of the growing interlinkages at the level of discourses, more specifically, through the bridging function of notions such as ‘being a consumer’ and a ‘stakeholder’, new clusters of practices came into being, whereby policymakers, scientists, members of the industry, as well as diverse citizen groups come together under shared discourses and enter into equivalential positions.

## 5.5 Concluding remarks

In order to explain why and how the discovery of BSE in German cattle herds made possible the emergence of a new policy discourse that integrated concerns of agriculture and environment with those of food (safety) as well as consumer rights, this chapter has explored the post-BSE policy discourse of the *Agrarwende*.

The chapter proceeded as follows: Section 2 recounted German food (safety) policy roughly over the past century, highlighting, in particular, the post-WWII discourse of food autonomy, the different meanings associated with agricultural (food) production, the environmental discourse around food, and an early discursive institutionalization of a public health discourse around food (safety). These discursive formations, as the subsequent sections showed, were to play a decisive role in the ways in which BSE and other food scares were taken up as policy issues in the German context. Section 3 highlighted the key moments



of transformation and institutional moves whereby new meanings were introduced into the policy discourse. Specifically, I discussed the negotiation of the science/policy nexus, the shape it took after the von Wedel Report, and the establishment of the 'Consumers' Ministry'. The analysis of the five discourses that dominate in this construction constituted the chief concern of the present chapter. The notions of which these discourses are composed are summarized in table 5.1. I will briefly recapitulate some of the central elements here.

Table 5.1 German food (safety) policy discourse: key notions

Good governance	Environmental sustainability	Market efficiency	Consumer protection	Public Health
PSC	PSCI	PI	PSCI	PSCI
<p>* The government is responsible for food (safety), and a new, 'more modern' approach is needed</p> <p>* <b>The food and farming industry must not be too prominent in policymaking</b></p> <p>* Food (safety) policy and science should be conducted in an open, independent, and transparent way</p> <p>* Science and policy should be kept separate for the sake of good governance</p> <p>* <b>As part of the food chain, consumers are stakeholders</b></p> <p>* <b>There is a need to rebuild and sustain citizens' trust in food (safety) governance,</b> and communicating openly with them is a good way to achieve this</p> <p>* <b>Cooperation along the food chain is essential</b> for policymaking and includes scientists, policymakers, industry, and citizens.</p>	<p>* <b>Environmental protection must be linked to agricultural food production</b></p> <p>* Agricultural food production must be viewed in holistic terms and has societal value</p> <p>* Nature has intrinsic value</p> <p>* Nature protection is a <b>collective responsibility uniting stakeholders along the food chain</b></p> <p>* Naturally (organically) produced food means food quality</p> <p>* Food safety does not (only) include the end product but extends to the process of production</p> <p>* Organic prices reflect the real costs of food production</p>	<p>* Industry has essential responsibilities regarding food (safety), as they form part of the food chain</p> <p>* Different partners in the industry (stakeholders) are dependent on each other and must work together</p> <p>* <b>Environmental protection must be linked to agricultural food production</b> and this has priority over economic competitiveness</p> <p>* Consumer rationality is not restricted to economic considerations</p>	<p>* <b>The food and farming industry must not be too prominent in policymaking</b></p> <p>* <b>There is a need to rebuild and sustain citizens' trust in food (safety) governance</b></p> <p>* <b>As part of the food chain, consumers are stakeholders*</b></p> <p>Consumer rationality is not restricted to economic considerations</p> <p>* Consumers have rights,</p> <p>* Consumers have choices</p> <p>* Consumer risk perception is a policy issue</p> <p>* Nutrition awareness is essential to consumer protection</p> <p>* Free consumer choice requires protection against misguidance and deception</p>	<p>* BSE (animal health) has always been a public health issue</p> <p>* Nutrition and food (safety) are public health issues</p> <p>* Public authorities are obliged to advise citizens on nutrition and food safety</p> <p>* Following a natural diet is generally healthy</p> <p>* Policymakers should help citizens make healthier choices</p> <p>* Food products should be evaluated in terms of their potential benefits, not merely their potential harm</p>

**Categories:**

P = Policymakers

S = Scientists

C = Citizens (e.g. consumer advocates, environmental groups)

I = Members of the food industry

In bold: recurring notions that connect discourses and actors

First, the chapter identified a discourse of ‘good governance’, which brought about a shift concerning the allocation of responsibilities. The state took on a greater role in this context, claiming food safety as its proper domain of responsibility, and a role of protecting consumers as well as empowering them against a fraudulent industry and the influence of the farming lobby in policymaking. That way, policymakers regained a status of legitimacy and credibility vis-à-vis citizens, which is further expressed in the notion of open risk communication, transparency, and openness in the science/policy nexus for the sake of restoring and sustaining citizen trust.

The second (re-emerged) discourse was labeled ‘environmental sustainability’. Its key discursive notion of (the intrinsic value of) ‘nature’ contributed substantially to the *Agrarwende* policy discourse and to the understanding of food safety as an issue of food quality. In this discourse, food safety no longer refers to the attribute of a product, but rather, to the process of producing it. The notions of nature, landscape and aesthetics feed into this discourse, which links the health of the ‘natural environment’ to a ‘healthy society’. In addition, the notion of the food chain facilitated a number of discursive alliances between seemingly disparate actors such as policymakers, the industry, and citizen groups informed by discourses of environmentalism, animal welfare, and consumer protection.

Third, the discourse of market efficiency tends to be wrapped into or overlaps with the discourses of environmental sustainability and consumer protection. Given the relative strength of the alliance between the latter two discourses, however, the market efficiency discourse has only had very limited capacity to contest the dominant, environmentalist meanings of the *Agrarwende*. An overarching theme here forms the notion of the food chain and the systemic character of food (safety) governance; more specifically, the notion of a collective responsibility for food (safety) has significantly marked German food (safety) policy. The table further indicates that the notion of the food chain functions as an important discursive bridge across discourses and across the seemingly disparate actors in the policy process.

The ‘consumer protection’ discourse has taken on a significant position in the overall discursive space despite the fact that the consumer movement of the 1960s and 1970s was

hindered in its development in Germany through, amongst other things, the dominant ‘agricultural exceptionalism’ at the time. In order to explain its current relative strength, I pointed to the dislocatory experience of the discovery of BSE that produced a new momentum and empowerment of the consumer protection discourse. While there remains resistance against the integration of a consumer protection discourse with a formerly more oppositional environmental discourse of the environmental pioneers of the 1970s, the recent food scandals related to acrylamide and the recent incidents around rotten meat further strengthened this discourse of consumer *rights*, rather than the previous discourse of consumer protection.

Finally, the fifth discourse distilled in this study is that of ‘public health’. A particular feature of this discourse in Germany consists of the fact that public health was already a dominant discourse within which policymakers and scientists interpreted and handled food (safety) and animal health before the food scares of the 1990s. The recent changes in this discourse include growing interlinkages with consumer protection, as is reflected in nutrition campaigns, hygiene regulation, and the notion of assessing potential harms, not benefits of new foodstuffs for the purpose of leaving the consumer with a ‘choice’. The clusters of practices observable here are sustained through the bridging purpose of notions such as ‘being a consumer’ and a ‘stakeholder’.

As an overall finding, the case study suggests that BSE represented a loosening of the sedimented relationship between citizens, scientists, and policymakers, whereby the ‘consumer’ has been assigned an integral role across discourses in current food (safety) policy discourse in Germany. Whilst the notion of being a consumer is equally present in the other contexts studied here, the important finding in the German case is the change in meaning, from a consumer in need of protection to a consumer with individual rights and choices. The consumer remains a highly contested category, or what Gabriel and Lang (1995) refer to as ‘unmanageable’, and has been assigned an integral, yet complex role in the policy discourse under consideration here. In its malleability as a discursive category, it intermediates between different discursive premises and has become, in a sense, ubiquitous: the notions of health, responsibility, rationality, risk, hygiene and other, more ‘peripheral’ concepts such as sustainability all hinge upon particular notions of ‘the consumer’.

To conclude, in light of the alliance observed between the discourse of consumer protection and that of environmental sustainability in the context of the *Agrarwende*, a central finding of this discourse analysis is that the dislocatory experience of BSE made possible the re-emergence of previously marginalized discourses, as a result of which the *Agrarwende* policy discourse features change and continuity.

## CHAPTER SIX: From ‘politics in the stable’ to stable politics: Food (safety) policy in the Netherlands

### 6.1 Introduction

In his 1999 book *De Virtuele Boer* (“The virtual farmer”), Jan Douwe van der Ploeg critically addressed the evolution of the Dutch ‘expertise-based’ intensive agriculture, which, according to the author, had constructed an image of the farmer as focused on profit-maximizing and as virtually indifferent to the societal and environmental impact of intensive agriculture. Upon its publication, commentators referred to it as ‘not discussable’ (*onbespreekbaar*) at Wageningen University (Strijker 2000: 8), the long-standing agricultural university and breeding ground for the exceptional rate of success of Dutch agriculture - one of the largest exporters of agricultural products. What makes such criticism ‘not discussable’, and how does it compare to the desire to ‘remove the smell of stables’ from food (safety) policy in England and Germany, following the series of food scares during the 1990s?

The present chapter explores the ways in which food (safety) has been taken up as a policy issue in the Netherlands and addresses the underlying contextual specificities in the following ways: Following this introduction, section 2 provides an account of the developments in the area of food (safety) policy in the Netherlands roughly over the past century in order to trace out some of the discursive-institutional foundations that still carry weight in today’s policy discourse. As in the previous two country-based chapters, section 3 recounts the range of food scares that occurred in the Netherlands over the past decade and highlights the key moments in which particular interpretations of ‘what food safety means’, and what the food scares stood for, were articulated. Here, I shall highlight three institutional moments of transformation: the commissioning of two post-crisis evaluation reports - by the consultancy firm Berenschot and a Commission led by politician and economist Herman Wijffels, respectively - and the establishment of a new food safety authority.

Section 4 forms the chief part of the chapter and is devoted to the discourse analysis of the current Dutch food (safety) policy. By means of the exploring the composition of the current policy discourse, I seek to demonstrate how and to explain why, despite the *politics in the stable* caused by food scares such as the dioxins incident, one can observe a comparatively *stable* policy discourse. The composition (captured here in terms of ‘notions’) and interaction between the following empirical discourses will be discussed: ‘good governance’; ‘market efficiency’; ‘environmental sustainability’; ‘consumer protection’; and ‘public health’. Section 6.5 draws out

conclusions; a schematic presentation of the key notions governing this context is contained in table 6.1 in that section.

## 6.2 A history of food (safety) policy in the Netherlands

### 6.2.1 Food (safety) in the 19<sup>th</sup> century

In the 19<sup>th</sup> century, increasing mechanization, scientific breakthroughs, and new energy sources facilitated processing and conserving food products. In the latter part of the 19<sup>th</sup> century, the increasing availability of bread and meat also implied the growing industrialization of production, and new quality and safety controls were called for, such as for public slaughterhouses in Amsterdam (van Buuren, de Wit, and ter Kuile 2004). Besides these new challenges to keeping food safe, the Netherlands became increasingly involved in world trade, not least by way of the improvements in transport systems. Dutch agriculture profited from high cereal prices and the increasing import-dependence of its neighbor countries, particularly England, Germany, and Belgium. The food shortages of the mid-nineteenth century and the Agricultural Crisis of the late 19th century (1878-1895) inspired a new wave of protectionism in some countries, whereas in the Netherlands, which had typically been reliant on export,<sup>119</sup> trust in the functioning of a free market was largely sustained among key politicians (Bieleman 2008: 279; Wintle 2000: 155-6). In such a vein, and encouraged by the English anti-corn-law-league, the Dutch *Graanwet* (a piece of legislation that regulated the cereal sector) was abolished in 1847 and gave way to a renewed trust in liberalization and free trade as a means to tackle food shortages (Bieleman 2008: 275ff).

In addition to liberal trade instruments, education and the development of agricultural knowledge were seen to promote the Dutch agricultural position, together with technical advances, innovation in livestock breeding, and the intensification of agriculture (Vermeulen 1966: 45-49) - just two years before the beginning of the crisis, in 1876, the state established an agricultural school in Wageningen. In the face of the Agricultural crisis, however, a group of actors, primarily agricultural associations, in 1885 called for government intervention in order to stimulate the development of the Dutch agricultural sector (Bieleman 2008: 280; Wintle 2000: 155ff). In response, the government installed a commission to evaluate the requests, as a result of which the government initiated intervention in the form of state-financed agricultural

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<sup>119</sup> Dutch food exports (in particular butter to England) date back to the 17th century and even led to the introduction of private quality control systems against food adulteration, when farmers used water to increase the quantity, thereby harming competition with Denmark on the English market. I owe this information to an anonymous referee at *Science as Culture*.

teachers, agricultural winter schools, test farms, horse breeding, and dairy consultation (Bieleman 2008: 280ff). In consideration of this renewed state support, the Agricultural Crisis formed a key moment inasmuch as it provided an opportunity for the government to reformulate its role towards a more interventionist set of responsibilities (Wintle 2000: 155).

As far as public food safety controls were concerned, however, the inspection system remained fragmented, as there was no uniform definition of ‘food safety’. Local inspection agencies were installed, yet their definitions of ‘bad food’ (be it adulteration or spoiled food) differed and led to varying results (van Buuren, de Wit, and ter Kuile 2004). The definitional fragmentation, though not uncommon at the time in Europe, indicates the fragility of the concept of ‘food safety’ at the time, while its meaning was being informed by trade considerations as well as early, more indirect forms of consumer protection by way of controls for adulteration and swindling, such as in the introduction of the 1919 *Warenwet* (Product Inspection Law). In the same year, the *Vleeskeuringswet* (Meat Inspection Law) was passed without much debate, and food producers decided to take on the expenses for the abovementioned *Warenwet* inspections (van Buuren, de Wit, and ter Kuile 2004), which added a ‘producer-led’ aspect to food (safety) policy at the time. New inspection practices in Britain regarding Dutch meat turned inspection into a trade issue (Vijver 2005: 29), which further accentuated the meaning of food safety as a matter of trade efficiency rather than a matter of public health (Vijver 2005). Moreover, in the organization of ministries, agriculture was not set apart from other economic activities; these all fell under the section ‘trade and industry’ and were represented by seven civil servants (Vermeulen 1966: 53-56, cited in Vijver 2002: 25). This suggests that, at the time, food (safety) was not linked to public health, as it was in Germany, or environmental protection, or consumer policy, but was primarily considered an economic policy area.

Another important development of the late 19<sup>th</sup> and early 21<sup>st</sup> century consisted of the formation of agricultural associations. Three major organizations representing the agricultural sector existed in the policy field, reflecting the diverse population of the country at the time: the Royal Dutch Agricultural Committee (*Koninklijke Nederlands Landbouw-Committee*), the Farmers’ Union (*Boerenbond*), which in 1929 was transformed into the Catholic Dutch Farmers’ and Horticultural association (*Katholieke Nederlandse Boeren- en Tuindersbond*), and the Christian Farmers’ and Horticulturalists’ Association (*Christelijke Boeren en Tuindersbond*) (Bieleman 2008: 306ff.). This variety in representation necessitated the construction of agriculture as a *national* interest, defended and embodied in what came to be referred to as the ‘green front’ (ibid.), a corporatist constellation between the bureaucracy, agrarian and industry representatives, and

professional groups. Politically, this ‘corporatist’ consensus implied that technical innovations and the intensification of agriculture could be pushed more effectively and that those who opposed their approach to agricultural food production (for instance, the use of fertilizers) arguably tended to remain more marginal.

At least until the 1970s, the Green Front sustained a decisive role in agricultural and food (safety) policy (Bieleman 2008: 472), whereas the OVO-triptych [*drieluik*] of *onderzoek*, *voorlichting*, and *onderwijs* (hereafter OVO), or research, information, and teaching, which formed the primary policy strategy at the time, continues to be seen as the basis for Dutch agricultural success, as will become clear in section 4 of this chapter (see, for instance, Bieleman 2008: 472). The significance of this Green Front resembles the findings in the English and the German case, where – as part of the ‘Iron Triangle’ - the NFU and the *Deutscher Bauernverband*, respectively, came to occupy a privileged position in food (safety) policymaking in the post-WWII agricultural and food (safety) policy discourse, which focused on maximizing agricultural productivity.

At the same time, agricultural and food sciences gained increasing importance, scientists were in close contact with both government and food producers, and efficiency and health were counted as ideals of progress (van Otterloo 2000c: 267). These ideals came to be shared across a variety of discursive premises, including the private sector, governmental institutions, science and research, and well-to-do households (ibid.).<sup>120</sup> Whilst the development of agricultural ‘scientization’ (Bieleman 2008: 22ff.) and the expert-centered policy approach only took off after WWII, the national agricultural school in Wageningen (now known as Wageningen University and Research Centre)<sup>121</sup> had already been established in the late 19<sup>th</sup> century, as mentioned above, shortly before the agricultural crisis. The prestige of these agricultural experts and the technocratic policy style contributed to a policy discourse that constructed agriculture and innovation as a scientifically founded necessity and beneficial for all, hence again a common objective beyond societal diversity (cf. van der Ploeg 1999).<sup>122</sup>

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<sup>120</sup> During the mid-twentieth century, a number of institutes were founded: *Nederlands Instituut voor Volksvoeding* (Netherlands Institute for Public Nutrition), *Centrale Organisatie voor Natuurwetenschappelijke Onderzoek* (Central Organization for Natural-scientific Research), *Rijksinstituut voor de Volksgezondheid* (Institute for Public Health), and the *Instituut voor het Voedingsonderzoek* (Institute for Nutrition Research). The food shortages of the Second World War placed agricultural food production and food security high on the political agenda and inspired the establishment of key institutions such as the *Voorlichtingsbureau voor de Voeding* (Nutrition Information Centre) and later the *Voedingsraad* (Nutrition Council) (van Otterloo 2000c: 273).

<sup>121</sup> From this point onward, I refer to this institution as Wageningen University.

<sup>122</sup> This is reflected in interviews conducted for this study where people frequently refer to ‘Wageningen’ as not a place, but an institution: for those opposing the status quo, ‘Wageningen’ represents the embodiment of intensified agriculture and its ‘side effects’, while for officials it seems to represent merely an extension of what they are doing (part of the Ministry LNV is actually situated in Wageningen, rather than The Hague).



To sum up, the emphasis on the functioning of free trade (cf. Van Waarden 2006: 40-41), the increasing institutionalization of food (safety) control mechanisms, the formation of the ‘Green Front’, and the rise of scientific experts shaped the hegemonic policy discourse in the late 19<sup>th</sup> and early 20<sup>th</sup> century, which remained relatively stable until World War II, which will be discussed below.

### 6.2.2 Post-war food (safety) policy

The food shortages during World War I and II inspired renewed state intervention in food production and nutrition policy in the Netherlands, much like in the rest of Europe. By the time the agricultural sector had recovered from World War II and the worst food shortages had been overcome, food (safety) policy focused on two parallel objectives: availability and affordability. Policy shifted from a focus on nutrition to increasing production, intensification, and improving efficiency and specialization, an important exponent of which was the Dutch Minister of Agriculture at the time, Sicco Mansholt, with his slogan ‘Hunger – never again!’ [*Honger, nooit meer!*] (cf. van der Ploeg 1999; Bieleman 2000).

At the same time, frugality as a value was reinforced by the focus on increasing spending power by keeping food prices low. As elsewhere in Europe, after WWII, food production increasingly industrialized, and household management practices refocused on efficiency and convenience – leading to what Anneke van Otterloo (1990: 163) describes as an ‘increasing intertwining of households and the market economy’. This is crucial here, as it indicates the transportation of values associated with market concerns into the home, leading to the internalization of these values in the population. Gradually, van Otterloo (2000c) argues, frugality came to be seen as a *rational* way of handling food, if not a core value.

Policymakers understood these objectives to require a knowledge- and technology-intensive ‘modernization’ framework, as it is embodied in institutions such as the Agricultural Information Service (*Dienst Landbouvoorlichting*) and the Information and Knowledge Centre for Agriculture (*Informatie- en Kenniscentrum- Landbouw*). Consistent with the ‘OVO’ approach of research, information, and teaching, the Dutch authorities emphasized knowledge dissemination and agricultural expertise, a strategy that led to an increase in domestic production from around 15-20% of the domestic demand in 1945 up to typically 200-300% only half a century later (Grin 2006: 65; cf. Bieleman 1992). Furthermore, increasing rationalization and the quest for ‘efficiency’ and ‘innovation’ brought about a growing separation between different production processes, arguably constructing food production as a mechanistic enterprise (cf. Loeber and Hajer 2007: 51; Bieleman 2000).

The following decades were strongly shaped by the developments associated with the EU CAP, such as the introduction of guaranteed prices and subsidies, in the design of which Mansholt, who was to become EU Commissioner for Agriculture, is said to have played a major role. Whilst the Netherlands grew to be the third largest agricultural exporter world-wide despite its geographical circumstances and its extremely high population density, in the 1960s and 1970s, critical voices emerged regarding industrialized food production, the use of pesticides, and intensive livestock farming. Environmental groups allied their concerns with those of the consumer movement and jointly positioned themselves vis-à-vis the food industry (Reijnders and Sijmons 1974: 162, in Vijver 2005).<sup>123</sup> The particular issues that formed the basis of this alliance included the sedimentation of chemical residues from fertilizers, hormones, and other chemical substances used in intensive agricultural food (and particularly meat) production: Consumer groups understood these to aggravate disease proneness, whereas environmentalist campaigners expressed concerns about environmental pollution (see Briejèr 1968 for a popular account of the environmental effects).

During the same time period, organizations such as the *Ekologische Beweging* (Ecology Movement), *Milieudefensie* (which later came to be Friends of the Earth Netherlands), *Kleine Aarde* (Small Earth) and the Macrobiotic Movement were founded (Otterloo and Sluyter 2000: 287). The *Kleine Aarde* movement is interesting here, as its adherents called for an alternative society and suggested that the advantages of industrialization had in fact turned into risks for environmental and personal health – going against the dominant discourse on food production at the time. The 1972 *Club of Rome* report certainly gave new momentum to the environmental movement in the Dutch context, and the national *Landelijke Voedseloverleg* (a food think tank) was set up, in which – amongst others – the environmental group *Milieudefensie* participated. Last but not least, the national Consumer Association *Consumentenbond* began to consider food industrial practices such as those related to pesticides and additives in foodstuffs (van Otterloo and Sluyter 2000: 287). Egg production and animal welfare became a focus of attention during the 1970s as well, as a result of which most retailers introduced free-range eggs in their assortments.

The environmental movement additionally raised concerns regarding the impact of animal feed imports from South East Asia – in terms of soil erosion and poverty in that region – as well as the overproduction of food and manure in the Netherlands. Other issues taken up in the 1980s included the use of biotechnology in food production, although it appears that these

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<sup>123</sup> Notably, this was also a time when the consumer movement gained considerable momentum internationally, albeit primarily in the UK and the USA.

critical voices remained marginal and did not lead to any fundamental changes in the meaning of ‘food safety’ in the hegemonic policy discourse. The ways in which the food industry reacted to these voices again resembled the ‘OVO’ tradition, whereby ‘Research and Development’ became a key term, as well as ‘technological innovation’ and ‘innovation policy’, which were to be supported by the government in order to secure the Dutch market position in light of competition in the food industry at the time (van Otterloo and Sluyters 2000: 288).

Yet criticisms persisted, certainly outside the Netherlands. In the 1980s and 1990s, a wave of (mainly German) consumer protest against Dutch *Wasserbomben* tomatoes (‘water bombs’) led to a reorientation in tomato-growing in the Netherlands. Another challenge to the hegemonic policy discourse at the time consisted of the realization of the impact of nitrogen in farming practices in the 1990s. Yet, as van der Ploeg (1999) points out, the 1990s still saw an expert and knowledge infrastructure that was locked into the ‘modernization trajectory’, leading to crucial gaps of knowledge that did not seem possible or functional beyond this course.

The inadequacy of the system as described above came to the surface in the debate around minerals and fertilizers. The debate exposed the disconnectedness between ‘knowledge’ and ‘practice’ (van der Ploeg 1999: 431) and, from a discourse perspective, revealed the constructed, ambiguous nature of the policy discourse (and hence also food production practices) at the time. This potentially dislocatory moment, however, did not lead to an encouragement of sustainable consumption, and policy continued to focus on ‘product innovations’, for the technocratic, modernizing trajectory was not substantially challenged (Martens and Spaargaren 2005), even though the environmental movement had been growing.<sup>124</sup> The first National Environmental Policy Plan (*Nationaal Milieubeleidsplan*) in 1989 addressed households as potentially critical units able to influence environmental policymaking towards sustainability, which indicated a shift in policymaking towards a stronger discursive link between environmental protection and consumer policy. Yet a decade later, in the third National Environmental Policy Plan, the sustainable consumption policy discourse shifted towards ‘product innovations’ – hence moving away again from what was constructed as the ‘target group’ of policymakers at the time: the consumer (Martens and Spaargaren 2005: 29). This (re-)turn to a discourse of knowledge production, innovation, and research resembled the ‘OVO’ approach of research, information, and teaching that, by that time, had strongly shaped agricultural and food (safety) policy. Through this (re-)turn to a technical-modernist language, the definition of underlying policy

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<sup>124</sup> An explanation of the concept of technocratic policymaking can be found in chapter two, section 2.4.

issues remained delimited, led from a producer-perspective (Martens and Spaargaren 2005: 30), and a potential discursive opening for environmentalist agency remained limited.

To sum up, between the mid-19<sup>th</sup> century and WWII, the Netherlands saw varying phases of state intervention and re-liberalization in the domain of food (safety). The meaning of food (safety) remained fragile and informed by often conflicting discourses that related to trade concerns, consumer health protection health protection, and the goal of maximizing production. As was the case in other countries, swindling and food adulteration formed the primary concerns as demands grew for, for instance, meat products. In spite of agricultural and economic crises, the two World Wars, and the critical movements of the 1970s and 1980s, Dutch agricultural food production was predominantly understood as an economic matter (cf. van Waarden 2006: 40-41), given its reliance on export, whereby marginal voices such as those within an environmental discourse did not come to change policy discourse substantially on the long term. Moreover, the key notions of ‘research’, ‘expertise’, and ‘control’ structured the development of food (safety) policy in the Dutch context.

Keeping these dominant discursive elements in mind, below, the chapter moves on to recount the series of food scares that occurred in the Dutch context over the past decade and subsequently addresses the institutional rearrangements that they have brought about.

### **6.3 The changing governance of food (safety)**

In this section, I recount the events around the discovery of BSE, swine fever, the dioxins-affair, and the outbreak of FMD. These crisis instances are not discussed in strictly chronologically order, for a more integrated narrative can better trace out the discursive continuities and changes in this particular case. As regards the key moments of institutional transformation, subsection 6.3.2 focuses on the 1999 Berenschot Report and the report of the Wijffels Commission, as they constitute moments when changing meanings of food (safety) were introduced and the dislocatory impact of the food scares became visible.

#### *6.3.1 BSE and other domestic food scares*

In 1990, as one of the first governments to do so, the Dutch government unilaterally banned British MBM as livestock feed. Fattening calves imported from the UK were specifically marked (with a red ear tag) as British, kept separately from other animals during transport, and were fattened in isolation. More stringent measures followed in 1993, in regard to the production of animal feed. After controls had indicated the likelihood of cross-contamination between feedstuffs for ruminants, on the one hand, and for poultry and pigs, on the other, the

production procedures in the compounding industry were to be kept strictly separated (Loeber and Paul 2005).

When the BSE crisis broke out in March of 1996, the Dutch authorities as well as the media reacted by defining the situation as a *British* problem (cf. Oosterveer 2002), and measures to deal with the disease were based primarily on a containment logic. In March 1997, however, the first infected cow was detected in the Netherlands. Following the British example, the cow was destroyed, along with the farm's entire herd. The suspicion of BSE in the cow concerned ('Anja 3') was diagnosed by a veterinarian, and was later confirmed in the laboratories of a governmental research center for animal health (*Instituut voor Dierhouderij en Diergezondheid*), which had been testing for BSE since 1990 on a small scale and on a voluntary basis. In 1997, the removal of so-called 'specified risk material' (SRM) of slaughtered cattle was ordered. With this rule, the Dutch, along with the British, followed the advice of the EU Scientific Steering Committee.

While the percentage of households buying fresh beef fell from 22.5% to 16% during the first week of March 1997 in the Netherlands, consumption rates returned to previous levels in the course of the subsequent months (Oosterveer 2002: 220). Soon after, the EU banned MBM, and as of January 2001, the 'over-thirty-month-rule' was set in place, which implied that all cattle above that age had to be tested before approval for human consumption. In response to pressure from the Dutch Parliament, the new measures introduced in the Netherlands were stricter and were implemented earlier than later EU-regulation foresaw. While there was no 'period of denial' as observed in the German case, BSE continued to be understood as an external (British) problem.

In consideration of the potential linkage between an increased rate of identification of BSE cases and the related economic damage, an extensive campaign was launched in early 2001 in order to restore public confidence and to communicate to the Dutch public that even though more cases of BSE were likely to be detected as a result of the new policy, beef would be 'safer than ever before' (Oosterveer 2002: 220). Rather than a manifestation of increased risk, the increasing prevalence of BSE should be viewed *rationally* and as an indication of good risk management and disease control. Yet, the campaign did not prevent prices of cattle and fattening calves from dropping by some 25% (*NRC Handelsblad* 2001).

The new testing policy implied a sharp increase in BSE-related expenditure and, during the first three months, all costs associated with the new testing policy were borne by the central government. In late 2000, it became painfully clear that the costs involved had produced yet another set of problems that brought about a linkage between BSE and environmental concerns.

The Court of Audit (*Algemene Rekenkamer*) concluded that the costly policy measures taken by the Government induced farmers to illegally dump cattle suspected of carrying BSE, or to even have them sold and slaughtered in the regular processing trajectory. As, traditionally, environmental policy in the Netherlands was based on the 'polluter pays' principle, farmers were held responsible for the expenses involved in having animals removed as 'high risk material' (Loeber and Hajer 2006). Yet while BSE was being dealt with, another animal health-related epidemic came to plague the Netherlands. Let us return to the year of 1997.

In February 1997, classical swine fever was detected on premises in Venhorst, and by 22 March of that year, a total export ban on pigs was installed and newly discovered potential infection premises, such as those for artificial insemination, had to be cleared, as well as around 1,200 farms. In total, the 1997-8 epidemic led to the preventive slaughter of nearly 10 million pigs in the Netherlands, and around 1,200 pig farmers were affected by the outbreak (LNV 1998).

The interpretation of the 1997 outbreak of swine fever in the Netherlands was shaped by the discursive shadow of the BSE crisis in the UK, it entailed high costs for farmers and the authorities, and - not unlike the UK during the FMD outbreak in 2001 - the Dutch authorities were largely unprepared for an epidemic of this kind, as decades had gone by without an outbreak and the so-called 'crisis scenario books' (i.e. simulations and contingency plans) were not up-to-date (LNV 1998). It was the discursive shadow of BSE and the fact that the virtually uncontrollable disease could not be understood within the previously hegemonic policy discourse which made for its disruptive effect: (Animal) disease control, in the formerly hegemonic policy discourse, could be managed by focusing on efficient controls and coordination, and the strong Dutch agricultural sector's only threat was foreign competition. The swine fever virus, it appeared, however, had been underestimated in the agricultural sector and by policymakers, as the miscalculations regarding the expected incubation time of the virus along with the relatively late installment of an export ban indicate (LNV 1998: 10-13, 19; *Algemene Rekenkamer* 1999: 11; cf. *Algemene Rekenkamer* 2005).

An additional problem that policymakers and the agricultural industry faced was the question around preventive vaccination against the virus. Although an effective vaccine existed at the time, EU trade-related regulation had installed a prohibition of the export of vaccinated pigs, as the vaccination would make it impossible to trace whether the animal has ever carried the virus. Since neither vaccinating nor preventive culling were 'popular' measures to fight the virus (see, for example, Tweede Kamer 2002), the authorities focused on merely containing the virus during the first few months of the outbreak. The density of the pig population, however,

rendered this strategy ineffective and inefficient, as a result of which the authorities initiated a systematic ‘preventive culling’ policy (see van der Weijden and Hin 2004). At the same time, however, this new policy revealed the contingency of the crisis: The disease was not merely a veterinary issue, but also an administrative and economic crisis, which added a taste of disaster to the formerly ‘safe’ practice of exporting animals; in addition, images of burning pigs that were featured in the media on a daily basis triggered public concern about animal welfare.

In order to rehabilitate itself in the face of acute institutional ambiguity and public unrest, the Ministry of Agriculture, Nature, and Fisheries (*Ministerie van Landbouw, Natuur, en Visserij*, hereafter Ministry LNV) initiated a ‘self-evaluation’ of its performance during the swine fever outbreak (Algemene Rekenkamer 1999). The Court of Audit, however, responded critically to the report, pointing to its methodological flaws (ibid.). Criticisms from another discursive premise came from the Council for Rural Affairs (*Raad voor Landelijke Gebied*), which initiated a research program on food production in the 21<sup>st</sup> century, where, for the first time in post-war history, a reform-oriented discussion of agricultural production came to be at the core of the Council’s work program (RLG 1998; cf. RLG 2001). The 1998 report of the Council for Rural Affairs targeted criticism at the expert-centered post-WWII agricultural system and argued for more consideration for animal welfare and the natural environment (van der Ploeg, the abovementioned Wageningen-critic, participated in the research project). The authors further called for taking ‘consumer concerns’ seriously and holding producers more responsible for food safety and food quality. In sum, the swine fever epidemic of 1997-1998 seems to have generated more concern about the modes of agricultural meat production than BSE in the Netherlands, even though food (safety) strictly speaking was not at stake. The welfare of animals as well as farmers came to be a public concern, more so than food safety strictly speaking.

In fact, as Chantal Laurent (2006) illustrates, ‘food safety’ was not taken up as a serious policy issue in the Netherlands until the 1999 dioxin scare, which arguably produced Europe’s worst panic over food safety since 1996. On 29<sup>th</sup> April 1999, the Department of Veterinary Affairs, Nutrition, and Environmental Affairs at the Ministry LNV received a confidential phone call from a researcher at the public food safety research institute (*Rijks- en Kwaliteitsinstituut voor Land- en Tuinbouwproducten - Dienst Landbouwkundig Onderzoek*), who reported on a number of samples of Belgian chicken and eggs in which an elevated level of dioxins had been identified (Berenschot 1999: appendix 9: 1-2).<sup>125</sup> A few weeks, phone calls, and faxes later, 150 feed distributors across Belgium, Germany, and the Netherlands were traced that could have been

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<sup>125</sup> The Institute of Food Safety is an officially independent scientific organization in the Netherlands.

involved in the (cross-)contamination of Dutch and Belgian animal feed (in particular fat products), and consequently food. Soon, poultry meat and eggs were taken off the shelves, an information hotline was installed by the Ministry LNV and the Ministry of Public Health, Welfare, and Sports (*Ministerie van Volksgezondheid, Welzijn en Sport*, hereafter Ministry VWS), the EU permanent veterinary committee secured support for the handling of the crisis, and letters were sent out to General Practitioners and environmental health specialists, informing them of the standard operating procedures to be taken in case of suspected dioxin poisoning (Berenschot 1999: appendix 9: 1-2).

In light of the remarkably swift reaction to the dioxins incident, it is interesting to note that a respondent involved with the Ministry LNV at the time states that the dioxins scandal constituted ‘the greatest problem [that led to] change [*omslag*] [...] and the beginning of a new food safety policy’ (NL9-G). The dioxins affair in the Netherlands was ‘the last straw that broke the camel’s back [*de druppel die de emmer deed overlopen*], and we realized that we had to develop a much more fundamental hygiene approach, and that perhaps one shouldn’t make use of *all* residual products [to increase productivity]’ (NL9-G). These concerns, as the respondent also suggests, did not necessarily arise suddenly: Three years earlier, the Court of Audit had concluded that the General Inspection Service (*Algemene Inspectie Dienst*) was working inefficiently, and only two years earlier, the auditors had warned that the Ministry LNV could not guarantee effective surveillance regarding the food chain. While the awareness of the instability and fragility of the policy infrastructure had been latent, it was these seemingly domestic, but in fact transnational food scares that rendered this fragility visible.

Food and agricultural policy again came to be tested again on 20 February 2001; an outbreak of FMD was identified in England. This time, the Dutch authorities immediately initiated preventive measures and began preventive culling on farming premises in the Netherlands. These measures, however, could not avert a domestic epidemic. On 21 March 2001, FMD was diagnosed in cattle on a farm in Olst (Overijssel), followed by a number of outbreaks across the country, ending in Oene on 22 April of that year.

As with swine fever, the EU had imposed a ban on vaccinating against FMD in 1991, as important trade partners such as the United States of America (USA) and Japan would not import vaccinated animals. The non-vaccination policy complicated the control of the disease and eventually led to the preventive culling of over 250,000 animals, next to over 4,300 infected animals (*de Volkskrant* 2001). The wave of ‘preventive culling’ in response to the FMD epidemic in 2001 served as a reminder of the swine fever epidemic of 1997-1998 and further fuelled public discomfort regarding the (non-)treatment of the disease, whereas the decision taken by the



agricultural ministers of the EU in 1991 had not caused much upheaval among the public (*ibid.*), most likely because it was constructed as a trade-related decision that would be in the interest of all.

The discussion around the ‘ethical’ aspects to vaccinations reached a peak when images of burning cadavers once again featured regularly in the media. Opposition against the preventive culling measures was staged in protests where citizens attempted to resist the culling policy, such as the inhabitants of the small village Kootwijkerbroek, whose protests and actions provoked a number of police interventions. Swine fever, along with FMD, produced not only another administrative and veterinary crisis – but also a disruption of the dominant policy discourse at the time, which focused on economic aspects of disease and was based on the notions of control and efficiency, rather than considering the public perception of these ‘efficient controls’, that is, the culling measures. As Rob Jan Tazelaar, the chairman of the product board of livestock and meat at the time (*Productschap Vee en Vlees*), stated: ‘We terribly misjudged the social acceptability of our [culling] approach to this epidemic. We did not anticipate that people would find it so difficult to have seemingly healthy animals killed preventively’ (*Volkskrant* 2001; see also B&A Group 2002: 3). A columnist compares this predominantly technical understanding of the measures to the German situation:

German farmers resist the general culling policy. There is no such talk among the Dutch farmers. We hardly hear anybody talk about cows here [and if so] then always as a thing, and not as a [being] with its own fate and interests (*NRC Handelsblad* 2001).

This is not to say that this technical understanding of cows was shared by the general public, as the protests, the formation of alliances between citizens and farmers, as well as the public resistance against the vaccination policy and the later Wijffels Commission, to be discussed below, indicate. Nevertheless, it appears that those intra-Dutch tensions were in part controlled, if not obscured by the dominant definitions in the policy discourse at that time. This interpretation of the events echoed the reactions to the swine fever epidemic of 1997-1998; however, it appears that animals were now constructed as victims more than farmers were.

To sum up, three aspects are particularly pertinent with respect to the series of diseases recounted above. First, the dioxin incident revealed the inherent connection between animal feed and food, whereas the dominant image of industrialized agriculture until then had entailed ‘clean’ production processes and a separation between animal and human health, as well as between feed and food. Second, the tracking and tracing of feed and food that lasted over a few weeks revealed the inherently transnational nature of food production and the inadequacy of

existing control mechanisms. Put differently, the series of diseases presented a transgression of the animal/human and national/transnational boundary that had characterized the post-WWII food (safety) policy discourse. Finally, the crisis produced another wave of criticism regarding the operation of the authorities and the alleged lack of transparency therein, when the failure to effectively control the swine fever epidemic had hardly been dealt with. These disruptive features of the discovery of dioxin residues, in combination with the discursive shadow of BSE and the swine fever epidemic, finally led the Dutch authorities to rethink institutional structures concerning food (safety) policy. The process of this institutional transformation will be discussed in the next subsection, highlighting, in particular, the pronounced call for a transnational policy approach on the part of the Dutch authorities.

### *6.3.2 Institutional rearrangements and (non-)interventions*

Until the late 1990s, the responsibilities for the safety of meat and meat products were divided between the Ministry VWS, which was in charge of an agency tasked with the control of consumer products, the Inspectorate for Health Protection and Veterinary Public Health (*Keuringsdienst van Waren*), and the Ministry LNV, responsible for the National Inspection Service for Animals and Animal Products (*Rijksdienst voor de Keuring van Vee en Vlees*). In addition, the *Voedingscentrum* (Nutrition Centre), co-financed by the Ministry LNV and the Ministry VWS, was charged with ‘translating’ scientific advice and informing the public with respect to food (safety) and nutrition.

Following the discovery of the dioxin contamination in the summer of 1999, the Ministers of LNV and VWS together assured the Parliament (*Tweede Kamer*, lower house) that they would implement short-term measures ‘to improve coordination and communication around the safety in the food chain’ (Berenschot 1999: 1) The well-established consultancy firm *Berenschot* was commissioned to undertake research and provide advice to both ministries on that basis (Berenschot 1999). Regarding the question of shared responsibilities, Berenschot advised that the Ministry LNV should be responsible for the production phase of the food chain, while the Ministry VWS should be in charge of the processing and handling phase. At the same time, however, Berenschot emphasized that responsibility for food safety could not be explicitly limited to any of the two (*Algemene Rekenkamer* 2006). Berenschot focused on the ‘optimalization of the coordination and communication activities of the two ministries’ (Berenschot 1999: 1), whereby the dioxins-affair served as a point of reference rather than a case study (*ibid.*), which signals a more general sense of ambiguity triggered by the dioxin incident.

Despite an initial resistance to ‘drastic institutional changes’ (VWS 2000), the Dutch authorities played a particular role in the mobilization of a transnational food (safety) approach (NL9-G). Contrary to usual practice, they approached the EU Commission with a memorandum in hand, rather than a conventional written response to the Commission’s consultations. Unlike the German authorities, the Dutch government immediately articulated the need for a transnational approach, which can in part be explained by the particular features of Dutch food and agricultural policy discourse (in terms of trade and transport). In line with this trade-orientation, Dutch retailers swiftly decided to adopt a common standard for retailer own-branded food in 2001, the British Retail Consortium standard, instead of establishing their own, as German producers, suppliers, and retailers did (see chapter five). This transnational discourse among both policymakers and members of the industry stands in contrast to the regionalism pronounced in Germany, which found its expression, first, in the ‘pre-BSE’ notion that German sterilization techniques would keep beef safe and BSE outside the country and, second, in the later announcement of a need for a return to traditional agriculture, implying the notion that regionally produced and organic food would be safer (see chapter five, section 5.4).

Rather than propagating the alleged qualities of regional products (in terms of safety, health, and also trust-building), as was done in Germany by policymakers, citizen groups, and the food industry alike, the Dutch authorities understood safety to rely on the opposite: A transnational approach, yet with more efficient coordination and controls was to be put into place. Perhaps the only instance where recourse to a ‘regional approach’ became apparent was the fall of 2000, when Laurens Jan Brinkhorst, then Dutch Minister of Agriculture, ordered French meat to be temporarily banned from the consumer market in order to meet public unease. But set in relation to the other cases studied here, one can hardly speak of true ‘regionalism’ here: Brinkhorst dismissed the Italian response (that is, a total boycott) to the French and German BSE discoveries as ‘populist’ and as undesirable in light of the process of European integration, saying, [we do not wish to] reinstall national borders within the European market’ (*NRC Handelsblad* 2001). Similarly, the Minister criticized the simultaneous announcement of the *Agrarwende* (‘Agricultural Turn’) in Germany, asserting that organic farming ‘would not be a solution to the problem’ and that large-scale farming should be sustained (*ibid.*).

In another effort for discursive closure, yet also in recognition of the ambiguity and anxiety that the FMD epidemic and swine fever had caused, the Ministry LNV installed a commission in order to deliberate on the future course of the animal farming sector in May 2001. Chaired by economist and politician Herman Wijffels, the Commission included scientific experts, policymakers, and members of the industry. Wijffels laid out a scenario of animal production in

2010, which would be characterized by product differentiation and variety, and the existence of organic farming *alongside* conventional production. In Wijffels' vision, animal rearing would require the respectful handling of animals, less animal transport, transparency in production chains, and competition on quality instead of price. The report signaled an opening of the hegemonic policy discourse at the time in the sense that notions relating to environmental sustainability, including animal welfare, were asserted in the report. For example, Wijffels called for a new policy regarding animal transportation, through which live animals should be transported in no more than eight hours (whereas German Minister Renate Künast, notably, called for a maximum of four hours). Despite this apparent opening, the government did not accept the recommendations uncritically. Indeed, Minister of Agriculture at the time, Laurens Jan Brinkhorst, referred to the potential consequences of the policy changes envisaged in the Wijffels report with regard to the competitiveness of Dutch farmers, only a day after the report was published (Van der Weijden 2001). The rivalry between these two discourses – touching upon environmental sustainability and the efficiency of the market – will be the subject of section 4 of this chapter. First, however, the subsection below presents an account of the institutional rearrangements that the food scares of the past decade have brought about.

### *6.3.3 Continuing institutional rearrangements*

In January of 2002, the Ministers of LNV and VWS wrote to the speaker of the Parliament, pushing for further institutional integration by way of subsuming all existing public control agencies under one independent agency (van Buuren et al. 2004: 58). Shortly thereafter, the Central Retailers' Association (*Centraal Bureau Levensmiddelen*, hereafter CBL), other members of the food industry, and the *Consumentenbond* (Consumer Association) called for the establishment of a central food safety agency. Partly as a result of this search to find a 'common denominator', early in the discussions, the agency was envisaged as a modest, coordinating organization. Soon, however, a debate was launched in the parliament and the aforementioned interest groups led to a new organizational design, the Preliminary Food Authority (*Voorlopige Nederlandse Voedselautoriteit*) as an organization with a more fully developed set of responsibilities and tasks. At that point, a possible fusion of two formerly separate control agencies was proposed, the National Inspection Service for Livestock and Meat (*Rijksdienst voor de Keuring van Vee en Vlees*), an organization for veterinarian inspections and control of safety stipulations in the slaughtering and meat processing industry – subsumed under the jurisdiction of the Ministry LNV – and the Health Protection and Veterinary Public Health Service (*Keuringsdienst van Waren*), which operated under the auspices of the Ministry VWS. The agency would not merely be responsible for food

safety issues; it would additionally consider ‘consumer aspects’ and product safety in general, and it was to have a coordinating role in both policymaking and research activities, as well as law enforcement tasks (VWS 2002).

In July of the same year, the Food and Consumer Products Authority (*Voedsel en Waren Autoriteit*, hereafter VWA) was set up as a permanent agency in charge of food safety in terms of production, processing and consumption, as well as the safety of other consumer goods, and as an independent agency under the Ministry LNV. The specific responsibilities of the VWA came to be tripartite: inspection and surveillance; scientific risk assessment; and risk communication. In resemblance to the German institutional setup, the separation of tasks between the Ministry LNV and the VWA – risk management and risk assessment, respectively – imply a differentiation between ‘policy’ and ‘science’. As in England and Germany, this institutional rearrangement invoked a language of ‘independent risk assessment’ and ‘science-based advice’ (VWA 2008). These principles became institutionally fortified in the 2006 the Law on Independent Risk Assessment (*Wet onafhankelijke risicobeoordeling*), and the establishment of the Advisory Council (*Raad van Advies*), which was to secure the independent formation of assessments and advice. In this context, the earlier renaming of the Ministry LNV in 2003 additionally signalled the beginning of a ‘new approach’: The ‘V’ came to stand for *voedselkwaliteit* (food quality), rather than fisheries (*visserij*). By renaming the ministry, the Dutch authorities invoked not only a particular definition of the problem but also a new image of their roles and responsibilities on this new institutional stage. At the same time, the technical language employed in the establishment of the VWA stood in contrast to the more critical language produced in the Wijffels Commission, whereby the latter, rather critical, call for change remained marginal.

Following this account of the most significant food scares over the past decade in the Netherlands as well as the institutional rearrangements they brought about, the next section of this chapter moves on to the analysis of the five empirically derived discourses and the overall shifts they have generated in Dutch food (safety) policy discourse.

#### **6.4 Change and continuity in Dutch food (safety) policy discourse**

This subchapter presents the discourses that have structured the different meanings of food (safety) in order to assess their respective relevance in contemporary policy discourse in the Netherlands: the ‘good governance’ discourse; the environmental sustainability discourse; the market efficiency discourse; the consumer protection discourse; and the public health discourse. As was done in the foregoing country-based chapters, the notions of which the respective discourses are composed, as well as the actor constellations that they produce are summarized in

table 6.1. The presentation of these discourses helps explain the specific shape of the current food (safety) policy discourse as a collection of conflicting, and often overlapping, discourses. By disentangling them and assessing their relative strength and interaction, we can arrive at an understanding of why certain meanings – and with them, those who are informed by and push for them – remain marginal, and others become more dominant. I will discuss the discourses individually; likewise, the key notions (as presented in the table cells) are principally discussed one after another for every discourse, whilst the very nature of discourses will often require a more integrated presentation in order to expose the overall effects of particular notions in tying discourses together and producing changing discursive clusters of practices.

#### *6.4.1 Good governance*

The ‘good governance’ discourse in the Dutch context bears some similarities with those discussed in the foregoing chapters, yet in the Dutch context, its function in delimiting the meaning of food (safety) is even more pronounced, as this section will show.

The composition of this discourse will be discussed as follows in this subsection: I cover the notion of a need for a rational debate about food (safety); the notion that food scares can best be dealt with by efficient coordination, management, and control; the notion of a need for a ‘new’, more ‘professional’ policy style; and the notion that the provision of information and working in an open and transparent manner serve to secure citizens’ trust, a basis for good governance. Beyond these notions, good governance also means enhancing administrative efficiency and ‘cutting red tape’ in favor of private regulation whereby ‘stakeholders’ need to be consulted regularly. Next to the discussion of this collection of notions in consecutive order, I also seek to highlight the interlinkages between those notions as well as their function in creating a coherent policy discourse by connecting the seemingly separate discourses and actor-categories across them.

To begin with, it is worth recalling that, in Germany and England, the discursive opening caused by the food scares generated notions of the need to remove the agricultural lobby from food (safety) policy, as we saw exemplified in the English Curry Commission report and the German announcement of the *Agrarwende*. In contrast, the Dutch authorities reacted to the discovery of BSE by calling for a ‘rational debate’ in their reform of the policy infrastructure. Through the series of post-crisis reports, starting with those commissioned after the swine fever epidemic, a vocabulary of ‘good crisis management’ and rational ‘risk analysis’ entered the policy discourse (for instance, Berenschot 1999; B&A Group 2002; Wijffels 2001). This notion of a need for reflecting ‘rationally’ about the consequences and lessons to be drawn from the food-

and agricultural crises over the past decade also explains why the institutional rearrangements introduced in section 3 of this chapter were set in place without much public debate (compared to cases such as Germany and the UK), apart from the parliamentary discussions mentioned above (Loeber and Hajer 2006; Oosterveer 2002).

Consistent with the notion of implementing rational measures, the reforms focused primarily on improving the efficiency of controls, such as on farms, in slaughterhouses and in restaurants<sup>126</sup>, and commissioning further research in order to contain public unrest and potential economic losses, particularly in the export sector. As Oosterveer observes, ‘the government handled the BSE crisis mainly as a technical issue [...] [and] the Ministry of Agriculture depoliticized the problem and formulated technical answers to technically defined problems’ (Oosterveer 2002: 221). The recurrence of the notions of a need for improved coordination, communication, and efficiency, as indicated by the study of newsletters, speeches, and post-crisis evaluation reports, also speak to this finding (see appendix C for a list of newsletters).

Again in stark contrast to the German *Agrarwende* policy discourse of an ‘end to agriculture as we know it’ (Künast 2001a), an extensive information campaign was launched in early 2001, which conveyed the message that the increasing incidence rate of BSE should be viewed ‘rationally’ as a result of efficient controls and improved testing techniques (see section 6.3.1). Policymakers anticipated that, by providing citizens with information, the campaign would help restore and sustain citizens’ trust in food (safety) and those who are charged with ensuring it. Similarly, the *Voedingscentrum* campaign ‘From commotion to communication’ (*Van commotie naar communicatie*) reflects the aim to transform public unrest about food (safety) risks into a ‘rational debate’. Confirming this impression, F.B.J. de Meere and C.E. Sepers (2000) suggest that, in the aftermath of the 2000 BSE crisis, the government and the media sent largely comparable messages to ease public apprehension (de Meere and Sepers 2000: 9). Concerning the official press releases, moreover, the authors detect a hesitancy to express ‘emotions’ (or ‘pathos’, as the authors put it).

By defining BSE and other food (safety) questions as technical problems, policymakers and scientists acted as vanguards of the previously hegemonic policy discourse, which had constructed food (safety) as a technical matter of efficiency and control, and intensive food production and export as beneficial for all. To be clear, the attempts to sustain this formerly hegemonic policy discourse were not necessarily an act of conscious preservation of authority. Instead, one must also understand these efforts as attempts to make sense of unexpected and

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<sup>126</sup> In the catering industry, the system of Hazard Analysis Critical Control Points (HACCP) is a common practice.

disruptive events, the dislocations experienced in the course of the series of scares to animal and human health. This attempt at (self-)preservation also manifested itself in the initial resistance to the institutional rearrangements proposed in the abovementioned Berenschot report. In response to the delivery of the report, the government (and the Ministry of Health, Welfare, and Sport) issued a press release:

The cabinet does not see a reason for drastic change in the political and administrative responsibilities regarding food policy as far as the Ministry VWS and the Ministry LNV are concerned. We do want to draw attention to the *improvement* of work *processes*, better *coordination*, and better *communication* within and between ministries (VWS 2000, emphasis added).

These attempts at institutional preservation reflect the endeavor to make sense of the institutional ambiguity within the previously hegemonic policy discourse. The meaning of ‘food safety’ was not immediately linked to a discourse of environmental sustainability, as it was in Germany, but it was framed as a set of issues that would require a ‘technical fix’ in the form of improved coordination, communication, and efficiency.

A related cluster of notions in the good governance discourse consists of the frequent emphasis on the value of crisis management, foresight, and ‘planning for the future’. These notions, in turn, materialize in the pervasive setting up of ‘taskforces’ as well as ‘think tanks’ and ‘expertise centers’ in discursive clusters among policymakers (the Ministry LNV), scientists (at Wageningen University and the Agricultural Economics Research Institute [*Landbouw Economisch Instituut*], LEI), members of the industry (such as in retailers’ associations and agricultural professional associations), as well as citizen groups (such as those who participate in ‘working groups’ and ‘stakeholder platforms’). Moreover, these notions find expression in the practice of drawing up post-crisis evaluation reports (e.g. Tweede Kamer 2002).

In discursive relation to these notions of crisis management, one can observe the emphasis on an ‘oversight’ and ‘control’ in the good governance discourse. In its 2005 report *Zicht op Toezicht* (‘Looking into oversight’), the VWA declares its central institutional motifs to be as follows: ‘Thinking ahead of what you want to have achieved later’ [*Vooraf nadenken over wat je achteraf bereikt wil hebben*]; ‘compliance’; and implementation (VWA 2005c). Even though this technical vocabulary is often presented as a ‘new approach’, these notions do not necessarily signal discontinuity in policy discourse, but they echo the previously sedimented technocratic discourse. Although this approach no longer ‘made sense’ when one food scare after another hit the Netherlands, it appears that due to its technical, seemingly neutral character (what one could call ‘discursively safe’), it survived the crises.



Moving beyond a mere focus on the ‘life course’ of vocabulary, newly created institutions are useful objects of analysis for they allow us to explore the role of discourses in informing organizational culture in times of institutional ambiguity, in line with the ‘discourse-as-practice’ approach introduced in chapter three. When the VWA was established in 2002, following the parliamentary debate discussed above in section 3, new roles, rules, and responsibilities were invoked. The discourse of good governance informed this ‘new approach’ with notions of institutional entrepreneurship and the need for a more modern approach, including openness and transparency vis-à-vis the public (cf. VWA 2005a).

While these institutional reforms – such as the implementation of the transparency policy with regard to publishing the details of product withdrawals, including the identification of the producer and the retailer – took longer (VWA 2007), notions of ‘dynamism’ and a new kind of ‘professionalism’ marked the VWA. In their 2004 Annual Report, for instance,

We did not wish to await the completion of the reorganization and agency formation process before pressing on with the *creation of a stable VWA*. [...] At a certain moment, *the organization started to move on its own momentum* [and] [...] people simply want[ed] to take the bull by the horns and press ahead as quickly as possible] (VWA 2004: 1, emphasis added).

The notion of a need for a visibly new, dynamic, and modern approach to food (safety) governance manifests itself in the organization of open events on institutional sites in the name of ‘transparency and openness’, as was also observed in the previous two country-based chapters. The VWA aims for a visible reduction of risks while, at the same time, strengthening consumer trust in the safety of foodstuffs. To that end, the VWA regularly commissions research in cooperation with Wageningen University (VWA 2006b). The VWA aims to work in a fashion ‘close to consumers’, while at the same time ensuring ‘effectiveness’ and ‘efficiency’, and establishing and sustaining a relationship of trust with the industry (VWA 2006b).

As a performative expression of the notions of a modern approach, transparency, openness, and working close to the consumer, in the spring of 2006, the VWA hosted an open day at their The Hague headquarters, a building with transparent glass walls between many of the offices, and, as the high-resolution paper booklet on display stated, with the ‘solid and transparent [...] characteristics of a modern authority’ (VWA 2006a: page number unknown). Both figuratively and physically, the notions of conducting policy in a transparent and open manner have come to form a key characteristic of the ‘good governance’ discourse. With its building, its self-declared ‘values’, and the recent Law on Independent Risk Assessment mentioned above, the VWA exists as a policy laboratory, a stage where the formerly ‘passive’ audience – the citizens – are not only

monitored through consumer surveys (e.g. VWA 2005b), but also turn into virtual monitors themselves. The VWA open day exhibition also included a meat counter with a white-coated scientist behind it, thereby enacting those notions in public: the layperson becomes part of the laboratory, as we have also seen in the previous chapters on the English and German cases.<sup>127</sup>

The notion of a need to rebuild and sustain citizens' trust is closely linked to these practices, for in times of institutional ambiguity, it becomes particularly important for authorities to develop measures to track their own performance vis-à-vis their audiences on a new institutional stage. The regular assessment of citizens' trust by way of the *Consumentenmonitor*, which measures trust in science, food (safety), as well as in the ability of the government to ensure safe food is exemplary for such a reaction (for instance, VWA 2005b; cf. Consumentenbond 2004c).

In light of the contingency of the notion of trust, as discussed in chapter two, it is useful to briefly introduce the 2001 food (safety) campaign, which drew on EU funding. The EU left implementation of the program entirely to the member states, with virtually no restrictions as to the precise content of campaigns and the tools to be used. In the Netherlands, the main objective was 'to make consumers aware of the role played by the *authorities* in general [...] in *guaranteeing safety* in the production of food' (COMM 2002b: 59, emphasis added). Such an approach is not necessarily specific to the Dutch context, given the pervasive experience of institutional ambiguity, and the apparent gap between 'actors' and 'audience' experienced at the time. The more telling, and indeed context-specific notion one finds in the formulation of the 'main message' to be communicated to consumers was to 'learn how to make *independent* and *rational choices* about food' (COMM 2002b: 59, emphasis added). In this way, I would argue, the definition of 'food safety' was relocated to the 'private sphere', whilst the German implementation of the same project included participation in the *Internationale Grüne Woche*, the annual International ('Green') Agricultural Fair.<sup>128</sup> In Germany, therefore, the meaning of trust in food (safety) was staged in relation to agriculture as well as the environment, whereas in the Dutch context, the meaning of trust in food (safety) became constructed as a matter of individual responsibility and 'rational choices'.

The good governance discourse further finds expression in the notion of a need to improve administrative efficiency and 'cutting red tape'. While this notion also connects to the market efficiency discourse, it is useful to introduce it here in order to give an understanding of the role

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<sup>127</sup> For analysis of the science/policy nexus in England and Germany, respectively, see chapter four, section 4.4.1 and 4.4.2 and chapter five, section 5.4.1 and 5.4.4.

<sup>128</sup> The *Internationale Grüne Woche* is more than a conventional agricultural fair. Exhibitioners include (primarily) the feed and food industry, but also diverse associations, including the Farmers' Association (*Bauernverband*), a number of associations of organic farmers; the public nutrition information centre *Aid*, the German Risk Assessment Institute (Bundesinstitut für Risikoforschung), environmental NGOs, and ministries.

of the good governance discourse in sustaining a producer-led tone in overall food (safety) policy discourse. The notion is not restricted to the policy domain considered in this study and finds its expression in more general policy initiatives, such as in the policy program 'For a Different Kind of Government' (*Programma Andere Overheid*) introduced by the Ministry for internal affairs (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*) in January 2004 under Prime Minister Jan-Peter Balkenende. The calls for large-scale overhaul of government administration, even though not necessarily successful, have reinforced the notions of (market) efficiency and coordination, *also* in food (safety) policy discourse (for instance, Tweede Kamer 2004; Veerman 2004b). By 'cutting red tape', the government wants to move from 'taking care of' to 'making sure that' with regard to food safety and quality as well.

We have to leave behind the [idea of a] *centre of regulation* that the *nation-state* has been, as the only way to *achieve order*. [...] We have to do justice to the *diversity* and *complexity* of *society* and the *production processes*. [...] We have to use the creative potential in society in order to search for the right boundaries and good arrangements (Veerman 2004b, emphasis added).

The quotation above expresses, first, the transnationalizing policy discourse, as national boundaries are associated with (excessive) regulation. Second, the metaphorical comparison between society and production processes produces a notion of consumption as a technical matter; and although this 'privatization' of responsibility is a growing phenomenon elsewhere, too, it seems particularly pertinent to Dutch food (safety) and agricultural policy discourse. In the enactment of this notion, responsibilities for food (safety) are relocated to the private sector, for

[t]oo many rules can hinder the competitive position [of Dutch food producers] within the European agri-food sector, particularly now that liberalization demands continual growth (Veerman 2004a; cf. LNV 2004a, 2005b).

Similarly, an internal review of the ministry's tasks concludes that

[t]he own responsibilities of the private sector and the consumer become more important, and the role of the government as the facilitator gets emphasized more next to its role in creating controls and checks (LNV 2005a: 9; cf. LNV 2005b).

Beyond a generic neoliberal trend of a withdrawal of government, which we have also seen in the case of England, these quotations also insinuate a relocation of food (safety) responsibilities to the sphere of the private home and the role of the industry. These

connotations, moreover, further expose the political nature of the policy field of food (safety), when governments seek to shed responsibilities in favor of leaving them to the private sector.

To sum up, ‘good governance’ of food (safety) in the Netherlands means that ‘food safety’ is a matter of (in)efficiency and (in)adequate management, rather than a fundamentally problematic policy issue that calls for an overhaul of agricultural food production and consumption. From the vantage point of this discourse, food (safety) policy should be conducted in a transparent and open manner, whilst private regulation should be encouraged. Beyond this notion, ‘food safety’ comes to mean a matter of consumer trust but also rational choices in the private sphere. Aided by the technocratic discursive legacy in food (safety) and agricultural policy that developed since the late 1890s, the good governance discourse contributes to the definition and indeed delimitation of ‘food safety’ and ‘food quality’. The next section will demonstrate the close relationship between the good governance discourse and that of market efficiency, at the level of both individual notions and the actor constellations they produce in policymaking.

#### *6.4.2 Market efficiency*

In this subchapter, I seek to demonstrate that the discourse of market efficiency has played a particularly significant role in shaping the relatively narrow debate around food (safety) policy in the Netherlands. I shall discuss the specific composition of the Dutch market efficiency discourse as it also appears summarized in table 6.1: the notion of a need to sustain international competitiveness; the notion that organic food constitutes a market niche that could be exploited ideally by lowering prices; the notion that too many rules could hinder the functioning of the market and, therefore, private regulation and ‘product innovation’ should be encouraged; the notion that the farmer can and should be an entrepreneur and an environmental steward simultaneously in order to effect a gradual ‘transition’ towards sustainability; and, finally, the specific notion of being an actor and a stakeholder in the food chain, which varies in its meaning from what was observed saw in the English and the German case. The presentation of these notions below will be significantly more integrated than in other cases, given the very nature of this discourse in wrapping around, but also drawing on, others, such as the discourse of environmental sustainability.

The notion of a need to sustain international competitiveness after the series of food scares finds its expression in several ways. To begin with, a number of respondents interviewed for this study – including civil servants, members of the industry, and an environmentalist - point to the ‘outward-looking character of the Dutch people’ in reference to the practice of exporting, a considerable part of which depends on intensive agriculture. Similarly, respondents allude to

their *handelsgeest*, denoting a mercantile, entrepreneurial spirit, and to more concrete symbols such as the Rotterdam port and Schiphol airport (NL12-FA; NL13-ENV). The frequent reference to these symbols across discursive premises suggests the relative weight of the market efficiency discourse and the internalized narrative of being a ‘nation of traders’ – a notion that is historically shaped yet continues to reappear, as much as romantic notions of farming reappear in the German case.

The prominence of the notion of competitiveness further appears exemplified in the fact that the Dutch food and farming system is frequently referred to as ‘agri-business’, ‘agri-food sector’ ‘agro-clusters’, or particular industry areas as ‘food/nutrition’ – employing the original English term in current policy discourse, even though these precise terms are hardly used elsewhere. The use of English-language terms indicates a degree of Europeanization (i.e. the effort to produce a language that prevents a ‘loss in translation’ effect), as the usage of the English term ‘stakeholder’ signals, too. Moreover, the internalization of these ‘internationally-oriented’ notions can also explain the relative eagerness with which Dutch authorities pushed for a transnational approach in this policy area.

The notion of competitiveness is institutionally embodied in support schemes for organic farming. While these support schemes certainly express an environmental sustainability discourse, the rivalry of the latter discourse with the discourse of market efficiency is more pronounced in the present case than in the other two country cases studied here: The support schemes are not (solely) arranged for the purpose of achieving environmental sustainability but because ‘we don’t want to fall behind European neighbors’ (see, for instance, Tweede Kamer 2002). Indeed, organic farming, as a sub-field of food (safety) policy, is a useful site on which to explore the weight of the market efficiency discourse: Here, the notion that organic prices are excessive and should be reduced in order to stimulate demand also sets the Dutch case apart from the other contexts studied (LNV 2004b). This collection of notions entails that the production and consumption of organically produced food are not so much constructed as ‘moral’ obligations – as the notion of *Öko* used to connote in the German context – but rather, as a market niche. In other words, the notion of a need to overhaul food production in order to move towards more sustainable consumption patterns continues to be wrapped into the discourse of market efficiency, as captured in, for instance, the policy paper on organic agriculture of 2004:

The price difference [between organic and conventional production] is caused by the current small-scale organic production chain and because the negative

externalities of conventional agriculture are insufficiently discounted in their prices.

This is an imperfection in the functioning of the market (LNV 2004b: 16).

The appeal to an imperfect market in the quotation above again bears important political implications. In the market efficiency discourse, ‘the market’ forms the obstacle to achieving sustainability, rather than what is constructed as ‘fundamental flaws’ in the agricultural food production system in some environmental discourses. At the same time, the notion of ‘entrepreneurship’ feeds into this discourse, and the confident ‘farmer-entrepreneur’, and her orientation towards the future - a ‘transition’ towards sustainability (see Hendriks and Grin 2007) - is constructed as the savior of the ‘agri-food sector’. Now that the worst crisis instances and their discursive definitions have been controlled and that some of the institutional authority of policymakers and scientists has been preserved, the priorities for the ‘agri-food cluster’ are to ‘enhance competitiveness, entrepreneurship, and innovation’, and for producers and policymakers to ‘share knowledge and experiences, to reward pioneers, and to encourage those lagging behind’ (Veerman 2004a).

The rivalry between the discourses of market efficiency and environmental sustainability, which shall be discussed further below, is also reflected in the calls for ‘product innovation’ – a policy notion that was also observable in the late 19<sup>th</sup> century Dutch food (safety) policy discourse and then again after WWII, when the ‘OVO’ paradigm of research, information, and teaching steered policy discourse in the field of agriculture. Currently, the producer-led tone and the specific call for ‘innovation’ as a remedy against the failure to reach sustainability is embedded in the call for a ‘transition approach’ as introduced in the fourth National Environmental Policy Plan (*Nationaal Milieubeleidsplan*) (cf. Hendriks and Grin 2007). The Ministry LNV installed a ‘transition team’ (*transitieteam*) in 2002, and an analysis of two related series of newsletters (see appendix B), *Onderweg naar Duurzame Landbouw* (the newsletter of the transition team at LNV) and *Ondernemen in Innovatie* (‘Enterprise and innovation’, LNV’s general newsletter) suggests an interesting amalgamation of the market efficiency discourse (as expressed in the calls for ‘entrepreneurship’ and ‘product innovation’; see Transitieteam LNV 2004, 2005; appendix C), the good governance discourse (as articulated in the emphasis on ‘knowledge development’, ‘expertise’, and ‘cutting red tape’; see LNV Nieuwsbrief 2005a, 2005b), and an environmental discourse (expressed in the calls for transitions to ‘sustainability’). These amalgamations are exemplified in practices of corporate social responsibility, where the market efficiency discourse overlaps with (and often wraps around) more marginal environmental and socially critical discourses:

[Corporate social responsibility can] contribute to sustainability [...]; on the one hand it can serve *to strengthen the competitive position of the Dutch agri-food sector*. On the other hand, it helps us to achieve a number of *public aims*, such as a *sustainable society*, and a different distribution of responsibility between the Government and the private sector, delegating *more responsibility to the [private] sector* (LNV 2004a: 1, emphasis added; cf. Veerman 2004b).

Beyond corporate responsibility for food (safety) and sustainability, Dutch food (safety) policy discourse has also come to include the notion that agricultural production should be linked to environmental stewardship, as it is manifested, for instance, in the organic support schemes mentioned above.<sup>129</sup> In the two previous chapters, I pointed to the inclusion of this notion particularly in the environmental sustainability discourse, but in the Dutch context, a discourse analysis indicates that this notion, as it is appealed to, for instance, in the policy program launched in 2001, *Voedsel en Groen* ('Food and Green [Areas]'), is even more strongly informed by a market efficiency discourse. Whilst the policy paper recognizes that food production has touched upon societal, economic, and ecological boundaries, the key notions regarding the 'future developments of the "agro-food-complex"', the paper suggests, are corporate social responsibility, a high level of knowledge, and 'innovative strength' in order to 'reach the top of the world market' (LNV 2001). The following quotation demonstrates the discursive amalgamation of environmental sustainability, market efficiency, and good governance well. In a relatively producer-led tone, the government's policy aims for

a new equilibrium between nature, landscape, and production. This is especially important in a *country like ours* that is densely populated, has a shortage of space, a huge livestock population and a large, highly productive *agri-food sector*. By 'working together' we want to show that we are now *working towards alliances* between the various *stakeholders who all have to take their own responsibilities*. [...] This marks a *shift for the Government*, from taking responsibility for everything to becoming a 'delegator' or facilitator. For the Ministry this means working innovatively by not concentrating on what is not allowed, but on what can be achieved and what should be done (LNV 2004a: 1, original translation, emphasis added).

The quotation above gives expression to an amalgamation of seemingly divergent discourses, which rests on the notion of *stakeholderness*, as we have seen also in the previous chapters. The notion that the consultation of and cooperation with 'stakeholders' is beneficial and necessary

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<sup>129</sup> For an extensive analysis of private schemes and their implications with regard to transparency in the pork production chain in the Netherlands, see Kalfagianni (2006).

for market efficiency (and indeed good governance, as observed in the previous subchapter) is embodied in a number of ‘platforms’, ‘think tanks’, ‘task forces’, and ‘stakeholder groups’. An exemplary cluster of practices in which the ‘equilibrium between nature, landscape, and production’, as it is called for in the quotation above, can be found is the 2001 ‘Organic Covenant’ (*Biologisch Covenant*). The platform was established based on the shared notion that organic agriculture embodies certain (even though diverse) values, and with the intention to bring together ‘stakeholders’ – industry, governmental bodies, certification bodies, retailers, and NGOs (LNV Task Force 2001). In contrast to the – admittedly rather ambitious – aim to reach a 20% market share for organic food by 2010 in Germany, the Covenant aspired to an organic food market (sales) share of five percent. This endeavor, however, failed to be reached (1,8% were reached instead), and the covenant was renewed and redesigned in 2004 and again in 2008 (LNV Task Force 2007).

Regarding the actor constellations that come together in this amalgamation of the discourses of market efficiency and environmental sustainability, among the signing parties were representatives of the Ministry LNV, *Platform Biologica* (the association for organic farming), the cooperative Rabo Bank, the retailers’ association CBL (see section 6.3.3), the Agricultural and Horticultural Association (*Land- en Tuinbouw Organisatie*, LTO),<sup>130</sup> but also a range of citizen groups (particularly environmental campaigners). Through the bridging function of the notion of *stakeholdermess*, the policy objectives became defined in such a way that diverse actors could collectively push for a particular set of notions. This bridging function, moreover, was strengthened by the technocratic legacy of the previously hegemonic policy discourse, as some of the key policy instruments proposed in the covenant suggest: the promotion of ‘product innovation’; the ‘stimulation of knowledge exchange’ between and ‘mutual strengthening’ of conventional and organic farmers (LNV Task Force 2007: 3-7); and diverse research strategies (Task Force LNV 2001). This discursive cluster, to sum up, relies on the amalgamation of two seemingly diverse discourses, the apparently neutral ‘OVO’ approach based on research, information, and teaching, and the invocation of a sense of entitlement as well as responsibility as a ‘stakeholder’.

As it also appeared in the previous two country-based chapters - the notion of *stakeholdermess* produces a sense of mutual dependency when actors are situated as equivalential members of the food chain. In order for the notion of *stakeholdermess* not to produce a sense of competition, new

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<sup>130</sup> The LTO is an association for entrepreneurs and employers in the agricultural sector. In total, 50,000 farmers and horticulturalists are represented through regional associations, a central office in The Hague, and a representational office in Brussels.



forms of cooperation in the governance of food (safety) involving ‘all relevant stakeholders along the food chain’ crucially depend on the construction of a particular rationality: By emphasizing that food safety and sustainability are ‘non-competitive issues’, a sense of neutrality is introduced (NL14-IA; see also Havinga 2006, Gezond Ondernemen 2008). An interview respondent at the major agricultural association (LTO) and as well as a retailer representative confirm that the bracketing out of the market efficiency discourse requires discursive negotiation between the different parties along the food chain that try to ‘find ways to link economic concerns to corporate social responsibility, whereas for a long time, it was assumed that the two could not go together’ (NL12-FA; NL14-IND). In particular clusters of practices, meanings of food safety – and, gradually, ‘food quality’ as well – have been reframed as ‘non-competitive’ issues and have therefore made possible new forms of cooperation (such as private certification schemes) among farmers, producers, retailers, and NGOs.<sup>131</sup> From the vantage point of a critical discourse analysis, one could, however, consider the repetitive usage of the term ‘non-competitive’ to actually accentuate the market efficiency discourse, as its bracketing out evidently requires constant renegotiation.

Whilst in the German context, the notion of being an actor in the food chain has had an empowering effect for citizen groups, in the Dutch policy context, instead, the notion of cooperating as a chain is of a more technical and production-oriented nature: ‘Chain-cooperation’ forms one of the core principles in the 2005 policy program ‘Choosing for agriculture’ (*Kiezen voor landbouw*),<sup>132</sup> where it is defined as follows:

The aim is to improve quality and reduce costs. [Chain cooperation] is about cooperation with other partners in the chain such as traders and processors. Regular deliberation [*overleg*] is also a feature. Certification is also an element in chain cooperation to gain benefits vis-à-vis other (imported) products (LNV 2005d: 7).

In the quotation above, the notions of ‘reducing costs’ and ‘encouraging competitiveness’ are set in relation to being a member of the food chain and the need for cooperation. In this way, the notion of the food chain, from the vantage point of the market efficiency discourse, acquires a technical connotation that brings together members of the feed and food industry, rather than

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<sup>131</sup> For instance, in 2006, the supermarket chain *Jumbo* launched a project jointly with the animal welfare campaigning organization *Dierenbescherming*, seeking to promote meat produced under more animal-friendly circumstances. Other conditions that organic methods emphasize (e.g. environmental standards) are not adhered to, however (see also LNV 2006 for a similar call by the retailer chain *Albert Heijn*).

<sup>132</sup> The others are ‘unique products’, improving sales rates, cooperation, and extra income (through tourism, for instance).

citizen groups, as it did, for instance, in the German Food Chain Initiative (*Initiative Nahrungskette*) (see chapter five, subsection 5.4.2). In regard to certification practices introduced in the quotation above, animal welfare standards have been a frequent object of deliberation and discussion, whereby a tension has become visible between, on the one hand, the notion of the economic value of specific standards in terms of product marketing, and on the other hand, the potential competitive disadvantage caused by (more cost-intensive) elevated welfare standards. In the preparation of the *Nota Dierenwelzijn* (LNV 2002b), a policy proposal on animal welfare, some panel members understood the improvement of animal welfare conditions as a potential ‘selling point’ for Dutch meat products. Others argued that animal welfare improvements could actually hamper the competitiveness of the Dutch exports. In both arguments, the market efficiency discourse outweighs that of environmental sustainability, a dynamic that shall be further explored in the next subchapter.

To sum up, the market efficiency discourse in the Dutch context has shaped food (safety) policy in a more pronounced fashion than in the other countries studied here. From the vantage point of a market efficiency discourse, the notions of a need to sustain a competitive ‘agri-food business sector’, a need for administrative efficiency for the sake of ‘innovation’, and the notion that organic food is a potential market niche have tended to limit the debate around food (safety) in the aftermath of the series of food scares that occurred in the Netherlands. By virtue of the assertive enactment of these notions through the composition of ‘stakeholder platforms’ and the encouragement of industry self-regulation as well as the contextually contingent internalization of notions of trade competitiveness, the overall policy discourse in the Netherlands is marked by a producer-led tone. The weight that the notions of the market efficiency discourse carry in the overall policy discourse, as it is depicted in table 6.1, will become even more clear in the section below, which discusses the nature and composition of the discourse of environmental sustainability.

#### *6.4.3 Environmental sustainability*

This subsection discusses the specific content of the environmental sustainability discourse in the Dutch context in order to show how the same notions employed across contexts can take on divergent meanings when they appear in conjunction with others at the level of discourse. In the Dutch case, the environmental sustainability discourse is composed of the following notions: the notion that sustainability (including animal welfare) links ‘planet, people, and profit’; the need to promote ‘knowledge development’, research and ‘product innovation’; the economic value of nature and landscape; the notion that farmers can and should be entrepreneurs and

environmental stewards at the same time; and the notion of being a member of the ‘food chain’ in its specific connotation in the Dutch policy context, as the discussion of the market efficiency discourse suggested, too. While I generally discuss these notions in consecutive order, I shall also demonstrate the ways in which the discourse of market efficiency intervenes in their interlinkages.

Coinciding and overlapping with the Wijffels Report (2001) introduced in subsection 6.3.2, a number of environmental organizations, scientists, farmers, and political parties produced reports, the ideas of which resembled those of the Wijffels Commission (for example, Raad voor het Landelijk Gebied 2001; Stichting Natuur en Milieu 1999; Commissie Veerman 2001; Van der Schans and Backus 2001). The multiplicity of voices that found expression at this key moment of transformation speaks to the dislocatory impact of the foregoing food scares. The opportunity to renegotiate the meaning of food (safety) and to articulate it in terms of environmental sustainability found expression in the film *Pork Plaza*, which dealt with the concept developed by the think tank *InnovatieNetwerk* of keeping pigs in large storage buildings in closed-system pig husbandry.<sup>133</sup> These plans came to be referred to as the construction of ‘pig flats’ (*varkensflats*), and, although the concept was not necessarily a new idea (indeed, it had previously been discussed in the aftermath of swine fever), it caused wide-spread debate. Proponents claim more space, less waste, and less transport as benefits of this system, while others, such as the environmental NGO *Milieudefensie* (the Dutch partner of *Friends of the Earth International*) contend that the living conditions of pigs actually deteriorate.

The infamous *varkensflats* express a more general wave of questions that came to the fore at the time concerning how to improve animal welfare while maintaining intensive agriculture. The pervasive sense of dislocation produced by the series of food scares and the imagery around it is exemplified in the view of a representative of the agricultural association LTO, mentioned above in subsection 6.4.2; see also footnote 127), who states that it was ‘in the national interest to thoroughly rethink and change the practices in the livestock farming sector’ (NL12-FA). Particularly after what the respondent describes as an ‘identity crisis’ for Dutch farmers, ‘the visibility of the sector is very important, not only for citizens but also for the pig farmers themselves’ (ibid.). Similarly, the Minister of Agriculture later suggested that if cows were no longer to be seen grazing in the open fields ‘the Dutch would be affected in their sense of identity’ (Veerman 2005a).

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<sup>133</sup> The *Innovatie Netwerk* (Innovation Network) was set up by the Ministry LNV in 2000 and seeks to ‘develop radical new concepts in agriculture, agribusiness, food and rural areas and [to ensure] these are put into practice by interested parties’ (Innovatie Netwerk 2008). The debate was organized by the quasi-governmental Rathenau Institute.

In response to this ‘identity crisis’, in 2003, Minister Cees Veerman announced a ‘debate on the future of intensive livestock farming’ (*Debat Intensieve Veehouderij*), inviting ‘everyone who is in one or another way involved in the future of the sector’ (LNV 2003a). The debate manifested itself in a series of events, such as roundtables in various parts of the country in the presence of the minister (*Het Portaal* 2003a; LNV 2003a). In November of that year, a national conference was to be held at a countryside estate, attended by around 170 participants.<sup>134</sup> The discussion setting was arranged in two seating circles: In the inner circle, 45 participants were able to address one another, mainly ‘decision-makers’ and ‘representatives of the sector’ (*Het Portaal* 2003b) – among them Minister Cees Veerman, who, unsure of what was expected of him in these ambiguous times, could develop and perform a particular role. The outer circle was intended for ‘guests’, who could take part in the discussion as desired. Two themes structured the debate: ‘social appreciation [of the agricultural sector]’ and ‘the market’ (LNV 2003b). While these themes could be seen to suggest a relative openness of the debate, the concrete setting of the conference as well as the position of authority in the inner circle vis-à-vis the outer circle, of course, demarcated what could be said, the topics that could be introduced, and the questions that could be asked: Whereas the environmental sustainability discourse found its expression in this initiative, it was simultaneously performed in a way that delimited its discursive function in empowering critical voices.

The notions in the environmental sustainability discourse, as it is captured in policy papers, mirror and overlap with the discourse articulated by members of the industry. For instance, the agricultural association LTO states that

Innovation is necessary and decisive for the future of agricultural businesses long-term. [...] This entails searching for new, knowledge-intensive markets and products with added value. [...] The management of collective goods, such as nature and landscape constitutes a special responsibility for agriculture. The international competition will increase, and with it the need to expand production [*schaalvergroting*] and further concentration of businesses (LTO 2006, cf. LTO 2007, 2008).

Two things can be inferred from this statement and this discussion more generally: The first remarkable aspect is the contrast in which this policy discourse stands to the kinds of policy discourses presented in chapters four and five in the English and German contexts, respectively, as here, notions of sustaining competitiveness are articulated in necessary conjunction with

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<sup>134</sup> The conference event was repeated in 2005 at the Groeneveld castle and in 2006 in Apeldoorn at a conference centre.

environmental sustainability. This is not to say that these notions do not exist in the other contexts studied here, but the fact that they are presented in this integrated way, seemingly without recognition of the possible frictions between them, sets the Dutch case apart from the English and the German case.

A second specific feature that transpires here concerns the resilience of the discursive terms of reference within which the meaning of ‘good food production’ is understood. This continuity finds expression here in a discursive amalgamation of (i) technocratic notions that emphasize scientific expertise and innovation, (ii) the institutionalized environmental sustainability discourse of the 1970s and 1980s (the management of collective goods with an awareness of environmental impact), and (iii) the market efficiency discourse in which the purpose of agricultural food production is to expand and modernize production in the face of increasing competition (see also LTO 2008).

Returning now to the specific issue of animal welfare, in a performative appeal to a ‘new approach’ to food and farming, in 2002, Minister of Agriculture at the time, Laurens Jan Brinkhorst, issued a Policy Paper on Animal Welfare (*Nota Dierenwelzijn*, LNV 2002b) after consulting a number of civil society organizations and members of the industry. Among the major concerns expressed were the ‘consequences for the competitive market position of the Netherlands, the role of the consumer, the relation to food safety, and the use of financial incentives [to encourage more animal-friendly farming conditions]’ (LNV 2002b: 3). The emphasis on a European ‘level-playing field’ points to the function of the market efficiency discourse in wrapping around and in partially crowding out the discourse of environmental sustainability. Later, in 2004, the Minister rearticulated this notion: ‘We have to strive for a European level-playing field, whereby the animal welfare standards we set earlier which exceeded the legal requirement of the EU have to be brought back to the European level’ (Tweede Kamer 2002: 4, see also Tweede Kamer 2004). In other words, after a temporary dislocatory opening, the meanings of food safety and food quality were re-articulated here by drawing on both a discourse of environmental sustainability and one of market efficiency.

Noteworthy moments that indicate the growing strength of the environmental sustainability discourse, however, include the establishment (and electoral success) of the *Partij van de Dieren* (‘Party for Animals’), as well as the prominence of the animal rights campaign group *Wakker Dier* (‘The Alert Animal’), whose president is counted among the top five most influential people in Dutch agriculture, according to the agricultural professional magazine *De Boerderij* (the farm) (Dokter 2006). Unlike what respondents refer to as ‘more moderate’ organizations, *Wakker Dier* does not seek to engage in the official policymaking process. Their discourse introduces a

language of ‘animal rights’ and presents animals as the victims of intensive farming practices, the CAP, and the food scares over the past decade. This more radical discourse, however, is crowded out by the hegemonic notions that present *farmers* as victims and that present ‘(product) innovation’ as a remedy for poor environmental (including animal welfare) conditions, and the notion of ‘entrepreneurs’ being the primarily responsible party for the future of farming. Nevertheless, in 2006, the *Partij voor de Dieren* was the first political party with an exclusive animal welfare agenda to gain seats in the Parliament, and the government has since then decided to transform the poultry sector entirely into free-range farming (LNV 2005d: 23).

An anecdote helps demonstrate the negotiation between the discourses of market efficiency, good governance, and environmental sustainability, while at the same time showing the legacy of the previously hegemonic post-WWII policy discourse. When farmer Jan Veldhuis returned from his vacation in the summer of 2007, he learned that two entrepreneurs considered constructing two ‘mega-stables’ (*varkensflats*) on land that bordered his own in the Dutch province of Overijssel. One out of the four planned stables - which would each house 20,000 pigs on an area of two football fields and at a height of 15 meters - was to be built a stone’s throw away from his own farm. What followed was an extraordinarily successful citizens’ protest against the construction plans. In October of that year, an ‘information meeting’ was attended by scientists, farmers, and environmental organizations alike. Through interaction, and based on overlapping discourses, an alliance among these seemingly disparate actors was formed in opposition to the construction of the ‘mega-stables’. By articulating these joint demands, they reached a reversal of the plans and secured support across the political party spectrum. Veldhuis explained that the secret to their success was to not present themselves as an *activist group*, but rather an *interest group* (De Pers 2008).

Abstracting from this anecdote, what mechanisms in the overall Dutch food (safety) policy discourse made this possible? On the one hand, the particular style of the movement (that is, joint demands as well as the technocratic self-representation as an *interest group*) fit well into the Dutch style of technocratic policymaking. Yet the conditions of possibility for the very emergence of the alliance are grounded in the dislocatory and hence emancipatory effect of the food scares discussed above: They gave momentum to a previously more marginal discourse of animal welfare. Following the swine fever epidemic, a law regarding the restructuring of the affected sector was introduced (*Herstructureringswet*), which led to a significant reduction in livestock farming. Particularly the swine fever outbreak represented a kind of ‘eye-opening’ experience, as it produced the sudden visibility of how animals were being kept in intensive agriculture stood. It was not merely this physical visibility (in the sense of ‘becoming real’) but

the stark contrast in which it stood to the sedimented narratives around farming and food production as beneficial and economically necessary for all.<sup>135</sup> This experienced dislocation made new forms of identification possible, whereby the alliance of Overijssel could develop as an *interest group*. As a consequence of this discursive opening, in other words, new notions became available that came to shape definitions of food safety and food quality, whereby the latter term has also come to include animal welfare standards, next to environmentally sustainable production methods - which is not least reflected in the renaming of the Ministry LNV (from fisheries to ‘food quality’, see section 6.3.4).

The renewed alliance between environmentalism, farmers as entrepreneurship, and new meanings of food quality, not only safety, resonates in the frequent mentioning of the ‘triple-P’ concept - people, planet, and profit. The concept of sustainability here implies the notion that farmers can and should be entrepreneurs and environmental stewards at the same time, and that ‘people’ and ‘the planet’ have an equal stake in transition to a sustainable form of food production. The *Consumentenplatform* (Consumer Platform), which is integrated into the institutional infrastructure of food (safety) policy at the Ministry LNV (see *Consumentenplatform* 2004b, 2005), suggests an amalgamation of the different discourses, as the following quotation indicates:

If the [agri-food] sector wants to maintain [a globally leading] position, it will have to continue to work on the three dimensions of sustainability: socially embeddedness, ecological efficiency, and economic profit. [...] The sector will therefore have to innovate more strongly in the planet- and people aspect in order to maintain their license to produce (*Consumentenplatform* 2003: 5).

By virtue of the notion of ‘people, planet, and profit’, policymakers and members of the industry have come to merge in a range of practices, including private quality assurance schemes. This notion further finds expression in the kinds of research commissioned to the *Landbouw Economisch Instituut* (Agricultural Economics Research Institute, LEI) and Wageningen University, where advice is sought regarding economically and environmentally sustainable agriculture and animal welfare. Whereas these researchers were historically concerned with the advancement of agriculture – as well as sustainability ‘transitions’ more recently - consumer behavior has now also become an object of inquiry from a social science perspective (see, for instance, Baltussen et al. 2006).

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<sup>135</sup> To some observers, the actual economic value of the Dutch agricultural sector is indeed debatable (Siebelink 2006).

This desire for organizational knowledge suggests the effort and need of policymakers, scientists, as well as the industry to 'know their audience' and, through research, to redefine their 'audience' and to internalize it. The notion of including a 'consumer perspective', also in agricultural research, is often referred to as a 'chain perspective', or a 'chain reversal' approach (*ketenomkering*) - implying the notion of stimulating consumer demand. As suggested in the previous subchapter, the notion of being a member of the food chain here appeals to technical cooperation, and less so to citizen groups as (environmentalist or consumer advocacy) stakeholders.

Despite the weight of the market efficiency discourse, the *Kiezen voor Landbouw* ('Choosing for Agriculture') policy paper (LNV 2005d, 2005e) and the subsequent paper issued in 2007 indicate a slight change of tone. The responsibility for animal welfare, it states, lies no longer solely with the cattle breeder, or with the trader and seller. Rather, 'all parties of the chain' have influence on the well-being of animals, and policy is consciously directed at all those parties. In other words, the environmental sustainability discourse has come to inform both policymakers and members of the industry, as a result of which one can observe a broadening of the debate. The invocation of the notion of a chain, for instance, signals an opening for a redefinition of the roles and responsibilities associated with food (safety) policy. Nonetheless, the environmental sustainability discourse remains in 'rivalry' with the market efficiency discourse when it comes to informing the meaning of food (safety), as a discourse analysis of the policy program suggests.

Another element of the environmental sustainability discourse that allows for comparative insight across the contexts studied for this thesis is the notion of (the value of) the 'natural environment' itself. Set in relation to the romanticist connotation of the 'natural environment' observed in the German case, and, to an extent, in the English case, the notion of nature in the Dutch food (safety) policy discourse informs the meanings of food safety and food quality in a remarkably different way. Two examples where the meaning of 'nature' in the Dutch context becomes apparent (i.e. where it is enacted) are helpful here.

First, the so-called *Comfort Class* project seeks to improve rearing conditions for livestock, particularly pigs, and is financed by private bodies (such as NGOs and agricultural associations). The 'needs' of pigs are researched by creating nature in a laboratory: Stables are set up in a large research centre; a skybox makes it possible for visitors to observe the 'experiment'. On the one hand, this suggests a slight change in discourse and reflects the growing support for animal welfare campaigns (see, for instance, Voedingscentrum 2006). On the other hand, it still fits into the science-based, 'OVO' and 'innovation-engineering' approach introduced above, and 'the



point of departure [remains] that pig farmers are entrepreneurs', as a representative of an agricultural association puts it (NL12-FA; see also LTO 2006, 2008).

A second concrete instance where the tensions and overlaps between the different discourses shape the outcome of a discussion concerns the LNV's Consumer Platform discussion titled: 'Nature: what value for policy?', held in June 2004 by the Ministry LNV (Consumentenplatform 2004a). Among the permanent members of the platform, which was installed in 2002, are a chef, a livestock farmer, a 'consumer (advocacy) expert', and a scientist. That way, we can understand the platform to constitute a 'stage' where meaning is produced from different discursive premises. In consideration of the performative dimension, it is interesting to note that the platform meeting was staged at an *haute cuisine* organic restaurant with *Michelin*-starred staff - a setting that makes it possible to express some sentiments, yet not others; a discussion at an organic farm restaurant, for example, may have produced a different kind of discussion culture, both in content and style.

Alongside other questions, the platform was concerned with the 'added value' of maintaining green areas. Society, it was argued here, expects two things of farmers: 'good food and a pretty landscape with added value'. For instance, it was suggested that farms could function as tourist attractions due to their aesthetic value, echoing the discourse in the *Choosing for Agriculture* policy paper mentioned above (cf. LNV 2005d, 2005e: 7, cf. LTO 2008). One of the key outcomes of the discussion was the call to avoid the term 'nature' in policy discourse because of its vagueness and the contention that 'nothing is natural'. In fact, platform members proposed to substitute the term 'nature' with 'sustainability': 'The government should be concerned about expanding sustainable agriculture instead of stimulating the organic food market niche' (Consumentenplatform 2004a: 6). Nature, it turned out, was understood in a rather broad way (e.g. including football fields), and it was therefore considered inappropriate to make use of these terms in policy discussion (ibid.). Instead, the platform called for the government to stimulate research on the 'economic value of nature in a broader sense' (Consumentenplatform 2004a; see also LTO 2008).

It appears that the environmental sustainability discourse is contained in that it is kept as neutral and technical as possible. In addition to the construction of the notion of 'nature' in this discourse, the notions of a need for 'innovation' and 'knowledge development' contribute to this technical tone. For instance, regarding 'knowledge development', the Ministry LNV recommends 'education' and 'research' (LNV 2004b: 8) and suggests that '[t]he challenges to improving the innovative strength of organic agriculture lie in the dissemination of knowledge to conventional agriculture' (ibid.; cf. LNV 2001, 2003, 2005a; Veerman 2005b). These suggestions

again echo the OVO-triptych of research, information, and teaching (LNV 2005d: 10), as it also appeared in the discussions of the discourses above. Beyond the technocratic nature of this discourse, it also insinuates a natural compatibility of organic and conventional agriculture, whereas some environmentalists would most likely dispute this view.

In sum, the development of the environmental sustainability discourse with respect to food (safety) has been limited, compared to the English and German cases. A key finding in this discussion concerns the continuous intervention of the market efficiency discourse as well as that of good governance, whereby the definitions of ‘food safety’ and ‘food quality’ remain relatively technical. Food (safety) issues are constructed as manageable and controllable, rather than, for instance, understanding them as systemic problems relating to industrial agriculture, as they are constructed in German food (safety) policy discourse.

To conclude, the relative strength of the market efficiency discourse helps to account for the comparatively narrow ‘food debate’ we have seen in the Dutch context. In light of the historical discussion of the ‘life course’ of the policy field of food (safety), we find a remarkable pattern of continuity, as we have also seen in the English and German cases, even as the specific contents of the environmental sustainability discourse vary considerably across these contexts.

#### *6.4.4 Consumer protection*

This subsection is devoted to a discussion of the specific notions included in the discourse of consumer protection in Dutch food (safety) policy discourse, as summarized in the pertinent column of table 6.1: the notion of citizen trust as a basis for effective policymaking (a notion we have also seen in the discourse on ‘good governance’); the notion of a difference between being a consumer and being a citizen, implying that consumers prioritize price at the expense of sustainable food production methods; and the notion that consumers have rights and that they need, want, and have a right to information in order to make (individual) choices, wherein the public authorities should take an advisory, rather than a moralizing stance. I draw particular attention to the latter notion in order to highlight the socio-political implications of this discourse with respect to a possibly more critical consumer movement.

A key moment when the discourse of consumer protection was introduced into the meaning of food safety formed the renaming of the Ministry in 2003, when the ‘v’ in the name of the Ministry LNV came to stand for food quality (*voedselkwaliteit*), rather than fisheries (*visserij*), as recounted in section 3 of the present chapter. Although policymakers performed an act of demarcation between a ‘new’ and the ‘old’ approach, this institutional rearrangement was not accompanied by an oppositional notion of the need to ‘remove the smell of stables’ (that is, the

agricultural lobby) from the Ministry, as it was in the German and English contexts. The press release announcing the change of name of the Dutch ministry read as follows: ‘The transfer of the VWA to LNV makes clear to both consumer and producer that the Ministry of Agriculture is responsible for the entire chain [...] also viewed from the perspective of consumer interests’ (Rijksvoorlichtingsdienst 2003). This performative rearticulation of what consumer protection means in relation to food (safety) policymaking further manifested itself in the renewed call for a specific ‘consumer platform’ within the Ministry in 2002, the *Consumentenplatform* mentioned earlier (Consumentenplatform 2004b).

The reinvention of this ‘consumer perspective’ also finds expression in the notion of a need to sustain the relatively high degree of consumer trust in the Netherlands (Oosterveer 2002), a notion also observed in the discourse of good governance discussed above in section 4.1 (see, for instance, VWA 2005b, 2006b). Regarding this notion of trust as the basis for ‘good consumer protection’ in relation to food (safety), it is interesting to note that the platform mentioned above did not come to conclude ‘lay consumers’, as the organizers of the platform assumed that the trend-watchers, scientists, and ‘consumer experts’ would act as representatives of consumers in an adequate way. In another contrast to the English case, the meetings are held confidentially.

Beyond the notions of consumer trust, it is useful to trace out the central differences between the Dutch consumer protection discourse and those in the other two country cases. The first difference concerns the increasing linkage between the environmental sustainability discourse and the consumer protection discourse - a connection that is observable across the countries studied here, but expresses itself in context-specific ways. In the calls for sustainability, the Dutch government has recently been trying to promote organic food consumption, or to ‘stimulate demand’, as organic agriculture is considered to be the ‘cradle of sustainability’ (LNV 2004b). On the one hand, policymakers, agricultural scientists, and members of the industry have articulated this need for a shift by refocusing on the consumer end of the food chain, the ‘chain reversal’ policy approach explained above in the discussion on the environmental sustainability discourse. This notion indicates a rethinking of agricultural food production on the whole, as has been witnessed elsewhere, including at the EU level. Yet the frequent emphasis on the need for ‘communication’, ‘research’, and ‘knowledge dissemination’ (the ‘OVO’ legacy of research, information, and teaching), while at the same time emphasizing the individual consumer’s right to choice, continues to shape the implementation of this policy objective (cf. LNV 2004b).

More specifically, the market efficiency discourse interferes in this connection through the notion that prices for organically produced food - as a potential market niche - are too high. As mentioned above, this stands in stark contrast to the findings in the English and the German case, where organic prices are generally understood to reflect the ‘real price of production’ by policymakers, scientists, members of the industry, and (most) citizen groups alike - even though in the English case, some consumer groups as well as policymakers express concern over the fact that not all consumers can afford organic food. In line with the Dutch understanding of the price difference, among the ‘points for action for policy’ in the ‘Policy Paper on Organic Agriculture’ (*Beleidsnota Biologisch Landbouw*), for instance, the Ministry LNV recommends that, in order to increase sales of organic products, reducing the price gap between organic and conventional products and promoting consumer awareness of the ‘added value’ of organic food are important points for action (LNV 2004b, see also LNV 2001). This amalgamation of a market efficiency discourse (‘price’), an environmental discourse (‘stimulating organic food consumption’), and a consumer discourse (‘awareness’) constitutes an exemplary case of discursive clustering, which in its institutional enactments tends to reify current consumption patterns.

The most central notion that structures the consumer protection discourse in the Netherlands lies in the construction of a difference between being a ‘consumer’ and a ‘citizen’, a distinction that has received remarkably little attention in the existing scholarship (but see Dagevos and Sterrenberg 2003). From the vantage point of the discourse of consumer protection, the act of (food) consumption denotes an activity driven by *economic* concerns rather than emotions or a particular sense of *experience*, for instance, related to environmental protection. An official at the Ministry LNV, who is charged with sustainability policy areas such as animal welfare, explains it as follows:

[T]he *consumer* makes his [sic] *choice* [...] *at the moment of buying* and the citizen is the one who uses issue movements in order to ventilate his opinion. There are many cases where people state their opinion when asked to but they don’t get involved in any issue movements. [...] The question is whether the citizen really acts accordingly at the shops. Because *then they are consumers*. So one can try to make the consumer and the citizen the same so that your actions as a consumer correspond to your opinions as a citizen. But then what’s difficult is that *there has to be a choice*. What we are looking to do is how to enhance the action perspective [*handelingsperspectief*] of the consumer [and] to make him aware of his behavior and his responsibility by giving him the *right information* (NL9-G, emphasis added; cf. LNV 2002a).

The distinction drawn in policy discourse invokes the notion that, as soon as one enters a supermarket, one turns into a ‘consumer’ and (potentially) disconnects from one’s perspective of action as a citizen. That way, the notion of being a consumer is reduced to satisfying one’s individual interests, these interests are clearly recognizable, and they are private, rather than related to wider societal (and indeed safety-related) concerns regarding environmental sustainability. This construction stands in contrast to the historically more paternalistic notion of being a consumer in German policy discourse, which persists in the assertion that ‘the right choice’ is indeed organic food (e.g. Bio-Kann-Jeder 2006).

Taking this thought further, one could understand the distinction between the ‘citizen’ and the ‘consumer’, as introduced above, as a public/private differentiation, implying that the government has no business to interfere in the latter sphere.<sup>136</sup> This observation becomes even more salient when one considers that the sphere of the consumer appears to be expanding at the expense of the sphere of the citizen, whilst the boundaries between those ‘spheres’, as they are asserted in policy discourse, are of course constructed. The former Minister for Agriculture, Cees Veerman, for instance, recognizes that

[t]he policy domain has grown broader for the Ministry [LNV]. An important part of those aspects [related to food quality] relate to *societal interests* [...] but it is difficult, for it is unimaginable that the *government would look into people’s cooking pans* to see what they are having for dinner. We find that *food quality*, in the first place, is *a matter of those affected: producers and consumers*. It is their [task] to determine the rules of the game (Veerman 2006, emphasis added).

The ‘cooking pan’ here symbolizes the private sphere – the sphere of the consumer, who may be advised, in line with the technocratic ‘OVO’ approach of research, information, and teaching, as the official quoted above insinuates, but not ‘moralized’. Evelien Tonkens (2006) stresses that ‘moralization’ (or ‘changing mentality’) has gained a particularly negative connotation over the past two decades. Since the peak of social movements in the 1980s, ideals of ‘autonomy’ and ‘choice’ have become predominant, and ‘a good life and good behavior’ came to be private matters (Tonkens 2006: 8). Such developments are reflected in food (safety) policy discourse, too: Questions related to the experience of food, such as regarding ‘taste’ and ‘identity’, are referred to as ‘new issues’ in policy discourse (NL4-Q; Voedingscentrum 2006), as if there was a risk of moving too far into the ‘private sphere’ of citizens. Recent articulations such as the notion that ‘consumption is a moral act’ (Veerman 2006) are for now difficult to

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<sup>136</sup> In a similar way, good governance also means that the government should not interfere ‘excessively’ with the industry, either, as discussed in section 6.4.1.

assess in terms of their weight in the overall policy discourse, but they could be seen to signal growing tension within this discourse.

An exemplary case of such a ‘moralization’ problematic can be found in the current four-year-plan ‘Informed Choice’ (*Nederland Kiest Bewust*; Voedingscentrum 2006). Here, the Ministry LNV allocated a set of tasks to the officially independent *Voedingscentrum*, which is jointly funded by the Ministry LNV and the Ministry of Health (VWS), as mentioned above. Officials emphasized, however, that the latter organization would not take on a directive position. In the work of nutrition advisors with the *Voedingscentrum*, the tension between, on the one hand, a more technocratic, apolitical, information-based approach, and, on the other hand, a shift towards a more advisory role becomes evident.<sup>137</sup> The recent campaign material, which focuses on animal welfare issues, ‘shows an aspect of the work of the *Voedingscentrum* that we are not familiar with yet [...] [where] animals play the main characters, not people who show what is healthy food and what is not’ (Verburg 2007). At the time of writing, television spots and a campaign poster form the primary ‘communication channels’, advising citizens that ‘Chickens cannot *choose*. You can!’ (*Een kip kan niet kiezen. Jij wel!*). The tensions between the former technocratic form of communication and the current shift towards what is still framed as a ‘moralizing’ discourse become evident in the following excerpt from an interview conducted with a nutrition advisor involved with the implementation of the ‘Informed Choice’ campaign:

It is difficult for us to determine what to do with this project [...] because we are not an activist group, not an environmental group. It is much more difficult for us to tell people: ‘It is better to buy organic!’ Or: ‘Do not use pesticides!’ [We are] an independent but honest provider of information; our three central tenets are [to be] independent, objective, and honest. Now what is objective in this subject matter? That is what we are struggling with. [...] [We could not say] for instance, that organic food is better; the task is to inform people that there are different ways in which food is produced and that as a consumer, one has got a choice. That is the most important message in this campaign (NL3-G).

The consumer/citizen differentiation described above entails critical implications. First, the hegemonic economic framing - the assumption of ‘price’ as a number one priority and the idea of the ‘rational’, self-interested individual – naturalizes current practices and reproduces a notion of the ‘consumer’ as both calculating and conscious in her choice, provided she has sufficient information to take decisions regarding her consumption behavior. In this context, it is interesting to note that recent studies in the Netherlands indicate that, in fact, price

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<sup>137</sup> This tension is also evident in other policy areas, such as health care and social (family) policy.

modifications may not necessarily encourage consumers to opt for organically produced food (Balthussen et al. 2006).

Second, by constructing consumption as a personal and individual matter, and thereby relocating food into the private sphere, consumption is depoliticized and the scope and nature of a debate about food production and consumption is demarcated. By reifying such a notion of being a consumer policymakers, in a sense, undermine their own policy objective:

The consumer will only switch to organic meat when/if that means something to him [sic]. Whether that is the guarantee that there are no pesticides used [...], or because it makes him feel comfortable [*lekker*], or because he thinks organic meat tastes better. *It can be different things* but ‘organic’ has to *mean something to the consumer*. If it does not, then he will follow his *natural tendency* to go for the bargain of the week [*kiloknaller*] (LNV 2005a: 16-8, emphasis added).

In sum, the analysis indicates that through the assertion of the notion of individual, private choice, alternative and possibly more critical discourses remain marginal. In this way, the definitions of ‘food safety’ and ‘food quality’ remain comparatively technical. A stronger integration of the discourse of consumer protection with that of environmental sustainability might, for instance, generate the notion that policymakers, scientists, members of the industry, and citizen groups alike are responsible for pushing for sustainable consumption as a form of consumer protection. Those discourses are indeed available, also in the Dutch context, but the clusters of actors, it seems, remain entrenched in the previously hegemonic policy discourse. I should emphasize that this does not necessarily entail a conscious (lack of) agency on behalf of those actors, but is also an effect of the institutional preservation of self-understandings. Nevertheless, this analysis was able to accentuate the political implications of discursive resilience. We shall see in the next subsection that the notion of choice and the implicit distinction between private and public also feature in the discourse on public health.

#### 6.4.5 Public health

Below follows an exploration of the particular meanings that are allocated to food safety and food quality in the discourse of public health. The specific composition of this discourse, as also summarized in table 6.1, includes the following: the notion that poor nutrition and phenomena such as rising obesity rates are public health as well as individual issues; that, at the same time, nutrition advice should not interfere with the choices of ‘consumer-citizens’; and that private regulation often works more effectively and efficiently. By discussing the present discourse at this point in the chapter, one can highlight the ways in which notions appear *across* discourses

and thereby create a seemingly coherent, recognizable policy discourse while, at the same time, the contested nature of the object of inquiry – food (safety) – and its fluid boundaries become visible here.

Prior to the food scares of the late twentieth century food (safety) *strictu sensu* had not become established discursively (and thereby institutionally) as a public health issue in the Netherlands - contrary to the developments in Germany, where the fact that BSE was understood as a potential public health threat to begin with marked the institutional developments. Instead, the responsibilities for food safety were as fluid as they had been in the UK until the late 1990s, with two separate agencies in charge (see subsection 6.3.3). Even with the institutional rearrangements introduced above, the ‘new’ meaning of food (safety) as a public health issue only gradually evolved. While the VWA was made directly responsible for the enforcement of food and consumer product safety legislation, it only has a very limited role in relation to nutrition.<sup>138</sup>

An initial policy link between health and food was produced in 1998, when the Ministry VWS first launched the policy program *Nederland: goed gevoed?* (‘The Netherlands: Well Nourished?’) (VWS 1998). Despite a series of revisions, nutrition did not appear to become a priority until recently, nor was its implementation well-funded (cf. Webster 2006). As for the current policy discourse, obesity rates are constructed as one of the central priorities in public health policy discourse in relation to food (safety). In the Netherlands, the Ministry VWS is responsible for the coordination of the approach to nutrition. In the 2003 policy paper on ‘Living longer, healthier: also a question of healthy behavior’ [*Langer gezond leven; Ook een kwestie van gezond gedrag*], the Ministry VWS states:

Unhealthiness implies high costs for society. Only a direct approach to the most important kinds of unhealthy behavior [*ziekmakers*] can stop this development. This will only work *if everyone participates*: the *citizen*, but also the *government*, local authorities, health care providers, *businesses*, civil society, and *research* institutes (VWS 2003, emphasis added).

Around the notion of holding a stake in public health, these parties can formulate a joint discourse that transcends their apparent differences. This discursive clustering is enacted, for

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<sup>138</sup> In this mission, the VWA is assisted by the National Institute for Health Promotion and Disease Prevention (*Nationaal Instituut voor Gezondheidsbevordering en Ziektepreventie*) and the aforementioned *Voedingscentrum*. In addition, the Netherlands Institute for Public Health and Environment (*Rijksinstituut voor Volksgezondheid en Milieu*) undertakes regular consumption and dietary surveys. It is worth noting again that the *Voedingscentrum* also receives funding from the Ministry LNV, which could suggest a discursive linkage between the issues of nutrition, food quality, and food production.



instance, in the National Health Platform (*Nationaal Platform Gezondheid*) set up in 2003, and, more recently, events such as ‘lessons in taste’ (*smaaklessen*) have been introduced, where Minister Cees Veerman launched the program by attending cooking lessons in secondary schools in the fall of 2006. Through this performance, the Ministry asserted a stance of ‘bringing public health policy closer to the citizens’, but also a discourse of (children) consumer protection, as one can also observe in the other contexts studied for this thesis.

In close relation to the notion of food (safety) as a shared collective concern in relation to public health, the notion of *stakeholderness* recurs in this discourse, particularly due to its function in bridging across the seemingly diverse actor constellations in the policy process. Again embodied in the establishment of platforms and ‘taskforces’, such as the National Health Platform mentioned above, the notion of holding a stake in public health produces and reproduces a shared interpretation of a ‘problem’. In such a vein, the Ministry VWS is concerned that

[w]e have lost our leading [public health] position. And the difference is only growing [...] [b]ecause while in the Netherlands, life expectancy is stagnating, it is rising in other European countries (VWS 2003: 10).

As the quotation above demonstrates, the mobilization of such a shared problem definition in the public health discourse is aided by the additional mobilization of the market efficiency discourse, as is expressed in the reference to the financial costs caused by unhealthiness and rising obesity rates. Another discursive clustering that embodies the connections between notions of market efficiency and those of the public health discourse is observable in the ‘Obesity Covenant’ (*Covenant Overgewicht*), which was established in 2005 and in which more than ten partners seek to promote ‘healthy’ consumption behavior. In this discursive cluster, shared meanings regarding public health are negotiated between the seemingly disparate actors and their dynamic roles in the policy process. This is, for instance, indicated in the composition of the platform, which included members of the food industry, retailers, caterers, public health advocates, the national consumer association *Consumentenbond*, the Ministry VWS, the Ministry for Education, Culture, and Science (*Ministerie van Onderwijs, Cultuur en Wetenschap*), and the *Voedingscentrum*.

In view of my argument regarding the relative strength of the market efficiency discourse, it is worth noting that the growth of privately run labels extends to the public health discourse. These labels embody the notion that private regulation may work more effectively than government intervention. Among the most prominent labels is the *Ik Kies Benuut* (‘My conscious choice’) logo founded in 2006, which seeks to encourage ‘healthy’ nutrition but also ‘product

innovation and adaptation' (Straver and Hakkaart 2006), and to enable *choice*.<sup>139</sup> Here, the notions of the market efficiency discourse and that of consumer protection resonate again. The government, in fact, had asked the Dutch Food Industry Federation (*Federatie Nederlandse Levensmiddelen Industrie*) and the retailers' association CBL to develop a uniform system and logo, whereas the government would play a 'supportive and coordinating role' (ibid.).

As we saw in the composition of the discourse of good governance and that of market efficiency, the Dutch government generally favors self-regulation on the part of the food industry (including restrictions on food marketing) and would only resort to bans in cases where self-regulation should fail. The notion that private regulation works better, along with the notion that the government should not 'moralize' consumers, helps explain why the overall role of the VWA in regard to food (safety)-as-public-health and nutrition has been mostly marginal and hesitant. Conversely, in the UK, the FSA has been strongly involved in, for instance, salt reduction campaigns (which are virtually absent in the Netherlands), and calls for controlling food advertisements, particularly those to children, have been increasingly taken up by the public authorities (see chapter four, subsection 4.4.3). Put differently, scientists have not taken on the discourse of public health *in relation to food* in the Netherlands in a manner as pronounced as the FSA has done, and as scientists in Germany have historically done. The lack of an organized movement of consumer-health citizen groups may help explain this difference between the UK and the Netherlands, too, as in the former case, the 'new food movement' of the 1980s experienced the dislocatory food scares over the past decade as a source of re-empowerment.

The *Voedingscentrum*, however, holds a much stronger role in the field of nutrition than the VWA. With its slogan 'honest about food' (*eerlijk over eten*), it has launched a series of information campaigns, such as the *Schijf van Vijf* diet guidance scheme ('Healthy plate of five', or 'Five-a-day'). This concept of a 'food pyramid' is by no means a new idea. In fact, the *Schijf van Vijf* was first introduced in 1953 as part of the post-war nutrition campaign (see section 2 of this chapter) yet gradually decreased in popularity, until it was reinvented in 2005. Consistent with changing notions of health, the recommendations now include the need for variety as well as limits in food intake, less saturated fats, guidelines regarding vegetables and fruit, and, notably, an awareness of food safety (Voedingscentrum 2008).<sup>140</sup> The inclusion of food safety in health recommendations indicates a growing incorporation of food (safety) into the public health discourse.

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<sup>139</sup> Over one-hundred members of the food industry are now taking part in the scheme. See <http://www.ikkiesbewust.nl/> [accessed 9 June 2008].

<sup>140</sup> Other instances of enactment of this clustering include the range of food-related debates held over the past few years. I do not specifically include them in this study due to their anecdotal and very recent nature.

Regarding the position of the environmental sustainability discourse vis-à-vis the public health discourse – a relation which is of relative importance in Germany, as chapter five argued – it is interesting to note that the *Voedingscentrum* does not necessarily propagate ‘natural’ food; in contrast, their recommendations include, for instance, dairy products with artificial sweeteners to combat obesity.<sup>141</sup> In a similar rejection of the notion of naturalness, the VWA urged environmental organizations to ‘communicate in a scientifically correct manner and not to create unnecessary commotion’ regarding the potential health effects of pesticides (VWA 2005b: 28). ‘Eating vegetables and fruit is healthy’, the authorities asserted (*ibid.*), and the campaigns of some environmental NGOs (such as *Milieudefensie*) that articulated their concerns in terms of ‘poison on fruit and vegetables’ were dismissed as irrational and scientifically unfounded.

Two final quotations help demonstrate that, within the public health discourse, the relation between food (safety) and public health remains delimited, as current consumption behavior is ‘naturalized’ here. Moreover, the aim to stimulate what currently counts as ‘healthier’ consumption is in part undermined by those who push for it themselves; a nutrition advisor tells me, for instance, that ‘[as a] consumer - whether we are talking about finances or health, one always considers what your own benefit may be’ (NL3-Q). Resembling this stance, a nutrition advisor finds in a newspaper interview that

[t]here is no use in preaching. We could say: eat a real apple [rather than a vitamin-enriched dairy drink] [but] *people make their own choices. By nature*, people like convenience, sugar, fat, and large quantities (NRC *Handelsblad* 2007, emphasis added).

In conclusion, the public health discourse has gradually come to shape the meaning of food (safety) in the overall policy discourse, but there remain significant traces of an economic framing of nutrition-as-public health. Despite the fact that organizations such as the consumer association *Consumentenbond* and the Netherlands Heart Foundation (*Nederlandse Hartstichting*) have taken part in recent nutrition awareness initiatives, no coherent discursive network of non-governmental organizations has developed around the notion of health as of yet (see also Schilpzand 2004), whereas England saw such a movement already in the 1980s, and in Germany, food (safety) has virtually become a mainstream issue that is taken up across discursive premises. The analysis of the specific content of the public health discourse and the intervention of the market efficiency discourse here reveals the political implication that discursive shifts towards

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<sup>141</sup> This is not to say that this strategy is necessarily less effective or against medical-scientific insights. After all, sweeteners remain a debated issue in the scientific community, and besides, effectiveness is not a concern for this study.

health-conscious consumption patterns remain limited and undermined by those who push for them themselves, either in the consumer protection or the public health discourse. In conclusion, I would argue that the apparent ‘demoralization’ of public health, with its notion of a shared market (in)efficiency threat, as well as the ‘OVO’ policy devices (of research, information, and teaching) that structure the consumer protection and public health discourse, have hindered the development of a stronger consumer-health nexus in relation to food (safety) in Dutch policy discourse.

## 6.5 Concluding remarks

The present chapter has sought to describe the ways in which food scares were taken up as policy issues in the Netherlands. In light of the observation that, after a series of ‘politics in the stable’ in the form of food scares and agricultural crises, policy discourse remained relatively stable, this chapter sought to explain the ‘life course’ and the specific content of the discourses that inform Dutch food (safety) policy discourse.

The chapter proceeded as follows. After an introductory section, section 2 traced the key elements of food (safety) policy discourse in the Netherlands. Specifically, three elements were identified: an emphasis on the functioning of free trade; the formation of the ‘Green Front’; and the rise of scientific experts shaped the hegemonic policy discourse in the late 19<sup>th</sup> and early 20<sup>th</sup> century. Regarding the post-WWII policy discourse, I highlighted the paradigm of maximizing production, which also became evident in the study of England and Germany in chapter four and 5, respectively, the increasing intertwining of market efficiency values in consumption practices, and, again, the role of scientific experts in the overall technocratic policy approach, as expressed in the ‘OVO’ policy devices of research, information, and teaching. Section 3 distilled the most important food scares and agricultural crises over the past decade, whereby I found that the swine fever epidemic and the dioxins crisis were of particular significance, both for the re-emergence of an environmental discourse that emphasizes animal welfare and the push towards a transnational, EU-based policy approach, consistent with the historical, internalized notion of ‘being a nation of traders’ and holding a leading position in agricultural exports. Section 4 was devoted to the primary focus of this thesis, the discourse analysis of contemporary food (safety) policy discourse. The five discourses appear summarized in table 6.1 below.

Table 6.1 Dutch food (safety) policy discourse: key notions

Good governance	Market Efficiency	Environmental Sustainability	Consumer protection	Public health
PSCI	PSCI	PSCI	PCI	PI
<ul style="list-style-type: none"> <li>* Rationality should guide food (safety) policy</li> <li>* <b>Citizens' trust is essential for policymaking, and a new policy approach is needed to secure trust</b></li> <li>* Policy and science should be conducted in a transparent and open way</li> <li>* Good food (safety) governance requires efficient and effective coordination and being prepared for the future</li> <li>* Too many rules can hinder innovation and efficiency</li> <li>* Good governance needs to be supported by the <b>provision of information</b></li> <li>* <b>Regular consultation of stakeholders is necessary</b> for the sake of good governance</li> <li>* <b>Industry self-regulation often works better than government intervention</b></li> </ul>	<ul style="list-style-type: none"> <li>* <b>Dutch food producers must not fall behind the international competition</b></li> <li>* Organic food is a market niche and <b>lower prices may stimulate demand</b></li> <li>* Sustainability cannot be reached without focusing on planet, people, and profit</li> <li>* <b>Industry self-regulation and product innovation often work better than government intervention</b></li> <li>* Food safety is a non-competitive issue, so stakeholders along the food chain should cooperate</li> <li>* Animal welfare could be improved but the disadvantageous implications for trade should be considered</li> </ul>	<ul style="list-style-type: none"> <li>* Sustainability cannot be reached without focusing on planet, people, and profit</li> <li>* Animal welfare could be improved but the disadvantageous implications for trade should be considered</li> <li>* Farmers can and should be entrepreneurs and environmental stewards simultaneously</li> <li>* The countryside and nature can be economic resources</li> <li>* <b>Knowledge development and product innovation help promote sustainability</b></li> </ul>	<ul style="list-style-type: none"> <li>* <b>Citizens' trust is essential for policymaking</b></li> <li>* <b>Consumers focus on price, rather than 'quality'</b></li> <li>* There is a difference between being a 'citizen' and being a 'consumer'</li> <li>* Consumers need and want information regarding food (safety) in order to make choices</li> <li>* <b>Advice regarding food (safety) and nutrition should not be too moralizing</b></li> <li>* Nutrition is (also) a matter of <b>individual (consumer) choices</b></li> <li>* <b>Consumers are stakeholders and have rights</b></li> </ul>	<ul style="list-style-type: none"> <li>* Obesity is a (costly) public health problem and everyone holds a stake in it</li> <li>* Obesity and <b>poor public health can affect competitiveness</b></li> <li>* Advice should not be too moralizing</li> <li>* Nutrition is (also) a matter of individual (consumer) responsibility</li> <li>* <b>Industry self-regulation often works better than government intervention</b></li> </ul>

### Categories:

P = Policymakers

S = Scientists

C = Citizens (e.g. consumer advocates, environmental groups)

I = Members of the food industry

In bold: recurring notions that connect discourses and actors

First, the ‘good governance’ discourse draws on notions of transparency, openness, and the need for improved coordination and efficiency as a basis for securing food safety and citizens’ trust. At the same time, and slightly differently from what we saw in the English and German case, good governance of food (safety) entails the need for a rational debate about what is at stake, and similarly, consumers are expected to make rational decisions, too. With regard to policymakers’ responsibilities vis-à-vis citizens and the food industry, there is no strong notion of a need to remove the agricultural lobby from the Ministry LNV in order to secure trust – rather, information, education, and preserving rationality inform the notion of trust in this context. Good governance further implies that private and voluntary regulation may be more efficient and effective than ‘too many rules’. Through the good governance discourse and its technocratic features, considerable discursive closure was achieved in the aftermath of the series of food and animal health scares.

Second, what I termed the ‘market efficiency discourse’ holds a relatively hegemonic position, such as in the pervasive notions of competitiveness, export-dependence, entrepreneurship, and the fear to ‘fall behind’ in the European market. The relative strength of these notions, when compared to the English and the German case, limits the debate on the implications of intensive agriculture, as export, trade, and (intensive and cost-efficient) agriculture are constructed as beneficial for all.

Third, we can similarly observe the relative strength of these notions in the environmental sustainability discourse. Despite the tradition of environmental protection in the Netherlands, and a growing emphasis on animal welfare, this discourse is often wrapped into a dominant market efficiency discourse - for instance, in the ways in which organic food production and consumption are encouraged and in the use of the sustainability concept, with its focus on ‘people, planet, and profit’. Moreover, a key notion within this discourse forms the industry-oriented use of the concept of the food chain, while in the German context, the notion has supported the (re-)empowerment of citizen groups concerned with environmental issues and

consumer rights, as well as coalitions between the two. The technocratic nature of the discourse in the Dutch case implies that notions of environmental sustainability are wrapped in technical terms: ‘communication’ is emphasized at the expense of ‘pathos’ and antagonistic conflict; ‘research’ and ‘information’ are valued over ‘moralizing’.

From the vantage point of the discourse of consumer protection, food (safety) policy entails some degree of governmental responsibilities and the integration of a ‘consumer perspective’ into policymaking, while there are no clear signs of a renewed ‘consumer movement’ in the Netherlands. The most central notion in this discourse is the distinction between ‘the consumer’ and ‘the citizen’, whereby the (individual) citizen is constructed as an individualist market agent who values price over (different understandings of) food quality. This finding bears important political consequences. The socially constructed distinction does not only reproduce a stereotypical image of ‘consumers’, but also forecloses a broader, more critical discussion and changes towards more environmentally and socially conscious consumption behavior.

Finally, in the discourse of public health, food (safety) refers to hygienic qualities, technical safety rules on behalf of the feed and food industry, and the need to combat obesity. With regard to the latter, we find the recurrent notion of a need to think rationally about food (safety) and to make decisions that are based on the ‘OVO’ policy devices of research, information, and teaching. The notion that declining public health (such as in rising obesity rates) bears economic costs produces a notion of *stakeholderness* in this discourse, and the beneficial nature of private regulation becomes emphasized and enacted in particular actor constellations. The notions we find in this discussion are moreover exemplary for the fluid boundaries of the object of inquiry here, when food (safety) and food (quality), consumer protection as well as market efficiency, are drawn into a discourse of public health.

In conclusion, while the food scares of the past decade have certainly triggered debate and public concern, there has only been a limited expansion of the meaning of ‘food safety’ and ‘food quality’ and the debate remains relatively narrow in the absence of romanticist notions one finds in England (‘reconnection’) and Germany (‘the intrinsic value of nature’). Institutional rearrangements and discursive actor constellations do indicate a dislocation of the previously hegemonic image of intensive agriculture and a re-empowerment and stabilization of other discourses such as environmental sustainability, in particular concerning animal welfare. Yet three factors have helped a relatively swift (though always partial) discursive closure – a return to stable politics - in reaction to the sense of dislocation and institutional ambiguity experienced over roughly the past decade. First, the discourse of market efficiency intervenes in the discourse of environmental sustainability, often wraps around it, and crowds out more marginal notions,

such as the construction of an intrinsic value of 'nature'. Second, the notion of a difference between being a 'consumer' and being a 'citizen' bears important implications. Its continuous presence in the policy discourse implies a reification of the status quo, prevents the individual from identifying with wider (safety-related) environmental concerns, and reproduces a stylized image of the 'consumer' as an individual who follows her own – easily identifiable, economic – interests. In such a way, food (safety) is relocated into the 'private' sphere, whereby producers and consumers are held responsible for keeping food safe.

Having discussed the different interpretations of and meanings allocated to food safety and food quality in the English, German, and Dutch contexts, the next chapter examines the policy discourse at the level of the EU and identifies the key notions that bind that discourse together.



## CHAPTER SEVEN: Thought for food (safety) at the level of the EU

### 7.1 Introduction

Looking back, the previous chapters tell a story of heterogeneity in the way individual EU countries dealt with the series of food scares of the past decade and in regard to the meanings that food (safety) took on across contexts. Despite this heterogeneity, a transnational, European Union (EU)-based food (safety) policy approach has emerged, which forms the object of inquiry of the present chapter, consistent with the final research question developed in the introductory chapter to this thesis: *How can we explain the emergence of a transnational policy approach, given the divergence on the national level?*

I argue that, to begin with, the Europeanization of food (safety) policy hinged upon the *re-citation* of the concept of food (safety) in a transnational context. Inspired by Butler's contention that 'gender' is an *iterable* notion that can be re-cited in different contexts (Butler [1990] 1999, 1997; cf. Derrida 1988 [1977]) whereby its meaning can change (and the individual who is subject to it 'liberated'), I argue that the meaning of 'food safety' as well as 'food quality' can be re-cited by re-narrating the events and 'facts' around the series of food scares in a different context and setting.

Based on this premise, I then investigate the quality of the shared understandings that are produced through this renewed citation. Emphasizing their openness, flexibility, and ambiguity, I capture these as integrative nodal points (Laclau and Mouffe 1985; Laclau 1996; cf. Diez 2001) that have helped to mobilize, stabilize, and sustain food (safety) policy at the level of the EU. Concretely, this chapter proposes that within the five discourses identified in this study, the following nodal points bear particular integrative power, and shape and provide coherence to the present EU food (safety) policy discourse: the notion of being a member of the *food chain*; the related notion of being a *stakeholder*; and the notion of a European, transnational *consumer*. By virtue of the discursive openness and malleability of this terminology, the argument goes, divergent meanings can be projected onto it, which makes for apparent convergence at the level of transnational policy discourse.

This chapter proceeds as follows: Section 2 presents a historical account of the saliency of food (safety) as an EU policy issue and sketches out the policy infrastructure as it was before the discovery of a potential link between BSE and nvCJD. I focus on (i) the nationally-based nature of food (safety) policy, (ii) the related overarching principle of the free movement of foodstuffs within the EU Internal Market, and (iii) the expert-based character of the pre-BSE policy approach. Section 3 recounts four key moments that produced shifts towards a new meaning of

‘food safety’: the European Parliament’s *Medina Report*; the 1999 report by European scientists Philip James, Fritz Kemper, and Gerard Pascal; and the *Green Paper on the General Principles of Food Law in the EU* (COMM 1997b) and consequent *White Paper on Food Safety* (COMM 1999/2000); and (4) the 2002 *General Food Law Regulation* (EC 2002).

The fourth section of this chapter presents the discourse analysis of EU policy on food (safety) and assesses the respective relevance of the five empirically derived discourses of ‘good governance’, ‘environmental sustainability’, ‘market efficiency’, ‘consumer protection’, and ‘public health’. The composition of these discourses in terms of their key notions as well as the qualities and integrative functions of the latter form the object of inquiry. These central elements are summarized in graph 7.1 below, as follows: The five sections represent the discourses and the cells are filled with the notions that they are composed of. The key integrative notions are accentuated visually in bold print in order to signal their dynamic relation to the three nodal points, as they appear at the centre of the graph. The superscripts indicate the resonance at the level of the EU of the findings in the studied national contexts. As I clarified in chapter three, these are to denote similarities and matches, rather than suggested causal dynamics. As in the foregoing country-based chapters, the graph also indicates the discursive clusterings between the constructed actor-categories (policymakers, ‘P’; scientists, ‘S’; members of the industry, ‘I’; citizen groups, ‘C’) in order indicate instances wherein actors come together by means of a particular discourse and where, in collection, they come to push for particular sets of notions.

Given the specific institutional nature of the EU and its relative power in some policy areas (agricultural policy), and not others (public health), the presentation of the discourses will take a slightly different shape from that in the country-based chapters. An exhaustive treatment of this complexity would go beyond the scope of this study, but we shall see that despite an initial resilience, food (safety) policy has been integrated into previously unconnected policy domains at the EU level. In the next section, I begin by tracing the elements in this initial resilience by way of discussing the central elements that structured the pre-BSE policy infrastructure at the level of the EU.

## **7.2 The incremental development of an EU approach**

### *7.2.1 Food (safety) as national matter and the free market principle*

In reaction to the discovery of the link between BSE and its fatal human counterpart nvCJD, a Member of the European Parliament, Ken Collins, stated that ‘[i]f the European Community had not existed before the BSE crisis, it would have had to be invented’ (Collins 1996). ‘This is not an issue that can be contained within one country’, he told a parliamentary assembly, ‘[and]

we have to find a European level response to it' (ibid.). These words stood in stark contrast to the regulatory regime in existence at the time. Until the late twentieth century, food (safety) was typically a matter of national regulation, drawing on the diverse legal traditions across EU member states. Likewise, the extent to which consumer protection, environmental policy, and public health - policy domains where the EU had relatively little power to intervene - were integrated with the area of food (safety) varied across contexts, as we saw in the previous chapters. This discursive understanding of food (safety) as a matter of national regulation, however, was bound to be exposed as socially constructed and vulnerable to dislocations.

The early 'Europeanization' of food (safety) policy commenced in the 1960s (cf. Alemanno 2006) and stretched to the mid-1980s. During this phase, the initial goal was to establish an internal market, which necessitated the harmonization of compositional standards for foodstuffs. This task would have required a substantial amount of positive legislation regulating the market on an unprecedented scale and was resisted by member states. The European Court of Justice (ECJ) remedied the situation with the principle of mutual recognition, derived from Article 28 EC and coined in the celebrated *Cassis de Dijon* judgment in 1979, in which the Court overruled the German ban on the importation of the French black currant liqueur. The case of *Cassis de Dijon*, however, did not immediately accelerate harmonization, as article 94 of the EC Treaty still required unanimity.

The subsequent period, also known as the 'new approach', evolved from the Single European Act (SEA, 1986), through which a 'minimum harmonization' in food (safety) standards came to rest upon the principle of mutual recognition mentioned above. By launching this *New Approach on Technical Harmonization and Standards*, the European Commission thus discarded its ambitious efforts to introduce universally (or EU-wide) applicable recipe laws for all EU-made foodstuffs. In the EC Treaty (EC [1992] 2006), the principle of mutual recognition concerned the elimination of import barriers within the internal market. Article 30 (formerly article 36 in the Treaty establishing the European Community), reads as follows:

The provisions of Articles 28 and 29 shall not preclude prohibitions or restrictions on imports, exports or goods in transit justified on grounds of public morality, public policy or public security; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property. Such prohibitions or restrictions shall not, however, constitute a means of arbitrary discrimination or a disguised restriction on trade between Member States (EC Treaty [1992] 2006).

As is evident in the quotation above, EU intervention in national food (safety) regulation continued to be reserved for instances where food (safety) policy was seen to constitute a *trade barrier*. The free movement of foodstuffs remained the overriding principle in EU food law, and questions of consumer protection were implicitly bracketed out as legitimate grounds on which one member state could prohibit another from marketing a particular food product (Alemanno 2006: 242): Concerns such as consumer protection, public health, and ‘public morality’, the Treaty article insinuated, would only constitute trade restrictions in disguise.

The ‘new approach’ ended with the first BSE crisis in 1996-7, when the EU introduced a ban on British beef imports following the discovery of the link between BSE and nvCJD (Alemanno 2006: 238ff). Although the European Parliament had called for the development of common measures regarding BSE even before the discovery of nvCJD, food (safety) regulation had largely remained a matter of national regulation in the EU. Accordingly, the view of BSE as a British problem external to the European continent persisted for an extensive period of time and shaped and delimited the institutional understanding of food (safety) until 2000, when BSE was found in several continental member states, too. Beyond this understanding of BSE as a British problem and the overriding principle of the free movement of goods within the internal market, the nature of the system of scientific expertise at the EU level shaped the meaning of food (safety) in important ways, as we shall see below.

### 7.2.2 *The expert-based policy approach*

Ellen Vos (2000) describes the pre-BSE regulatory infrastructure as principally driven by ‘pragmatic considerations’; it lacked coherence and adequate institutional structure to accommodate the complexities of ‘science-based decision-making’. In an attempt to remedy these shortcomings and following a 1986 Commission White Paper, the Council adopted what is known as the *Comitology Decision*, which introduced a system of ‘comitology’ that specified committee variants and procedures for the exercise of the implementing powers conferred on the Commission. The type of committee allocated typically depended on the policy area being regulated. While supporters of comitology praised its administrative efficiency and the way committees would mediate between national states and the EU without having to build further institutions, critics of this system raised issues of legitimacy, transparency, democratic accountability, and the risk of unstable policymaking (Buonanno 2006: 261). On the surface, nevertheless, ‘comitology’ seemed satisfactory and efficient in the specific area of food (safety), to both national authorities and the Commission, until the BSE crisis linked issues of trade to issues of vital risk.

Until then, however, this system remained technocratic and *expert-centered*, and science continued to provide the main authoritative grounds for policy, whereby implicitly, a distinction between what counted as ‘science’ and ‘policy’, respectively, was institutionally upheld and left unquestioned (Alemanno 2006: 243ff). This was certainly the case when questions around the release of genetically modified organisms (hereafter GMOs) reached the European policy agenda in the early 1990s. A senior Commission official involved in biotechnology regulation and formulating the EU ‘precautionary principle’ describes the approach at the time as follows:

Then there were other DGs [Directorate-Generals] - like our own [DG Research] - which were always concerned that there should be *a strong science base* for everything we did for policy, this has always been the line we have taken. That we have to have sound science underpinning policy, otherwise we will have... what else are we going to make policy on? *If it's pure politics*, if it's pure public perception, *you can have all sorts of crazy things* (EU10-G, emphasis added).

Although the respondent speaks in reference to early biotechnology regulation, these impressions are relevant here as they describe policymaking discourse *before* feed and food, or animal and human health, were linked through the experience of a number of transnational food scares, or what I called the two ‘boundary transgressions’ in the introductory chapter of this thesis. The subsequent amalgamation of discourses of environmental sustainability, public health, and consumer protection seemed ‘crazy’ to the official quoted above, I would argue, because the respondent had been socialized into a generation of ‘purely science-based policy’ at the European Commission. Before discussing these new discursive amalgamations, the next section turns to the key moments of transformation in the course of the institutional rearrangements at the level of the EU with regard to food (safety).

### **7.3 The changing governance of food (safety)**

#### *7.3.1 The Medina Report and the role of the European Parliament*

To recapitulate, the early stages of the first BSE crisis were still shaped by the constructed national/transnational boundary: The disease was considered to be a matter confined to one country and therefore supposedly *manageable* by interrupting beef exports to the rest of Europe. The EP, however, occupied a particular position in the mobilization of a transnational, EU-based policy approach as well as stronger competencies in the policy area of consumer protection; indeed, it had called for an EU-wide approach long before the Commission decided to intervene. The *Medina Report* (1997) to be discussed here is an exemplary expression of this role.

In 1996, the EP initiated a special BSE inquiry, which was to result in the Medina Report, named after the Chief Rapporteur Manuel Medina Ortega. The report called for a greater focus on the ‘public interest’, along with matters of animal and plant health as well as sustainable farming practices. Moreover, Medina highlighted the need for a different, possibly more sensitive approach to food (safety) regulation and heavily criticized both British policymakers and the Commission for their alleged ‘lack of transparency’ and inaction in fighting BSE. The report reveals the key assumptions behind the pre-BSE policy discourse and the related practices:

The lack of BSE-related inspections between 1990 and 1994 seems symptomatic of an assumption by the British witnesses before the Committee that they knew *all there was to know* and could handle the problem *without outside ‘interference’*. There was also an attitude of ‘benign neglect’ of the issue (a willingness to *let a British problem be dealt with by the British*) on the part of the Commission and, through the veterinary committees, by the other Member States (EP 1997, emphasis added).

As suggested in the quotation above, the report identified four factors pertinent to the BSE crisis: First, in reference to the comitology system, the report contended that it was ‘totally exempt from any supervision, thereby enabling national and/or industrial interests to infiltrate the Community decision-making process’ (EP 1997). Second, concerning member state (in)actions, the EP investigative committee revealed that the Agricultural Council had rejected a proposal by the Commission to prohibit UK beef exports in 1990, whereas the Council of Health Ministers and the Council of Research Ministers had recommended further research. Third, the EP criticized the overlapping competencies within the Commission with respect to controlling food-borne diseases. The compartmentalization of responsibilities between DG VI (Agriculture), DG III (formerly Internal Market, then Industry), the Consumer Protection Service, and the Directorate for Health and Safety (DGV), the report contends,

hampered the coordination and efficiency of the services concerned, [...] facilitated the shifting of responsibilities for maladministration between the various services of the Commission, and points up [sic] the lack of an integrated approach, a phenomenon exacerbated by DG VI’s arrogating primary management of the BSE issue itself (EP 1997).

Finally, the Medina Report highlighted the problem of ‘regulatory capture’. For instance, the Commission had been subject to political pressure from UK government officials not to stipulate BSE checks in the general inspection of slaughterhouses (Buonanno 2006: 263). The report painted a critical image of the Commission’s dealings with BSE and invoked an

interpretation of BSE (and food safety) as a European issue. The inquiry, therefore, was a performative move, as one of the key moments where BSE and food (safety) more generally became articulated and re-cited in a European grammar, on a newly emerging European stage.

When the Commission was faced with the dislocatory experience of BSE and the consequent institutional ambiguity, it reacted promptly to the Medina report findings. The principal advisory scientific committees were disbanded and staff from a number of DGs moved to an expanded DG XXIV (which was to become the DG Health and Consumer Protection). These reactions, however, cannot be fully understood without considering another key moment in the development of an EU-based food (safety) approach, namely the 1999 report on the *Future of Scientific Advice in the EU*.

### 7.3.2 *A first proposal for a European agency*

Faced with the apparent distrust of consumers in food (safety) and the authorities in charge of securing it, in March of 1999, the Commission asked Philip James, Fritz Kemper, and Girard Pascal to evaluate ‘whether an independent agency type structure could lead to further improvements in scientific advice at the EC level’ (James, Kemper, and Pascal 1999: appendix I; cf. Buonanno et al. 2001).<sup>142</sup> Furthermore, the tasks allocated to the three leading European scientists included an assessment as to an effective system for providing scientific advice that would be ‘independent, transparent, excellent, and readily understood by non-experts’ (ibid.).

Based on their report, which was published in December of 1999 and titled *The Future of Scientific Advice in the EU*, the experts came to propose a European Food and Public Health Authority - an agency to be modeled after the United States (US) Centers for Disease Control and the US Food and Drug Administration. They insisted that this authority would break new ground, as it would represent the first instance where the control function over a social policy area would be removed from member states, which retained most of the regulatory power in that field vis-à-vis the Commission.

According to James, Kemper, and Pascal, the Commission’s organization at the time (as the structure that pre-dated the BSE crisis) had artificially compartmentalized risk factors to human health, thereby retaining the animal/human boundary when it came to particular diseases – a finding that echoed the Medina Report discussed above. The authors defended a ‘science-based’ notion of interconnectedness among animals, the environment, and humans, and a regulatory

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<sup>142</sup> Considering the critical and self-reflective tone of the report, it is interesting to note that one of the authors, Pascal, had previously held positions in the Commission as a member of a number of committees (Buonanno 2006: 264).

body that would mirror the ‘interconnectedness’ between the areas of science and policy, such as the UK was to install in the form of the UK FSA, and mirroring the structure of the US Food and Drug Administration. In regard to the science/policy nexus, the report further concurred with the EP’s evaluation of the organization of the food (safety) policy infrastructure and recommended that the future agency should be independent of both governments and influence from the industry, not least for the purpose of restoring public trust. In addition to a vocabulary of trust, accountability, and independence, the report emphasized the importance of including environmental and public health concerns within the proposed authority, as ‘public health issues are in health terms a greater burden on society than the effects of poor food safety which has dominated thinking so far’ (James, Kemper et al. 1999: 6, fn 14). The introduction of notions relating to environmental sustainability, consumer protection, and public health were to represent a break with previous practice, as we shall see later on in this chapter.

Yet between the commissioning of the report in May 1999 and its publication in the month of December of that year, the dioxin crisis hit Belgium (and consequently Germany and the Netherlands). The Jacques Santer Commission was forced to resign, and Romano Prodi was appointed as the new President of the European Commission. These events affected the potential impact of the report, and with a new Commission in place, the institutional ambiguity was in part overcome. Rather than constructing an entirely new policy stage (as the James, Kemper, and Pascal proposal would have it), the new Commission retained previously institutionalized ‘paper work’ practices, as we shall see below.

### *7.3.3 (Green and White) paper work at the European Commission*

When confronted with the institutional ambiguity following the UK BSE crisis, the European Commission drew on institutionalized practices and issued the *Green Paper on the Principles of Food Law in the EU* (COMM (97)176 final). As the publication of reports and communiqués are core features of the institutionalized, technocratic policy regime at the level of the EU, these acts can be understood as efforts to reinstitute power, stability, and authority. Alongside the *Green Paper* mentioned above, the Commission issued the *Communication on Consumer Health and Safety* (COMM 1997a) which prepared the path for a new EU-based food (safety) approach inasmuch as it introduced the notion that consumer health protection was a legitimate EU policy area. The Amsterdam Treaty later in the year 1997 reasserted this notion.

Following the Medina report, the James, Kemper, and Pascal Report, and the Communication mentioned above, DG XXIV was transformed into Directorate-General for Health and Consumer Protection (*Santé et Protection Consommateurs*, hereafter DG SANCO) in



1999. In the same course of institutional rearrangements, all committees concerned with consumer issues were transferred to this DG in order to remove scientific experts from what was understood to be ‘the pressures of industry’, as it had been articulated in both the Medina and the James, Kemper, and Pascal report. As far as the EC ‘comitology system’ was concerned, which had been criticized not only for its ineffectiveness, but also for the lack of transparency of the scientific committees, the Scientific Committee for Food and the Scientific Veterinary Committee were repositioned under DG Industry (DGIII) and DG Agriculture (DGVI), respectively.

The next step in the mobilization of a transnational policy discourse formed the publication of the Commission’s *White Paper on Food Safety* (COMM 1999/2000) in early 2000. The White Paper re-cited food (safety) as a transnational issue and a concern shared by policymakers, scientists, industry, and citizens alike:

The economic importance and the ubiquity of food in our life suggest that there must be a prime interest in food safety in society as a whole, and in particular by public authorities and producers (COMM 1999/2000: 6).

As the quotation above indicates, the White Paper employed both health arguments and a vocabulary relating to the functioning of the (internal) market. Building on the foregoing Green Paper and the Communication, the White Paper further called for a ‘chain approach from farm to fork’ or ‘farm to table’, as well as a strict separation of tasks between scientists and policymakers, and the creation of a new institution based on ‘excellence, integrity, and openness’ (Byrne 2002). In addition, the *White Paper* rearticulated the public health aspect of food (safety), drawing on the earlier Green Paper on the Principles of Food Law in the EU (COMM 1997b).

As a response to the James, Kemper, and Pascal report, the *White Paper* emphasized the need for ‘the creation of an *independent* source of advice on food safety issues in order to [...] contribute to a high level of *consumer health* protection in the area of food safety, through which *consumer confidence* can be restored and maintained’ (COMM 1999/2000: 5, emphasis added). With the call for a strict separation of roles in the model of ‘risk analysis’ - risk assessment, management, and communication - however, the Commission went against the recommendations of James, Kemper, and Pascal. In the rejection, the Commission argued that a transfer of regulatory power that previously belonged to the Commission would lead to a dilution of accountability. Moreover, it employed legalistic arguments in its partial rejection of the report, suggesting that the EC Treaties required the Commission to retain both regulation and control, and that the institutional arrangement at the time would not allow for the establishment of an authority with regulatory power without modification of the Treaties. In this

manner, the policy paper also contributed to the delimitation of the potential debate and functioned to control the problem definition. Indeed, to the Commission, legalistic arguments were safe – in the sense of non-contentious - ones to make, while it is important to note that they remain disputable (Buonanno 2006: fn. 2).

In contrast to the US Food and Drug Administration, the new European food safety agency was not to be invested with any regulatory power - not least because of the resistance of EU member states to conceding their ‘risk management’ powers to the EU level. I would argue that officials at the level of member states, and their self-understanding as responsible risk regulators, as well as the EU-level scientists, functioned as ‘gatekeepers’ of the previously existing discursive regime that was based on national regulation, technical expertise, and the principle of the free movement of food stuffs within the internal market. At the same time, we must not understand this ‘gate-keeping’ as based on clearly recognizable, individual interests and strategies only. In contrast, I propose that these (re-)actions constituted an effort to grasp the dislocatory events in terms of the previously hegemonic policy discourse on which the self-understandings of these officials and scientists rested.

To recapitulate, an analysis of institutional practice reveals that scientific experts and policymakers at the Commission regained their authority by drawing on previously institutionalized practices such as writing reports, Green Papers, and White Papers. Those practices allowed them to control the flow of interpretation, while the discursive traces of an expert-centered regime allowed them to reconstruct and perform their roles in an authoritative way, thereby acting as preservers of a previously hegemonic policy approach. At the same time, the injection of the ‘consumer perspective’, pushed for by institutional ‘outsiders’ (such as some members of the European Parliament), indicate an opening up of the definition of food safety and a redefinition of the roles, rules, and responsibilities associated with food (safety). The injection of new notions, such as those relating to consumer protection and environmental sustainability, produced a redefinition of food safety, which is further reflected in the *General Food Law Regulation* (EC 178/2002), as we shall see below.

### *7.3.4 General Food Law: From farm to fork*

The preceding White Paper (COMM 1999/2000) had called for the EU to take on a ‘farm to table’ approach to food safety regulation, whereby the primary responsibility to ensure safe food was to remain with the industry, producers and suppliers. The *White Paper* laid out three central principles that were to be incorporated into the *General Food Law* (EC Regulation 178/2002): the separation of the responsibilities for legislation and for scientific advice, the separation of

legislation from inspection and enforcement, and greater transparency and better information with respect to the functioning of institutions. The pivotal element of the General Food Law Regulation (hereafter GFL) was the proposal to establish the European Food Safety Authority (EFSA), which was institutionalized on 28 January 2002.

The GFL laid down the general principles and requirements of food law and can be considered the legal ‘forefather’ of the EFSA in that it legally prescribed a reorientation in food (safety) regulation. More specifically, it stipulated definitions, principles, and obligations to cover all stages of food and feed production as well as distribution in line with the ‘farm to fork’ approach that was to be incorporated into national legislation by 2007. The aim of the GFL was to ensure a consistent approach in the development of food legislation. At the same time, it provided the general framework for areas not covered by specific harmonized rules regarding food (safety) but where the functioning of the internal market was ensured by mutual recognition (see section 7.2.1 above).

The creation of this new institution in a situation of institutional ambiguity was felt necessary ‘to protect public health and to restore consumer confidence [...] [focusing on] the public interest’ (COMM 1999/2000: 14), and to overcome the ‘competitiveness’ between national research centers (Byrne 2002). Here it becomes evident again that the BSE crisis brought about a strengthened link between food (safety) and public health concerns, as well as consumer protection – a link most clearly institutionalized in the establishment of the DG SANCO, which combines these three previously disconnected policy domains. It has become clear now that the series of papers, communications, and the GFL represent remarkable developments and moments of reorientation in light of the institutional ambiguity produced by the events related to BSE.

To sum up, the re-narration of the ‘facts and figures’ – manifested in the several reports and policy papers - led to an interactive, collective process of re-interpretation. In this way, the meaning of food (safety) came to be re-cited in a new, transnational grammar. As a result, one can observe the questioning and partial disintegration of three discursive features of EU food (safety) policy: the construction of food (safety) as a matter of national regulation, the free movement of foodstuffs, and the expert-based nature of EU policy. The next section of this chapter presents the consequences of these institutional moments of transformation in terms of discursive shifts.

#### **7.4 Change and continuity in EU food (safety) policy discourse**

This section forms the chief part of this chapter; its aim is to identify, through a discourse analysis, the integrative nodal points that function to stabilize and sustain EU food (safety)

policy discourse. In order to account for the convergence on the transnational level, this part of the chapter identifies the composition of and qualities of a set of inductively derived discourses, which I shall discuss in turn: good governance; environmental sustainability; market efficiency; consumer protection; and public health. The composition of these discourses is summarized in graph 7.1, along with the nodal points that sustain the overall policy discourse.

#### *7.4.1 Good governance*

This subsection explores the function and composition of the good governance discourse at the level of the EU and assesses its relative strength in providing coherence to the overall policy discourse. The notions that this discourse is composed of appear in graph 7.1 as follows: the need for a separation between science and policy for the sake of improving food (safety) governance and boosting consumer trust; the related notion of a need to enhance transparency and independence in the production and usage of scientific advice; and the notions that the transnational ‘civil society’ is a stakeholder and can take part in the policymaking process. I will discuss these notions as well as their interlinkages in turn.

To begin with, a discursive shift in the science/policy nexus has marked the evolution of EU food (safety) policy discourse. The calls for an institutional separation between ‘science’ and ‘policy’ echoed those articulated in Germany and, to an extent, the Netherlands. Yet these notions of a need for independence and transparency carried a specific meaning in the EU context, given that the technocratic authority of scientific experts remained virtually unquestioned and unchecked until 1996, and that the comitology system remained dispersed across DGs. The institutionally sedimented notion of science as a sufficient and firm base for policy, as recounted in section 7.2, no longer seemed adequate in the late 1990s: BSE could not be handled within the available standard operating procedures at the time, which had consisted of establishing technocratic committees, producing lengthy, technical reports, arranging occasional written consultations, and issuing risk notifications on the domestic level. Faced with the transgression of the animal/human health and national/transnational boundaries, however, the year of 2000 constituted a ‘Year Zero’ for the EU (Chalmers 2000: 543) inasmuch as it revealed the shortcomings of the existing approach to food safety issues (*ibid.*).

Following the report by James, Kemper, and Pascal, the Commission announced that its food safety-related work would from then on be based on scientific advice, risk analysis, and control. Particularly the scientific committees were to work according to the principles of ‘excellence, independence, and transparency of activities’, and ‘putting the consumer first’ (see also COMM 2001b, 2002a, 2002b). The White Paper further introduced the notion of a need to

remove scientists from political and industrial pressures (COMM 1999/2000: 16), a notion that matches our findings in the previous chapters, in particular those in the UK and Germany, where, in response to the series of food scares, citizen groups came to lament the institutionalized influence of the feed and food industry in ministries (for the EU context, see for instance, Alliance 2005; FoE 2002; EP 1996, 1997). Nonetheless, the notion of a need to ‘remove the smell of stables’ from food (safety) and agricultural policy appeared in a manner much less pronounced than in England and Germany at the time

While the report by James, Kemper, and Pascal as well as the Green and White Paper first suggested the notion of a problematic science/policy nexus in their proposal for a new EU-based food safety authority, the 2001 *White Paper on Governance* (COMM 2001b) formed another key moment of institutional reorientation. It was drawn up in the midst of the BSE crisis and the resignation of the Jacques Santer Commission, a situation where the European Commission found itself in a perceived decline of legitimacy and citizens’ trust. As suggested above in section 7.2, the dislocatory experience of BSE implied that neither a purely national nor a purely expert-based food safety regime ‘made sense’ anymore. Of particular importance was the recognition that

[i]t is often unclear who is actually deciding - experts or those with political authority. At the same time, a better informed public increasingly questions the content and independence of the expert advice that is given (COMM 2001b: 19).

With this recognition of a ‘better informed public’ - rather than a passive ‘audience’ - the idea of an interface, or even a re-connection, between policymakers, scientists and their ‘audience’ emerged in order to overcome the perceived gap produced by the dislocatory experiences of BSE and the dioxins crisis of 1999. Symptomatic of this experienced disconnect between scientific experts and the trusting public, the European Commission launched initiatives to restore consumer confidence, such as by including questions on food safety in the annual *Eurobarometer* survey, funding large transnational research projects on trust in food (safety) (for the ‘Trust in Food’ project, see Poppe and Kjaernes 2003; Kjaernes, Dulsrud, and Poppe 2006) and commissioning trust-building campaigns across member states (see COMM 2002b). In light of the diversity of meanings that food (safety) and hence also trust in food (safety) can take on, it is worth recalling from previous chapters that these trust-building campaigns took on diverse shapes in the national contexts, in terms of how and where campaigns were staged and how their central messages and aims were defined (COMM 2002b).

In another attempt to bridge the experienced disconnect, the Commission launched the *Science and Society* Action Plan, situated within the Directorate-General Research, with the

intention of fostering research regarding the role of science in European societies, including questions of ethics, science education, and science communication. In this vein, and in response to the ‘crisis’ of scientific expertise, the Commission advised as follows:

Science is often perceived as dealing with certainty and hard facts, whereas this is rarely the case, [...] leading to a sense of frustration and despair when experts fail to provide simple answers to apparently simple questions. A more coherent interface is needed between the providers and receivers of advice, with mutual understanding and clear communication between the two (COMM 2002a: 24-26).

These articulations indicate a shift towards more reflexivity, away from a notion of science-for-policy where only experts ‘speak the truth’. Whilst the binary opposition between ‘science’ and ‘policy’ has traditionally informed policy practice and continues to do so in the (unstable) institutional boundaries between ‘risk assessment’ (‘science’), ‘risk management’ (‘policy’), a senior Commission official charged with evaluating scientific input describes experiences with this renewed institutional arrangement as follows:

There should not be a grey zone, but in practice there is. And this is something you can see in simple things here in our daily lives at the Commission (EU3-G).

You can always find a confusion and mixture of elements. [...] What is the [risk] assessment and what is [risk] management? For example, when you decide on the authorization of a novel food, sometimes the EFSA itself allows itself to go further than what is limited to risk assessment (EU3-G).<sup>143</sup>

Beyond risk assessment and risk management, risk communication constitutes the third element of the three-stage model of ‘risk analysis’ and forms a task officially shared between the Commission and the EFSA and practiced across institutional and national boundaries. Pinpointing the destabilization of the science/policy distinction, the EFSA stresses that risk communication is ‘not a one-way process’. Appointed for the improvement of risk communication and for reconnecting with the ‘audience’, the EFSA Communications Working Group emphasizes collaboration not only with consumer groups, but also with national food safety authorities in instances of crisis or food scares. For the purpose of investigating convergence at the level of the EU, it is useful to note that, before the EFSA releases an opinion, it consults national risk communication authorities 24 hours in advance in order to secure coherence on a given ‘risk communication’, such as with BSE in goats (EFSA 2005b; see

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<sup>143</sup> See chapter five (section 5.4.4) for an example of ‘boundary transgression’ from Germany (cf. BfR 2006b).

COMM 1999/2000: 31). The EFSA also initiates training on risk communication and workshops with national authorities, which can be seen to indicate efforts for Europeanization, or mechanisms whereby meanings come to converge. Risk and (consumer) trust are then not uniform concepts or experiences, but are negotiated not only within states but certainly also in the process of mobilizing a transnational policy discourse.

Given the contingency of trust, risk, and the very meaning of food (safety) itself, this process of transnationalization requires mediating, integrative notions that form bridges across discourses and the actors they produce. As far as the discourse of good governance is concerned, the central mediating notion that supports this process is that of a European consumer, to which policymakers, scientists, and members of the industry are accountable and whose trust must be restored and sustained. Through the enactment of the notion of a European consumer, actors enter into equivalential positions and these constellations become embodied in transnational discursive clusters, for instance, in joint trust-building initiatives, private regulation, joint research projects, and the search for a common ground in 'risk communication'.

Alongside the notion of separating science and policy institutionally and the notion of being accountable to the European consumer, the twin-notions of transparency and openness in the policymaking process have emerged and echo our findings in the national contexts studied here. The self-declared 'key values' of the risk assessor, EFSA, reflect these notions as it seeks to uphold the values of 'openness and transparency', 'excellence in science', 'independence', and 'responsiveness' (EFSA 2008a). Consistent with the discourse-as-practice approach developed in chapter three, one can observe the ways in which scientists and policymakers come to internalize their new rules, roles, and responsibilities in the practice of Open Management Board sessions, which are accessible to anyone (with prior registration) in addition to being web-streamed.<sup>144</sup> By web-streaming these meetings and greeting the presumed viewers at the beginning of the meeting, policymakers, scientists, representatives of the industry, and citizen groups alike invoke an 'invisible audience'. The 'stage' in this setting is embodied in the technologies employed, which visually position policymakers, scientists, members of the industry, and citizen groups in shared, equivalential positions.

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<sup>144</sup> The EFSA consists of three main bodies. First, the Board meets several times a year and discusses key statutory and business documents that include the Authority's management plan. It establishes the budget and work programs, and appoints the Executive Director and members of the Scientific Committee and the eight Scientific Panels (that is, the second institutional body). Here, the EFSA can initiate its own work ('self-tasking'), when it identifies important scientific questions. In addition, the EFSA exists as a network point for national food safety institutions. The Advisory Forum constitutes the third branch and is composed of competent authorities from EU member states and their representatives.

The notions of openness and transparency in the policymaking process are similarly embedded in the practice of publishing (most) scientific opinions, agendas and minutes of meetings, declarations of interests, and other key documents online.<sup>145</sup> The related notion of sustaining citizen trust is further embedded in the practices of consultations, ‘round table discussions’, platforms, and stakeholder forums – all of which are recurring terms and material practices across contexts, and some of which remain untranslated: The term ‘stakeholder’, for instance, has become an established Euro-speak term.<sup>146</sup> Following the Green and White Papers on food safety, the Commission set up the *Advisory Group on the Food Chain, Animal and Plant Health*, as foreseen in the *General Food Law* (2002), in order to formalize the consultation of stakeholders on EU policy related to the food and feed chain.<sup>147</sup> Applicants to the Advisory Group were required to be EU or trans-national organizations representing bodies in all or most EU Member States, with an office in Brussels, which implied that the discussion had to move on a certain discursive level towards a convergence of meanings, not least since the Commission was to chair the Advisory Group.

At the EFSA, on the contrary, the chair is chosen from among the participants (*stakeholders*), a process frequently marked by disagreement and negotiation, when consumer advocates, for instance, lament the excessive representation of the food and feed industry in such forums. Having Commission officials chair such groups may, of course, entail a limitation as to what kinds of questions can be asked and what can be said – the micro-dimension of performativity in policymaking. Indeed, the introduction of novel participatory policy practices did not evolve without friction. A legal expert at DG SANCO contends that

[t]he participation of NGOs is [sometimes] a bit problematic. I have nothing against NGOs. But sometimes it's problematic given that they always have this fear that if you have a chair from industry this will be completely to the detriment of the work of independence, etc. We [at the Commission] did not have any group like that in our committee. On the contrary, with EFSA, you have more radical groups and that created some problems, I would say (EU3-G).

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<sup>145</sup> Likewise, the notion of transparency is performed in the domain of agricultural policy by means of the Commissioner's web-log (see below), and a recent decision requires the publication of all recipients of EU agricultural and rural development payments by 30 April 2009, including the full name, municipality, and postal code of every recipient (COMM 2008b). These changes were initiated within the framework of the longer-term *Transparency Initiative*.

<sup>146</sup> For current and closed ‘stakeholder consultations’ at the European Commission, especially in regard to novel foods and food quality, see: [europa.eu.int/comm/food/consultations/index\\_en.htm](http://europa.eu.int/comm/food/consultations/index_en.htm) [acc. 15 June 2007].

<sup>147</sup> The new Advisory Group replaced five existing consultative bodies - the Advisory Committee on Foodstuffs and the standing groups on veterinary matters, plant health, animal welfare and feedstuffs that were previously attached to the Advisory Committee on Agricultural Product Health and Safety. Its first meeting took place towards the end of the year 2007.



The fact that groups like Greenpeace (according to the Commission official) only rarely apply to such formal Commission consultations any longer, and that other ‘radical’ NGOs prefer to engage with the EFSA instead of participating in Commission consultations, may indicate at least two things: First, the blurring (or dislocation) of the distinction between ‘policy and ‘science’ has facilitated the emergence of new modes of interaction between institutions and non-governmental ‘stakeholders’. Even though some authors would consider the EFSA as a manifested fortification of scientific expertise in the EU context, I propose that the opening-up of ‘scientific spaces’ such as at the EFSA has brought about empowerment – for instance, on the part of NGOs and consumer advocates - and changed the understanding of the roles, rules, and responsibilities in the policymaking process. In other words, citizens have become ‘experts’ in their own right. Second, the fact that the scientific sphere of practice is no longer closed off from the public may indicate a change in the self-understandings of scientific experts themselves, as they now have (transnational) ‘laypersons’ looking over their shoulders and virtually ‘entering the laboratory.’<sup>148</sup>

Another way in which scientists and policymakers develop new self-understandings vis-à-vis the industry and the ‘trusting citizen’ finds expression in experiments with crisis scenario exercises. Here, a food scare is simulated and participants take on different ‘roles’, such as the media, a member of the industry, or consumers, and improvise reactions that could be expected from the other parties. This organizational practice speaks to the dimension of performativity given that, in these concrete settings, agents involved in policymaking develop relational identities by means of experimenting with and performing different discourses. In other words, the constructed line between ‘the actors’ and ‘the audience’ is dissolved here by virtue of the equivalential positions into which policymakers and scientists enter by relating to the nodal point of a European consumer.

Moving on to the next integrative notion in the discourse of ‘good governance’, the construction of an audience (‘the public’) is reflected in the notion of *stakeholderiness*, which – as mentioned earlier – appears across contexts and is left untranslated, which speaks to its quality as a nodal point and the relative penetration of this ‘Euro-speak’ across national contexts. At the EFSA, the term ‘stakeholder’ is seen to describe ‘an individual or group that is concerned or stands to be affected – directly or indirectly - by EFSA’s work in scientific risk assessment’ (EFSA 2000a). The term *institutional stakeholders* refers to those with whom the EFSA has a *legal*

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<sup>148</sup> In addition to formalized activities that require membership, the EFSA also promotes relations with the general public and those ‘who feel they can contribute to the Authority’s work’ (EFSA 2007a). This takes place through public consultations on specific scientific subjects, data collection activities to which any interested member of the public can submit relevant data and information, and through public events such as ‘open days’.

obligation to work, such as the European Commission, the European Parliament, and member states (cf. COMM 2001b).<sup>149</sup>

Beyond these ‘institutional stakeholders’, for the EFSA, ‘Civil Society Stakeholders’ include scientists, consumer groups, non-governmental organizations (NGOs), and market actors such as farmers, food manufacturers, distributors, or processors. As specified in the GFL (Article 42, Recitals 56), the EFSA must have ‘effective contacts with consumer representatives, producer representatives, processors and any other interested parties’. By opening up the notion of *stakeholdermess* and extending the notion of being an actor of the food chain to include the consumer (‘farm to fork’), the EFSA makes it possible for seemingly disparate groups to come together and negotiate meaning on the basis of a shared sense of entitlement, as stakeholders along the food chain.

The integrative notion of *stakeholdermess* is further embodied in the EFSA’s twice-yearly Stakeholder Consultative Platform and an EFSA Annual Colloquium. The purpose of the Consultative Platform is to assist the EFSA ‘with the development of its overall relations and policy with regard to stakeholder involvement with tasks and mission by providing a forum for regular dialogue and exchanges’ (EFSA 2005b: 3). Established in 2005, the Platform brings together EU-wide stakeholder organizations working in areas ‘related to the food chain’ (EFSA 2007; Koeter 2005); notably, at the time of the establishment, out of 25 members only seven were NGOs. The fact that a large part of the remaining parties belonged to the food industry in the early stages of the platform may have contributed to the discursive management of problem definitions at the expense of NGOs that articulate more radical discourses in relation to food safety and food quality.

Nonetheless, while generally seeking consensus, the Consultative Platform gives room to divergent opinions, recording them in the minutes, according to interview respondents who have been members of the Platform. It would go beyond the scope of this chapter to assess the nature of these venues as merely symbolic or having an actual impact on policy content (see Loeber and Hajer 2007 for a closer exploration of participatory practices). I would expect, however, that some discourses may become de-radicalized, and other groups become co-opted – in other words, the negotiation of meaning in the name of ‘stakeholder consultation’ can produce hegemony and marginality. I want to emphasize, nonetheless, that these deliberating

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<sup>149</sup> These relationships are reflected in the EFSA Advisory Forum, which consists of member state representatives in charge of food safety and the EFSA Management Board, as well as formalized collaboration such as is stipulated in Article 36 of Regulation 178/2002 setting up the EFSA, which calls for the establishment of a member-state based scientific network and regular relations with regulators and Commission officials (EFSA 2007).

bodies are still characterized by improvisation and experiments and are not as fixedly institutionalized as, for instance, the pre-BSE committees within the European Commission were. In addition, alliances between some of the members have emphasized that '[their] participation to the Stakeholders Platform should not be interpreted as an acceptance of the [EFSA's] methods and procedures [...], or as legitimising [sic] EFSA's opinions' (Alliance 2005: 1), for instance, in regard to the evaluation of GMOs. Viewed differently, the presumably passive audience sheds this assumed role and proves agency and discursive resistance within the changing 'rules of the game'.

To sum up, the EU good governance discourse echoes those observed at the level of individual countries in the notions of a need for a transparent and independent science/policy nexus. What is particular here is the constitutive notion of a European consumer, who is a stakeholder, an actor in the food chain, and who holds policymakers and scientists accountable, as becomes expressed in trust surveys as well as stakeholder participation and in the technologies used in open board meetings. Contrary to the institutional distinction between 'science' and 'policy', it appears that scientific spaces have come to be implicitly understood as spaces where a plurality of ('non-scientific') expert voices can enter the debate and come to shape the scientific agenda, whereas the previously hegemonic notion of science was technocratic in nature and science was typically conducted behind closed doors. With the growing calls for transparency and openness and certainly the literal enactment of these notions, such as in Open Board Meetings, the laboratory has turned into 'public space'.

Having highlighted the integrative functions of the nodal point of a European consumer-stakeholder, the next subchapter discusses the ways in which a discourse of environmental sustainability has informed the meaning of 'food safety' at the EU level and how specific nodal points therein have contributed to the mobilization and stabilization of EU food (safety) policy discourse.

#### *7.4.2 Environmental Sustainability*

The relative strength and the specific contents of environmental discourses vary remarkably across the contexts studied in this thesis. In the German context, for instance, we find an early environmentalist understanding of the BSE epidemic, whereas Dutch authorities dismissed the German call for a de-intensification of agriculture. Whereas we saw a 'crisis of nature' in the German and to an extent in the UK context, the Dutch environmental discourse is often intermingled with, or even embedded in, a discourse of market efficiency. Mindful of this heterogeneity of meanings, the purpose of this subsection is to explore the ways in which this

discourse has informed meanings at the level of transnational policy discourse. To that end, I identify and discuss the following key notions of which the EU environmental discourse is composed: the decoupling of subsidies from food production in relation to growing concerns for animal welfare and the environmental impact of intensive farming; the related notion that (competitive) and entrepreneurial agriculture as well as its reform are important for all of Europe's citizens; the notion that farmers are stakeholders and perform a social role in the EU; and the notion that organic farming forms a positive contribution to European rural areas, nature, and health.

General EU competencies in environmental policy are relatively new, but rather broad, ranging from air quality to water quality, the fight against climate change, and natural resources and waste – issue areas that are reinforced in the Lisbon Strategy next to calls for a more competitive market (COMM 2008d).<sup>150</sup> One can observe ways in which environmental sustainability discourses have come to inform the meaning of 'food safety' and indeed 'food quality' at this level by exploring a cornerstone of EU integration (and certainly EU food production), the CAP. For decades, the primary aim of the CAP was to secure maximal production and food security and to support farmers' incomes. The hegemonic notion of maximizing production first came to be contested under Commissioner for Agriculture Sicco Mansholt in the late 1960s, yet without much success in terms of reform. In the 1970s, a critical environmentalist discourse concerning the CAP remained virtually absent, Wyn Grant (1997) argues, and it was not until the late 1980s that the persistent surpluses (such as the infamous 'milk lakes' and 'mountains of butter') produced by the CAP, the related budgetary costs, as well as environmental degradation (re-)appeared on the political agenda.

In view of the continuous surpluses and the related budgetary burden, the Commission published two discussion papers (COM/91/0100 and COM/91/0258) in 1991 regarding the future of the CAP. The subsequent 1992 Mac Sharry reform, named after the Agricultural Commissioner at the time, brought about radical changes in the CAP by replacing a system of protection through prices with a system of direct income support. The Berlin European Council in March 1999 set out a further reform towards a *sustainable* and *competitive* European agriculture (EP 2006). Moreover, the Council mid-term review of the CAP concluded that these steps were necessary 'in view of consumer concerns and demands regarding food *quality* and *safety*, *environmental* protection, and animal welfare standards' (COMM 1999/2000: 24, emphasis added; Council 2002; cf. EP 2006). By formulating the CAP aims in such an inclusive way, while at the

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<sup>150</sup> The Lisbon Strategy emerged from a Council meeting in Lisbon in 2000 and include three 'pillars' that represent economic, social, and environmental policy aims.

same time asserting that the Council, as a collection of policymakers, was acting in the interest of all and in response to consumer concerns, this announcement formed an authoritative enactment of the notion that a 'competitive' but also sustainable agriculture was to remain the primary goal.

The policy of de-coupling subsidies from production as well as the integration of a rural development program (an underlying notion being 'farmers as environmental stewards') indicate a shift in the formerly production-oriented CAP framework, yet the Berlin Council initiative for reform did not evolve without friction. In March 1999, prior the Berlin Council meeting, some 4,000 German farmers staged a protest against the Commission proposals that were to reduce subsidies to farmers, and which were understood as a 'war against farmers'. In consideration of the superior regulatory power of the EU vis-à-vis the national member states in the domain of agricultural policy, protests were directed at EU institutions, rather than the German government. In line with the traditional influence of the farming lobby in the EU CAP, the proposals for reform were watered down (Gallagher et al. 2001: 124).

Over the subsequent years – keeping in mind the dioxins crisis in 1999 fever and the FMD epidemic in 2001 – an increasing integration of discourses of environmental sustainability and market efficiency occurred both on the national level, particularly in the Netherlands and at the transnational level. This discursive shift resonates in the most recent CAP reforms, Agenda 2000 and Agenda 2003. These reforms introduced notions of 'enhancing competitiveness', 'improving efficiency', and encouraging farmers to diversify and 'produce for the market', rather than for subsidies – notions that echo the findings in the Dutch case primarily, but also the case of England. In other words, the farmer was to be an entrepreneur and an environmental steward at the same time. Within the financial framework *Agenda 2000*, the Commission also stressed the need to continue the process of aligning CAP prices with world prices in order avoid further market imbalances, and to avoid conflict with the rules of the World Trade Organization. At the same time, the Commission indicated an aspiration to make agriculture more environmentally friendly and quality-conscious, and the 2000 CAP reform brought about a two-pillar system which rests on production support, on the one hand, and rural development, on the other (Grant 2003; COMM 2008d).

A discourse analysis of the emerging transnational approach to food (safety) (rather than only agriculture) indicates a similar shift, even though the integrative function of the environmental sustainability discourse remains limited in regard to food (safety) policy more specifically, set aside the specific topic of GMOs. Nevertheless, environmental groups do participate in certain forums, such as the EFSA Consultative Platform, and high-ranking EU

officials have invoked a re-citation of ‘food safety’ in concrete practices. For instance, in 2001 and 2002 the Commissioner for Health and Consumer Protection (DG SANCO), David Byrne, chaired a series of public roundtable discussions on the topics of food (safety) and agriculture. The Commission additionally organized a series of internet chats on the topic of ‘food quality’: David Byrne and Franz Fischler, then Commissioner for Agriculture, Rural Development, and Fisheries (hereafter DG AGRI), held an internet chat on ‘Food Quality in Europe’, where participants had the opportunity to ask questions in all official EU languages. Here, the notion that all European citizens have a stake in food (safety) policy resonates, and food quality (such as in production methods) is constructed as a transnational consumer concern. The contents of these chats, in fact, reveal a significant broadening of the debate, with considerable room for normative elements, such as animal welfare and the possible effects of the release of GMOs (COMM 2001a). In other words, based on the notion of a transnational consumer who may be concerned with animal welfare and ‘food quality’, a gradual opening of these terms has occurred.

The notions of environmental protection, animal welfare, and the benefits of organic food production also resonate in the discourses of non-governmental organizations (NGOs) such as Friends of the Earth Europe, Greenpeace, and the International Foundation for Organic Agriculture, which primarily address (and indeed contest) the EU’s policy on genetically modified crops. In this discourse, notions of environmental exploitation, the excessive influence of the industry in policymaking, the intransparent usage of scientific expertise, and a critique of the environmental impact of intensive farming structure such alliances. For instance, the Friends of the Earth Europe campaign *Food and Farming: Time to Choose!* raised notions of ‘sustainability’, ‘quality’, and ‘localization instead of globalization’ (FoE 2002). Moreover, environmentalist activism (for instance, calling for higher animal welfare standards) now increasingly takes on the shape of ‘multi-level activism’ (e.g. Van der Heijden 2006), which signals a growing construction of environmental sustainability as a European issue, rather than a local one.

The current Commissioner of Agriculture and Rural Development Mariann Fischer-Boel (who up until her appointment in 2001 was a Danish farmer) gives expression to the amalgamation of the discourses in the CAP ‘Health Check’ launched in 2006, Fischer-Boel announced as follows:

The [CAP] Health Check is a chance to build on the reforms introduced since 2003 and prepare both the CAP and farmers for new challenges and opportunities. Here I don’t only mean *market opportunities*, although this is also important! I am also thinking about climate change, water management, the protection of *biodiversity* [...]. I don’t think that we should only speak with ministers and their staff, but also with Members of the European Parliament, *farmers’ groups*, *consumer*, *environmental*

and other NGOs and – of crucial importance – the *man and woman in the street* (COMM 2007e).

The quotation above signals an amalgamation of notions relating to seemingly diverse discourses: environmental sustainability, market efficiency, good governance (as expressed in the ‘need for consultation’), and the notion that agricultural food production and reforms therein are beneficial for all European citizens (‘the man and woman in the street’), rather than only farmers. The notion that environmental sustainability is beneficial for the whole of Europe, including its citizens as well as rural areas, bridges the boundaries between seemingly conflicting discourses and the frequently assumed actor-categories of policymakers, citizens, and members of the industry, as is indicated in the pertinent section of graph 7.1. As the Commission puts it, ‘sustainable development must encompass food production alongside conservation of finite resources and protection of the natural environment so that the needs of people living today can be met without compromising the ability of future generations to meet their own needs’ (COMM 2008c).

The shift towards environmental sustainability came to be embraced by the industry, whilst on the discursive level this support is contingent on notions relating to market efficiency. As the most prominent representative of the food and drink industry in Brussels puts it:

Environmental sustainability has inherent benefits for the industry: [...] [It] is the natural environment where the sector’s raw materials are grown. It forms the basis for the long-term health and prosperity of the sector [...] [and] [...] enables companies to remain competitive by reducing resource use and costs. [...] Not least, the industry is fully aware of its social responsibility and is committed to make a positive contribution to society and the natural environment (CIAA 2007b).

The recently launched organic food campaign similarly expresses the notion that farmers play more than an economic role, but also that environmental sustainability (as embodied in organic agriculture) is good for the entire (European) society. In its central slogan, ‘Organic farming - Good for nature, good for you’, as well as the *Action Plan on Organic Farming* (2004), the Commission stresses the ‘societal role’ of organic farmers and suggests that organic agriculture

is known to deliver public goods, primarily environmental, but also rural development benefits and in certain respects [...] improved animal welfare. Seen from this angle, the development of organic farming should be driven by society (COMM 2004: 2).

Here, the Commission implicitly appeals to the notion that society is responsible for promoting organic agriculture and emphasizes its holistic benefits. The recent organic campaign mentioned above offers a range of slogans that ‘stakeholders’ can make use of, including: ‘Organic farming. The natural choice’; ‘Organic farming. In nature we trust’; ‘Organic farming. In goodness we trust’; and ‘Organic products meet consumer demand for authentic, high quality and tasty food’. Whilst the Commission as well as the EFSA typically claim a neutral stance regarding the qualities of organic foodstuffs, particularly with respect to their nutritional value, these slogans, I would argue, do insinuate the notion that ‘natural’ food is ‘good food’, whereas, strictly speaking, there is no conclusive scientific evidence that would indicate that organic products taste better. To conclude, these findings echo the observations in the German as well as the English case.

To sum up, I have here explored the role of the environmental sustainability discourse with respect to informing the meaning of food (safety) at the EU level, mainly through considering changes in the CAP policy discourse. The notion that agricultural production should be decoupled from subsidies and instead related to environmental protection and the notion that organic production is beneficial for all of Europe (‘the man and woman on the street’, ‘rural areas’, ‘the economy’) suggest an increasing internalization of this environmental discourse in relation to food (safety).

#### *7.4.3 Market efficiency*

This subchapter presents the composition of the market efficiency discourse at the transnational level and its function in stabilizing the Europeanized food (safety) policy discourse as follows: the notion of the need for agricultural reform for the sake of competitiveness as a shared aim across EU member states; the twin-notions of being a member of the food chain and a stakeholder; and the notion that food safety can best be guaranteed by means of a combination of public and private responsibility.

The support for increasing productivity in farming up until the 1990s reflected the notion that agricultural food production was a shared aim across national contexts, and that the EU as a whole should be to form an important player in agricultural world trade.<sup>151</sup> The overriding principle of a free internal market was sustained by the different mechanisms of support to farmers and the abolition of trade barriers, and the agricultural sector came to contribute significantly to prosperity in the EU. In the aftermath of the dioxins crisis and the continental

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<sup>151</sup> The EU currently ranks as the world’s largest importer of food products, which come primarily from the developing world. Looking at the three national case-studies in this thesis, the Netherlands account for 6.9% of the total share, while Germany accounts for 12.6%, and the UK for 6.5% of those imports (COMM 2007b: 2).



BSE crisis, however, the single market and the free movement of goods as well as the market efficiency focus of the CAP were called into question when they came to symbolize the uncontrollable spread of diseases, some of which could affect human health.

As mentioned in section 7.4.2, the series of CAP reforms following the continental BSE crisis in 2000/1 included a de-coupling of production from subsidies, hence a move away from the post-WWII hegemonic policy focus on maximizing productivity. Notions of environmental stewardship entered the market efficiency discourse although this is not to say that the environmental sustainability discourse came to bracket out the market efficiency discourse in its entirety. Instead, this discourse remains full of contradictions where the divergence of meanings comes to the fore. These contradictions, notably, become more apparent in mission statements and the ways in which, for instance, the achievements in a particular policy area come to be presented (e.g. COMM 2008c, 2008d) – rather than major policy papers and speeches.

The discursive tension in which this market efficiency discourse stands to the environmental sustainability manifests itself institutionally in the ‘two-pillar’ structure of the CAP: market policy (known as the ‘first pillar’) and ‘sustainable development of rural areas’ (the ‘second pillar’). In the most recent reform of food production (in the CAP), this discursive integration expressed itself, first, in the notion that the reforms could serve both economic and environmental purposes, and, second, the notion that farmers could and should be environmental stewards and entrepreneurs at the same time – the latter being a notion with which some environmentalists would likely disagree. The mediating notion of holding (an environmental and economic) stake in the reforms as a European consumer, however, constructed the content of the reforms as shared concerns. To conclude, the amalgamation of the market efficiency and the environmental sustainability discourses found expression in the discursive link between economic competitiveness (such as in reducing administrative burdens for farmers, as is promoted in the so-called Lisbon Strategy, cf. COMM 2006b and COMM 2008d), the significance of agricultural food production in the EU, and consumer concerns (see COMM 2008d).

Moving on to the next notion, the *Green Paper on the Principles of Food Law in the EU* (COMM 1997) first introduced the notion of ‘chains of consequences’, which was to be restated later in the Commission’s *White Paper on Food Safety* (COMM 1999/2000). The policy phrase ‘from farm to fork’, or ‘stable to table’, emerged in the aftermath of BSE in the UK and the EU setting – although it is impossible to trace precisely where and in which setting it was first articulated. Notably, this terminology is used by nearly all involved actors and across contexts – the Commission, EFSA, NGOs, industry and farming representatives, retailers, environmental groups, and consumer advocates. The malleability of the concept of the chain– in the sense that

seemingly diverse roles can come to be associated with it - makes for its particular integrative power and its discursive 'bridging effect'. Even more so, the notion of being a member of the food chain creates equivalential positions between the seemingly disparate actors, and hence constitutes a nodal point in the development of EU food (safety) policy discourse, as the following quotation from the Commission's White Paper indicates:

The food production chain is becoming increasingly complex. Every link in this chain must be as strong as the others if the health of consumers is to be adequately protected. [...] An effective food safety policy must recognise the inter-linked nature of food production (COMM 1999/2000: 6).

The notion of a chain, I propose, invokes a sense of mutual dependency as well as a shared set of responsibilities. Moreover, the notion of being a member of a (transnational) food chain produces a sense of entitlement, as we have seen in the manifestation of the notion of *stakeholdermess* at the EFSA, for instance. A Commission official confirms (EU3-G): '[T]he fact that the entire food chain is taken into account now leads to different parts of the chain co-operating more with one another, and also creating some alliance between farmers, industry, and retailers – which *necessarily are transnational*' (see also EU4-G, EU8-IA). These newly emerging shared notions, in other words, also produce new actor constellations.

As these different actors come to position themselves in a relational way as members of the food chain, the notion of the food chain helps to construct the meaning of food (safety) as 'naturally' transnational. From a discursive perspective, the notion of a chain implies that food safety can only be guaranteed by means of 'following the chain' - cooperation therefore appears logical, natural, and necessary. A transnational retailer representative describes this sense of collectiveness well:

Ten years ago [in times of a food scare] we would have said: that's not our fault, it's their fault. Now we say: well, you can say that, but it's not going to help anything because maybe the next day it'll be our fault and not their fault (EU8-IA).

So because *we became a concept* [...] it's important for us to clearly discuss amongst ourselves, know our differences, and now I would say, come to a *mutual respect of our differences* instead of using them against one another, which was the case before, let's be honest. The finger pointing [back then]! We are each responsible for our section of the production. But we are also responsible for getting something that is safe from the previous operator. So *we all count on one another* [...]. We want to show that *we're united* and are working together [...] showing that we have understood that we are a concept that is for the better (EU8-IA, emphasis added).

The notion of being a member of the chain appears internalized here, and from the vantage point of a market efficiency discourse, it is powerful in constructing food (safety) not only as a transnational issue but also as a shared objective between seemingly disparate actors and across diverse discursive premises. The political implications of this naturalization, however, entail that the relative positions of food producers, distributors, retailers, and citizens as ‘end consumers’ become relatively fixed. A similar critical point could be made regarding the ways in which the chain metaphor tends to reify current production and consumption patterns, and the possible crowding out of voices that are currently not included as ‘stakeholders’. Whereas in the German context, the notion of being a member of the food chain contributed substantially to the re-empowerment of environmental organizations, the meaning of the ‘food chain’ in the EU context resembles the Dutch usage: It connotes production processes and the combination of public and private responsibility.

Similar to what we saw in the discussion of the Dutch case, the discourse of market efficiency at the EU level produces a notion of being a member of the food chain as a notion of ‘non-competitiveness’: By referring to the food chain as a collection of non-competitive, interdependent actors, ‘food safety’ comes to be constructed as a universalistic aim. Put differently, the notion of the food chain is used to bracket out the market efficiency discourse in favor of new modes of cooperation and participation in the policy process (for instance, in the *Advisory Group on the Food Chain* at the Commission, but also in transnational retailer initiatives and private labeling schemes.<sup>152</sup>

This relative bracketing out bears at least two important consequences. First, the growing notion of food safety as a non-competitive policy field constructs equivalential positions between the members of the food chain, as they are presented as mutually interdependent in pursuit of a common goal. Through these equivalential positions vis-à-vis a common goal, in turn, a relative fixation of the meaning of ‘food safety’ is achieved. In this way, the construction of food safety as a universalistic aim and the consequent cluster formations (as indicated in graph 7.1) expose the dynamic nature of the roles associated with the categories of the policymaker, the scientist, and the food industry, as has been the case in England, Germany, and the Netherlands, too. Second, the notion of ‘non-competitiveness’ supports Europeanization as, by articulating and re-citing ‘food safety’ as a matter of ‘chain cooperation’, it leads away from

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<sup>152</sup> An example for a transnational retailer initiative is the EUREPGAP agreement (Euro Retail Produce Working Good Agricultural Practice).

the entrenched notion of member states competing with one another, regardless of the policy field in question.

In conclusion, an important finding here concerns the amalgamation of notions relating to market efficiency and environmental sustainability as well as good governance. The discussion of the discourse of market efficiency has revealed the interlinkages between the notions of being a member of the food chain, being a stakeholder, and bearing responsibility vis-à-vis the European consumer. The connections formed between these integrative notions, which draw on discourses of market efficiency and environmental sustainability, have functioned as nodal points, thereby aiding the temporary fixation of meaning at the level of transnational policy discourse.

#### *7.4.4 Consumer protection*

As demonstrated in the foregoing empirical chapters, the discourse of consumer protection occupies a central place in the overall policy discourse on food (safety) across contexts, even though it draws on diverse socio-political and legal traditions. Despite this heterogeneity, this subsection suggests, the notion of a European consumer with choices and rights has had a powerful role in mobilizing and sustaining EU food (safety) policy.

At the transnational level, the following notions make for the composition of the consumer protection discourse: the notion that (European) consumers have rights and choices to make; the notion of a link between consumer protection and public health; the notion that consumer protection will contribute to market efficiency; and the notion that consumers, in order to trust in food (safety) policymaking, must have a say in food (safety) policy as ‘stakeholders’.

As mentioned in section 2 of this chapter, there was hardly a sustained interest in the ‘European consumer’ until the mid-1980s, despite early calls by the European Parliament for a specific consumer policy. This could be explained by the fact that the EU internal market was traditionally concerned with breaking down trade barriers, rather than protecting the consumer – a policy area for which member states retained most of the regulatory competencies. In the aftermath of BSE, however, the notion of a European consumer gradually entered the discourse and institutional self-understanding of the European Commission. It created the European Consumer Consultative Group<sup>153</sup> which now forms part of DG SANCO and replaced the Consumer Committee as the Commission’s main forum for engaging with consumer

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<sup>153</sup> In accordance with the Commission’s Decision (2003/709/EC)

organizations.<sup>154</sup> In this way, the Commission adopted a discourse of ‘being in charge’ of protecting the European consumer, while at the same time introducing the notion that consumers had to have a say in policymaking.

In the same course of rearrangements, a number of scientific committees shifted across DGs, partly in order to secure adequate consumer protection. By virtue of these institutional moves, the language of consumer protection was invoked in ‘scientific’ settings, thereby exposing the constructed nature of the boundaries between ‘science’ and ‘policy’. The perceived threat associated with this blurring can be understood as symptomatic of the institutional ambiguity at the time and of the blurring of the science/policy nexus. A senior Commission official tasked with biotechnology regulation and the development of the precautionary principle, who personally witnessed the shifting around of these committees, recounts:

What we heard from some of the scientists was that they were very angry at being put to SANCO because suddenly it seemed all political to them. To talk of consumer interests was political. They were not experts in consumer concerns; they were experts in their particular field (EU10-G).

Despite this resistance, over time, the notion of a European consumer with a right to be protected across national boundaries came to be integrated across policy areas – as is reflected in frequent calls for ‘mainstreaming’ consumer protection, that is, efforts to integrate consumer protection concerns into every policy area, ‘reflecting a shift in people’s needs and expectations’ (COMM 2007c). The notion of a transnational consumer with demands and choices finds expression in the amount and the nature of trust- and risk perception-related surveys, where policymakers measure their own track record, for instance, by interviewing ‘stakeholders’, such as consumer advocates in the EU setting (EFSA 2004a, 2004b). The notion of the need for restoring consumer trust, as we observed in the discussion of the good governance discourse, also returns in the regular measurement of trust in food (safety) and public support for the CAP in the *Eurobarometer* survey.

The notion of a European consumer is most clearly embodied in the work program of the DG SANCO where consumer protection has been integrated with the area of public health, an area where the EU has very limited powers. Whereas health and consumer issues have previously been dealt with in separate programs, the Commission now steers towards a joint

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<sup>154</sup>The European Consumer Consultative Group constitutes a ‘forum of general discussions on problems relating to consumer interests, gives an opinion on Community matters affecting the protection of consumer interests, advises and guides the Commission when it outlines policies and activities having an effect on consumers, informs the Commission of developments in consumer policy in the member states, and acts as a source of information and soundboard on Community action for the other national organisations’ (COMM 2007c).

approach for health and consumer protection because ‘these policy areas share similar objectives and types of activities’: to protect citizens from risks and threats that are ‘beyond the control of individuals (e.g. health threats which affect the *society as a whole* [...]); to increase the ability of citizens to take better *decisions* about their health and consumer *interests*; and finally, to mainstream health and consumer policy objectives’ (COMM 2005: 3, emphasis added).<sup>155</sup>

The notion that food safety risks can affect ‘society as a whole’ connotes a sense of collectiveness on the transnational level, rather than a purely individualist and ‘private’ notion of risk or a notion of risk on the national level. This is not to say that an individualistic notion of risk has disappeared; rather, the area of consumer protection constitutes another area where discursive contradictions persist. The Commission emphasizes that it does not seek to ‘micromanage’ European citizens (COMM 2004) but, rather, to permit ‘fully-informed choice’. This notion of consumer *choice* as a universal (European) right (‘we are all consumers’) is also reproduced in the discursive practices of prominent consumer organizations. The EFSA, on the other hand, goes further in constructing a ‘European body’, in stating that ‘ensuring that the food we eat is safe contributes to a healthier, better-protected European’ (EFSA 2007). This is an interesting development given the official limits to the EFSA’s remit, and resembles the observations at the German BfR, also a scientific institution informed by a health discourse, although in a more pronounced and institutionally sedimented fashion than the EFSA.

Not unlike policymakers and scientists, the industry has taken up the notion of a transnational consumer. As a discursive foundation for cooperation, consumer confidence, trade, and food safety are constructed as mutually dependent concerns, again by virtue of the notion of a chain:

How can the food and drink industry solve this crisis? The integrated approach of the food chain “from the stable to the table” implies that each link of the chain has an interest for consumers (EP 1996).

As members of the industry take on a discourse of consumer rights, a sense of collective responsibility is discursively introduced into the market efficiency discourse on the transnational level - and hence the logic of the EU Internal Market. This logic relies on the construction of interlinkages between the notions of being a member of the food chain, being a stakeholder within it, the notion of food safety as a non-competitive issue, and the notion of working for,

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<sup>155</sup> In 2007, two separate policy portfolios were established, the Commissioner for Consumer Protection and the Commissioner for Health. The two remain situated within DG SANCO, whereas this DG now has two Commissioners. It is still impossible to assess the significance of this institutional move at this point, but it may be worth noting that, this way, an additional Commissioner from the new member states could be accommodated.

and in the interest of, consumer protection. The mission of the largest food industry association at the EU level is

to represent the food and drink industries' interests, at the level of European [...] institutions, in order to contribute to the [...] *competitiveness* of industry, food quality and safety, *consumer protection* and respect for the *environment* (CIAA 2007a).

These interlinkages between the discourses of market efficiency, consumer protection, and environmental sustainability also resemble those we have seen in the Dutch case, as the superscripts in graph 7.1 indicate, and have brought policymakers, scientists, and members of the industry into equivalential discursive positions vis-à-vis 'the consumer'. A noteworthy example would be the Platform 'Food for Life', to which the EU-wide Confederation of the Food and Drink Industries invited 'stakeholders along the entire food chain': researchers, policymakers, members of the food and feed industry, an EU-wide farmers' association, *and* an EU-wide consumer association.

Next to the notion of a transnational consumer, another key integrative notion that recurs across contexts and discourses is the notion of being a member of the food chain. Through this discourse, seemingly diverse actors come together to push for particular notions that are constructed as shared ones, such as in joint food working groups, or consumer working groups, or a combination thereof. For instance, the European Consumers' Organization (*Bureau Européen des Unions de Consommateurs*) and the European Public Health Alliance collaborate in the context of the European Parliament Health and Consumer Intergroup, and environmental NGOs, consumer groups, and health advocates have formed alliances vis-à-vis the EFSA on particular issues such as the use of GMOs (for instance, Alliance 2005). As a nodal point that can come to denote a range of actor-categories and roles, the notion of the food chain bears a significant role in enabling so-called civil society to take part in the policy process in novel ways, both in formal mechanisms at EU institutions and in more informal modes of cooperation, such as in alliances among NGOs.

Beyond alliances between consumer groups and members of the industry, the 'food chain' as a nodal point produces a relational identity between policymakers and scientists vis-à-vis members of the food and feed industry, environmental groups, and consumer advocates, as is reflected in expressions such as 'talking to the chain'. The recent transformation of the slogan 'from farm to fork' into 'from fork to farm' in EU policy circles can be seen to indicate an even stronger integration of the consumer notion as a discursive resource. Of course, consumer advocacy also takes place outside formal consultation processes: For instance, the aforementioned European Consumers' Organization organized a consensus workshop in 2003,

that is, a gathering of diverse organizations and actors with the aim to share knowledge, develop understanding, and to find common ground regarding particular issues. The participants included scientists, food and consumer experts, those involved in larger research projects, and a range of ‘stakeholders’ from the EU context. The aim of the event, according to the organizers, was to find ‘a common language – a means of communicating and understanding’ (BEUC 2003: 5-33). Furthermore, the nature of the workshop challenged scientists to speak to ‘ordinary citizens’, while at the same time it facilitated the inclusion of so-called ‘non-scientific’ issues in the discussion (ibid.). In sum, we find the notion of the food chain as one that can transcend the previously hegemonic boundaries between feed and food as well as national and transnational.

Beyond the integrative function of the food chain notion as a nodal point, contemporary policy discourse constructs EU-level consumer policy as a necessary adjunct to the internal market, as the following quotations suggest.

The Commission’s aim is ‘to improve EU citizens’ quality of life with respect to health and consumer issues, [...] [and] to increase the Unions competitiveness (Byrne 2003).

If the market functions well, it will stimulate consumer confidence in cross-border transactions and have a positive impact on competition and prices for the benefit of all EU citizens (COMM 2005: 3; cf. COMM 2007d).

Here, the discourse of consumer protection as an EU competency (‘for EU citizens’) and, along with it, the construction of a trusting European consumer is placed in ‘natural’ conjunction with the discourse of market efficiency. Whilst the institutionalized notion of the favorable nature of the free movement of foodstuffs – within the internal market discourse - became subject to dislocations, such moments can bring about change *and* continuity. The discourse analysis of the consumer protection discourse, its composition, and its qualities suggests that the consumer protection discourse grew out of and beyond the previously hegemonic internal market discourse in the shape it has today - its constitutive notions of individual consumer choice and rights, the notion of the consumer as a market agent, and the weak institutionalization of environmental sustainability in DG SANCO’s work program all speak to this effect.

In conclusion, with the reintegration of previously disintegrated policy areas, a new nodal point has emerged that has contributed to the temporary fixation of meanings at the level of transnational policy discourse due to its discursive malleability and its apparently neutral function in (re-)connecting previously differentiated actor-categories and policy areas. As a consequence of this amalgamation, we find discursive material clusters of practices, such as in participatory



practices at the transnational level but also joint initiatives in the private sector along the food chain.

While the findings presented in section 7.4.2 indicated that environmentalist notions have been discursively incorporated into agricultural policy areas - manifested in the series of reforms in the CAP and the promotion of organic agriculture - there is less evidence of these environmentalist notions being integrated with the area of consumer protection. One possible explanation constitutes the predominant notion of consumer *choice* and consumer *rights*, which would conflict with the notion of advising citizens what to consume, how, and where, in the name of environmental sustainability.

As graph 7.1 indicates in the superscript in the pertinent section, the discourse of consumer protection at the EU level bears traces of the consumer discourses in all the national contexts studied for the purpose of this thesis: calls for ‘putting the consumer first’, as observed in the case of England; the construction of a link between the trusting consumer and market efficiency, as observed primarily in the policy discourses in England and the Netherlands; and a link between consumer protection and public health, as witnessed in the German case. We shall see all of these elements return in the next section, which discusses the discourse of public health at the EU level

#### *7.4.5 Public Health*

This subchapter addresses the recent strengthening of a public health discourse at the EU level and considers the ways in which it has informed the meaning of food (safety) in this context. The discussion of the public health discourse in relation to food (safety) is important here for its relatively novel nature; in addition, it forms an exemplary case of discursive contestation. The composition of this discourse will be discussed as follows: the notion that nutrition advice is a legitimate task for the EU; the notion that nutrition is a matter of consumer protection; the notion that promoting public health at the transnational level brings (economic) benefits to all; the notion that public health hinges upon individual choices, too; the related notion that everyone has a stake in promoting public health; and the notion that novel foodstuffs should be evaluated on the basis of potential harm, not benefit.

In order to understand the recent growth of a public health policy field at the transnational level - such as in the renaming of DG XXIV into DG SANCO and recent campaigns that promote physical activity and disease prevention - a brief genealogy is in order here. Public health is a policy area in which EU member states have retained most of their regulatory power, unlike the field of agricultural policy. Accordingly, discourses in favor of public health reforms

continue to be directed primarily at national governments. Staged protests such as those of German farmers opposing the 1999 proposals for reforms of the CAP hence remain largely absent in the field of public health, and health advocacy remains relatively scarce at the EU level, even though in recent years, groups and coalitions have grown in this area. The EP Health and Consumer Intergroup and the increasing involvement of the European Public Health Alliance in policy consultations speak to such a development.<sup>156</sup>

To begin with, the EC Treaty took a number of steps towards an EU-level public health policy approach, even though it continued to rely on the subsidiarity principle. Specifically Article 152 stipulated that ‘a high level of human health protection shall be ensured in the definition and implementation of all Community policies and activities’ and that the Council would adopt ‘measures in the veterinary and phytosanitary fields which have as their direct objective the protection of human health’ (EC Treaty [1992] 2006: Art. 152 (129)). In response to the Maastricht Treaty of 1992, the Commission issued a *Communication on the framework for action in the field of public health* (COMM 1993) and stated that the EU would ‘contribute towards ensuring a high level of human health protection by encouraging cooperation between Member States and, if necessary, lending support to their action’ (cited in EP 2001).

Yet neither the Communication nor the Treaty specified a link between health and food (safety), not least because EU health policy originated from health and safety provisions in the European Coal and Steel Community (ECSC) and the *Euratom* Treaties, rather than food in particular. Instead, public health competencies later developed through the principles of the free movement of people and goods within the internal market, as they required coordination in public health (EP 2001). Hence the discourse of market efficiency, as manifested in the notion of the internal market, came to primarily inform the meaning of food (safety) and public health, a background similar to what was discussed in the previous section on the consumer protection discourse. As a consequence of this dominant discursive framing, other, alternative meanings of public health as well as the voices of those campaigning for a broader understanding of safety were marginalized at least until the food scares of the 1990s.

It was not until the UK BSE crisis and the subsequent *Communication on Consumer Health and Safety* (COMM 1997) and the *Green Paper on the Principles of Food Law in the EU* (COMM 1997b) that a shift was articulated towards incorporating aspects of public health into food (safety) policy. Considering that the EU hardly had competencies in public health questions at the time,

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<sup>156</sup> The European Public Health Alliance forms a network of NGOs and other not-for-profit organizations working in the field of public health in Europe.

this constituted a concrete moment of transformation in policy discourse and indicates a change in the meaning of ‘safe food’ towards a public health discourse.

The discourse analysis of policy documents, speeches, and newsletters as well as interviews conducted for the purpose of this study point to a recent shift in food (safety) policy: EU food (safety) policy has increasingly been incorporating the notion that ‘good nutrition’ is a legitimate policy area for EU intervention. The case of nutrition serves as a useful example of an instance where different discursive fragments inform policy change *and* continuity. The *White Paper on Strategy for Europe on Nutrition, Overweight and Obesity* (COM(2007) 279 final), for instance, combines a public health discourse with a consumer protection discourse, whereas we can find concrete traces of ‘older’ discourses of market efficiency that point to, for instance, health as a factor in economic competitiveness, and obesity as a cost factor in public health care. Building on the Green Paper *Promoting healthy diets and physical activity: a European dimension for the prevention of overweight, obesity and chronic diseases* (COM (2005) 637 final), the White Paper states:

Due to the increasing *global nature of most of the industrial sectors* intervening in the food and nutrition areas, and in order to prevent the rise of additional *administrative burden* stemming from different and maybe divergent national rules as well as to *boost competitiveness* in a new innovative and research based area, one set of co-ordinated actions at the EU level is considered, *by the concerned economic operators*, preferable to numerous, individual actions at Member State level (COMM 2007a: 3, emphasis added).

The interlinkage of the notion of a health-choosing consumer with that of sustaining competitiveness can help account for the delimitation of the current EU competencies in the field of public health, for the interlinkage tends to bracket out a construction of public health as a social responsibility. While the construction of health protection as an essential, social responsibility would involve crossing over contingent notions of what ‘healthy’, in fact, means, the employment of economic arguments – where everyone holds a stake – are ‘safe’ in a context where multiple and conflicting meanings come together.

In the most recent initiatives regarding the link between nutrition and public health, one can similarly observe an amalgamation of a discourse of public health, good governance, and a market efficiency discourse (COMM 2007d), through which health becomes constructed as a private responsibility. In order to make visible how this notion links up actors, let us consider an EU Commission document next to that of the most prominent industry representative association below.

Firstly, the *individual is ultimately responsible* for his lifestyle, and that of his [sic] children, while recognizing the importance and the influence of the environment on his behaviour. Secondly, only a *well-informed consumer* is able to make rational decisions (COMM 2007a, emphasis added).

The food and beverage industry is committed to playing its part [...] in empowering consumers to choose diets and levels of physical activity which can positively impact their health and well being [...]. [u]ltimately, what a person eats and how active a lifestyle is followed is a question of *personal choice* and *individual responsibility* (CIAA 2004: 1-2).

These quotations also suggest that the notion of public health as a collective responsibility has not remained uncontested: individualist notions of ‘risky behavior’ and ‘(ir)rational choices’ remain present in the policy discourse. Indicative of this increasing amalgamation of discourses and the consequent integration of previously separate policy areas, the Commission has taken further steps in its efforts to improve health and nutrition, as they were set out in the *Strategy for Europe on Nutrition, Overweight and Obesity and related health issues* (COMM 2007a). Resonating the initiatives launched in the national contexts studied – most remarkably so in the UK ‘5-a-day scheme’ - the Commission has proposed a *School Fruit Scheme* which would aim ‘to encourage good eating habits in young people [...] [and will] require participating Member States to set up national strategies including educational and awareness-raising initiatives and the sharing of best practice’ (COMM 2008f). Considering the nature of the proposal, which cuts across the policy areas of public health, education, and consumer protection, it is particularly interesting to note that the call for proposals from ‘experts and stakeholders across the Union’ was issued on the website of the DG AGRI, rather than (only) DG SANCO. This indicates that the discourse of public health has come to stretch across the previously institutionalized differentiation between food production, food (safety), and health.

As for the notion that nutrition forms part of food (safety) policy and is thereby linked to consumer protection, the debate centers around marketing and advertising to children, and issues such as the potential health effects of foodstuffs high in sugar, salt, and fat, which echoes the public health and food (safety) discourse in the UK, as graph 7.1 indicates in the related superscript. The discourse analysis of this policy subfield indicates an increasing integration of notions of the public health discourse (‘good nutrition’) with those of a consumer protection discourse (‘protecting children’). Through this amalgamation, the market efficiency discourse, which typically presents the notion of being a consumer as being a market agent, is, in part, pushed aside.

This increasing amalgamation of discourses is embodied in the coalitions that jointly push for shared notions, often on the basis of specific nodal points. For instance, the shift towards including nutrition and public health in the EU food (safety) policy discourse has also become apparent in the EFSA Consultative Stakeholder Platform. Already at their first meeting in 2005, several groups underlined the restricted role of the EFSA in the area of nutrition and indicated that it should claim a more prominent role, especially in developing nutritional profiles, which constitute a set of intensely debated issues relating to EU health claims regulation (EFSA 2005a).<sup>157</sup> The EFSA's Chair at the time, Geoffrey Podger, indicated that despite the limited role of the EFSA in nutrition, it attached great importance to this area. The EFSA participated in the Commission's *Obesity Platform* as an observer and, in addition to future scientific colloquia on nutrition profiles, decided to undertake data collection on consumption and consumer exposure (EFSA 2005). The EFSA hereby asserts a link between consumer protection and public health and claims responsibility vis-à-vis the healthy European consumer (cf. EFSA 2007).

A senior Commission official at DG SANCO nevertheless emphasizes that 'the goal is not to harmonize food safety [...] [because] nutrition has a lot more to do with the mentality of the consumer and the culture of the different member states' (EU4-G). Pinpointing the resistance to and recognition of seemingly insurmountable divergence of meanings, the EFSA recently stated that uniform European dietary guidelines were not feasible, following a public consultation on its draft opinion on food-based dietary guidelines. These were intended to be 'science-based policy recommendations [...] for healthy eating [,] [...] for consumer information and education, and [...] appropriate for the region or country, culturally acceptable and practical to implement' (EFSA 2008b: 1). This instance again reveals the fundamental contingency of meanings and institutionalized practices, as in this case, 'science-based' guidelines turned out to be unfeasible. At the same time, this also confirms the importance of scientific diversity – that is, the continuous existence of national food safety agencies.

Similar signs of discursive contestation consist of instances where novel foods are classified as foodstuffs in some member states, but as medicinal products in others: The infamous *Noni Juice*, for example, provoked a debate of this kind between member states that proposed a classification as a medicinal product, on the one hand, and others, who successfully insisted on classifying *Noni Juice* as a novel food (see chapter five, subsection 5.4.5). In such cases, an official

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<sup>157</sup> In the EU Health Claims regulation, all foods carrying a health claim were to conform to a particular 'nutritional profile', preventing products with a high sugar, salt or fat content from carrying a claim. The new rules, set in place in early 2007, redefine what constitute legitimate nutrition and health claims, and pose a challenge to the legitimacy of many common nutrition claims such as 'low fat' and 'sugar free' (European Commission Regulation no. 1924/2006 of December 20, 2006, the so-called Health Claims Regulation).

at DG SANCO (EU3-G) contends, member states use ‘science to hide behind politics’, hence depoliticizing cultural differences (see also COMM 2002a). In other words, ‘science’ - a reference to ‘facts’ - is then used to inject a sense of neutrality into the discussion. Likewise, the notion that foodstuffs should be evaluated on the basis of their potential harm, rather than their potential (health-related) benefits, hides away from the specific associations (such as healing qualities) that particular foodstuffs may carry in some contexts, but not others.

The impression that ‘politics hides behind science’ speaks to one of the key observations of this study, namely that the meanings of food (safety) and the associated policy practices remain contested, including those in the related subject areas of health and nutrition. This discursive negotiation of meaning can be made visible by examining the frictions in the development of new policies at the transnational level. For instance, in the development of a ‘Strategic Approach to Health in Europe’ (cf. COMM 2007d), consultation respondents stressed that there should be ‘a clear sense of ownership’ and the active involvement of member states, rather than a reliance on a joint EU approach (ibid.), which further points toward the sensitive character of the policy field. Again, this could be seen to pinpoint the need for a specific quality of interaction, based on a particularly flexible vocabulary, in order for Europeanization to be successfully mobilized.

Likewise, the ‘universality’ of science remains disputed. For example, the division of research tasks remains contested between the EFSA and national authorities, and ‘risky issues’ are not communicated in one ‘European voice’, as subsection 7.4.1 of the present chapter indicated. For instance, in the case of avian flu, the wording of the warning issued by the EFSA in September 2005 was strongly criticized by some of the EU member states, particularly Italy, for causing too much fear among the public. Despite this contingency, European scientists have come to be more ‘internationally-minded’, and being a member of an EU scientific committee is often considered as something prestigious. An analysis of interviews and press releases in the German case indicates as much, and the institutionalization of ‘Euro-speak’ trainings for officials at the UK FSA points to the special status of EU policymaking, too. Reinforced by the frequent establishments of ‘platforms’ and ‘stakeholder’ events, both terms being prolific in this policy field, now, ‘when it comes to scientific advice, there’s hardly a scientist who would say: “we have all the knowledge and expertise in our country”’ (EU10-G).

In sum, the public health discourse at the transnational level has grown to incorporate notions of food safety and food quality, whereas the linkages between these notions borrow from other discourses, particularly those of market efficiency (‘poor public health brings costs’) and consumer protection (‘citizens should have choice, but they should also be advised regarding good nutrition’). The Europeanization of this discourse, therefore, relies on the nodal points of

'being a consumer', *stakeholderness*, and the notion of being a responsible and competent member of the food chain, which through their interlinkages aid the fixation of meanings at the transnational level.

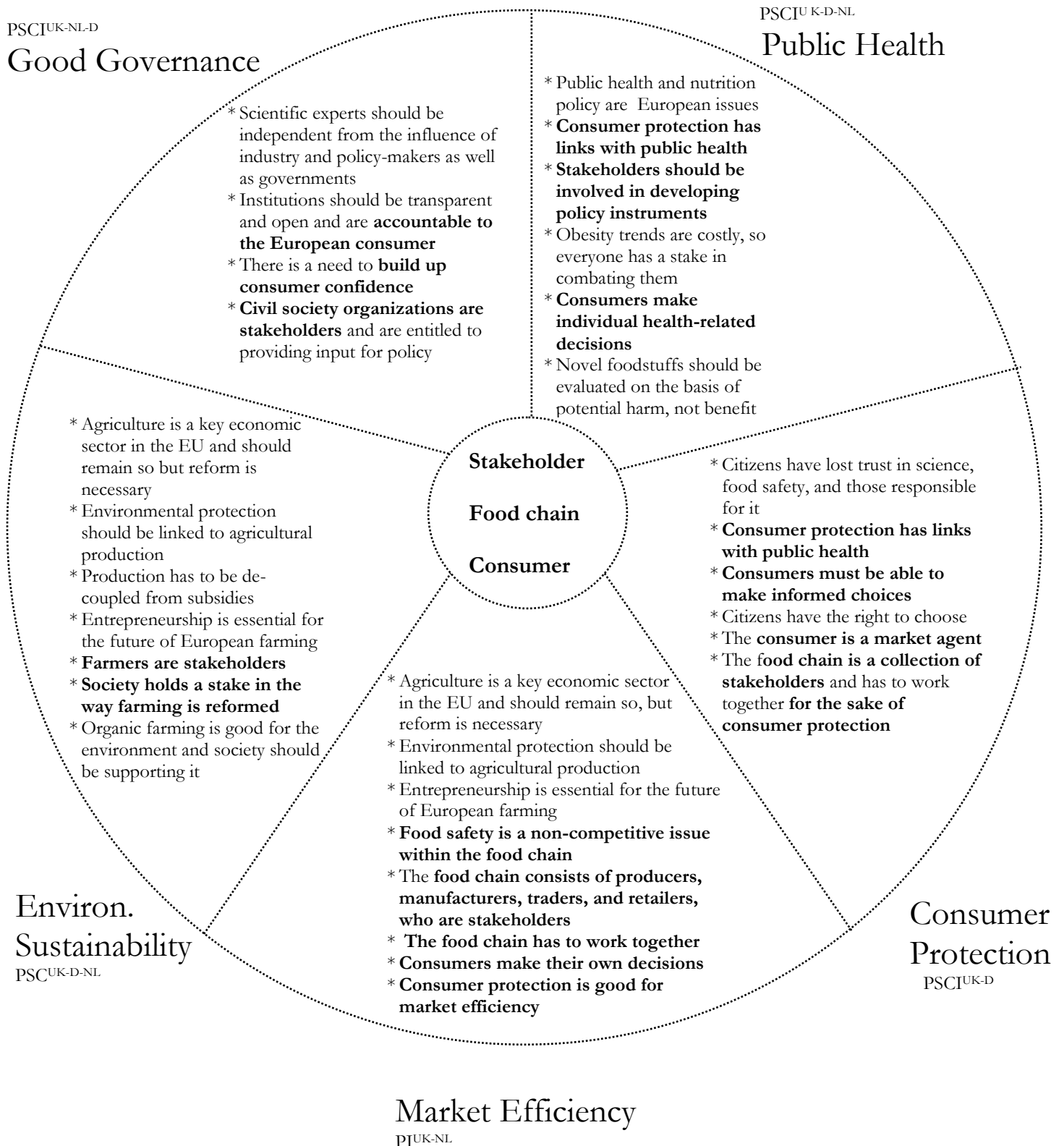
### 7.5 Concluding remarks

In order to explain the successful mobilization of EU food (safety) policy discourse in spite of the diversity of interpretations in the national contexts studies here, this study called for a new approach to the study of Europeanization. Such an approach would take seriously the contingency of meanings and the role of discourses in shaping and reshaping clusters of practices where actors come together based on interactively negotiated, shared notions.

Accordingly, this chapter proposed that Europeanization is a matter of performative *re-citation*, rather than a deliberate, conscious, and rational problem-solving process based on readily identifiable facts. In contrast to more mainstream policy-analytic approaches, this chapter captured the series of food scares over the past decade as moments of *dislocation* (Laclau 1990): events that could not be understood within the hegemonic food (safety) policy discourse existing at the time, hence disrupting and shattering the sedimented institutional practices and related identities in this policy field. To be precise, it was (i) the nationally-based nature of the policy regime and (ii) the related hegemonic principle of securing the free movement of foodstuffs within the EU as well as (iii) the expert-based character of food (safety) policy at the time which were disrupted.

After exploring the breakdown of the previously hegemonic EU food (safety) policy discourse in section 2, the aim of this chapter was to explain the current stability of EU food (safety) policy discourse, that is, the relative fixation and apparent convergence of meaning that transcends the heterogeneity observed on the national level. This stability, as this study of Europeanization suggests, rests on the negotiation of a shared 'food safety language' at the institutional level of the EU. For the purpose of identifying these 'integrative nodal points', section 3 discussed the most important food scares and the key institutional moments when particular definitions of what 'food safety' represents were invoked and the very meaning of food (safety) became re-cited in a new, transnational context. Subsequently, section 4 of this chapter revisited the five discourses identified across the contexts studied here, which appear visually summarized in the graph below.

Graph 7.1 Nodal points and Europeanizing actor constellations





**Categories:**

P = Policymakers

S = Scientists

C = Citizens (e.g. consumer advocates, environmental groups)

I = Members of the food industry

In bold: more recent/re-emerging discourse

In superscript: national discourse resonating strongly in Europeanized discourse

Before recounting the main findings across the discourses, an important qualification is in order here with respect to the graph above. Its circular shape serves to indicate the fluidity of the discursive space, while the ring-shaped center of the graph depicts the central nodal points identified here. Their visual position, however, should not be understood to indicate a stable discursive center. Rather, the two ring-shaped objects are intended to depict the relation between the more narrow nodal points in the center and the broader, integrative notions in the outer ring. It is their mutual interaction as well as the prevalence of the nodal points, highlighted in bold print across the different discourses (wedges) that make for a recognizable and relatively stable EU policy discourse.

As the graph shows, *first*, within the discourse of good governance, this chapter highlighted the notions of openness and transparency; the notion of the need to separate ‘science’ from ‘policy’; the notion of the trusting European consumer; and the notion of *stakeholderness* in conjunction with the notion of being a member of the food chain. As in the national cases studied here, the good governance played an important role in delimiting the sense of crisis and ambiguity that the several food scares produced. In particular, the drawing up of institutional boundaries produced such an effect, finding expression, for instance, in the constructed differentiation between ‘science’ and ‘policy’, which, in praxis, are remarkably unstable, as the discourse analysis demonstrated. Here, the in-depth interviews in both ‘policy’ and ‘science’ institutions were a particularly pool of resources.

*Second*, the discourse of market efficiency continues to structure food (safety) policy in the EU context. Through the notions of farmers as entrepreneurs and stakeholders, the CAP as an economically, but also socially important sector, as well as the notion of the food chain, this discourse shapes food production as well as consumer protection and public health policy in concrete ways. Moving on, the composition of the discourse of environmental sustainability suggests that the market efficiency discourse has not been left unharmed in the series of institutional rearrangements. Considering the shape that the environmental discourse has taken

in the national contexts of Germany and England, it is notable that, whilst the environmental sustainability discourse is in part composed of notions of reform of the CAP, food *safety* as a policy area has not been linked to environmental issues as much as to consumer protection. This implies that the environmental impact of agricultural food production is only marginally understood as a threat to a 'safe future' in environmental terms.

The *fourth* discourse examined here, 'consumer protection', suggests that the discursive category of the consumer has become an integrative nodal point in contemporary policy discourse in this domain, while its composition – i.e. its embedded notions – have shifted in the course of a reintegration with previously distinct policy areas, namely market efficiency and public health. In light of the apparent flexibility of the notion of being a consumer and the divergent discursive policy traditions across the studied contexts, it is interesting to note that tensions and contradictions within this discourse persist. The discourse analysis presented here reveals, for instance, the discursive friction between the notion of a consumer being a freely choosing market agent, on the one hand, and the notion of the consumer as bearing particular social and environmental responsibilities regarding sustainable consumption.

Finally, the discourse of 'public health' features a remarkable discursive amalgamation of a market efficiency, consumer protection, and individual health discourse. Resembling the discursive frictions in the consumer protection discourse, the public health discourse appears torn, at times, between the dominant notion that the protection of public health aids market efficiency and the notion that public health protection constitutes an essential responsibility, given that all parties 'hold a stake' in it.

An overall finding here concerns the interplay of elements of change *and* continuity. Both the consumer protection discourse and the more recent shift towards a different notion of food *quality* (rather than merely *safety*) draw on the pre-existing (internal) market efficiency discourse. The reappearance of these older discourses reflects the restabilization of institutional authority and the solidity of particular discursive clusters where – linked up through commonly shared discourses – seemingly disparate actors come to push for particular notions.

The integrative nodal points that stabilize and sustain EU food (safety) policy do so by making it appear coherent and 'naturally given'. The specific qualities that such nodal points would have to feature were discursive malleability and flexibility, a seemingly neutral and universalistic meaning, and the ability to bridge across discourses, and across the previously assumed boundaries between the national and the transnational, as well as food and health. The specific notions that make this policy stable (and indeed sustainable) are visible across the discourses: the notion of being a member of the food chain; the notion of (being) a trusting

(European) consumer; and the notion of *stakeholderness*. The qualities and functions of these notions are threefold: First, they form the nodal points that EU policy discourse rests on in the field of food (safety). Next, their discursive function is the bridging of discourses and actor categories, while their particular integrative power stems from the fact that they exist across all studied contexts. Third, due to their universalistic character, they can be *re-cited* or reinserted into a new context at the transnational level without too much discursive friction.

To conclude, the overlaps between the discourses on the studied *national* levels and at the EU level, as indicated in the superscripts in graph 7.1, speak to the shared sense of a pervasive dislocatory experience and institutional ambiguity upon which policymakers were forced to act when the previously hegemonic policy discourse was exposed as socially constructed and vulnerable. The findings in this chapter also suggest that we may have to move away not only from the constructed distinction between the categories of ‘the policymaker’, ‘the scientist’, ‘citizens’, and ‘the industry’, but also from the notion of ‘levels’ in the analysis of Europeanization. Instead of attempting to determine the direction in which Europeanization takes place, and hence holding onto and reifying the concept of national boundaries as well as national interest, it seems more urgent to assess the qualities that a transnational vocabulary must bear in order to provide stability in a given field of EU policy: openness, flexibility, and malleability.

## CHAPTER EIGHT: Conclusions

### 8.1 Recapitulating: From puzzle to approach

This concluding chapter, first, readdresses the study's central puzzle and the approach it inspired. In section 8.2, I return to the central findings of this thesis in order to highlight the two-fold focus developed here: a comparative analysis of food (safety) policy discourse and an analysis of Europeanized food (safety) policy. I conclude by pointing to the main contributions as well as limitations of this study and by indicating further avenues for research in section 8.3.

The present research project was inspired by the observation that the food scares of the past decade were interpreted in divergent ways across the studied contexts (England, Germany, and the Netherlands), while at the same time a transnational approach was mobilized that seems to transcend those divergences. I find that 'food safety' took on different meanings across contexts and over time, while relative stability regarding the discursive foundations is observable at the same time. Beyond this finding, I conclude that the process of Europeanization relies on the development and the enactment of shared understandings - captured here as integrative 'nodal points' - that are flexible, elastic, and malleable enough to transcend contextual divergence with respect to meanings of food (safety). These nodal points, and the broader integrative notions they produce, make EU policy discourse seem coherent and 'natural'.

The apparent paradox between divergence on the national level and convergence at the level of the European Union (EU) is then not a paradox; instead, it is a product of discursive (re)negotiation. This (re)negotiation was made possible by a series of moments over the past decade that functioned to disconnect the concept of 'food safety' from its previous meanings, along with the roles, rules, and responsibilities associated with the governance of food (safety). Among the most significant moments of transformation I found were the discovery of a possible link between BSE (Bovine Spongiform Encephalopathy) and its fatal human variant, a new variant of Creutzfeld-Jakob Disease (nvCJD), food contaminations with dioxins and the discovery of elevated acrylamide levels in certain foods, as well as animal health scares such as Classical Swine Fever and the outbreak of Foot-and-Mouth Disease (FMD). Whilst this study was not concerned with what the food scares of the past decades 'really' were (e.g. the nature of diseases that for the most part did not affect human health but were nonetheless taken up as food safety issues), this thesis explored what was made of them, that is, how they came to be interpreted across different contexts and over time. In order to address what initially appeared to be paradox, the following research questions guided this study:

1. *How has food safety been taken up as a policy issue in England, Germany, and the Netherlands since the 1990s?*
2. *How can we explain the different ways in which food safety has been taken up across the national contexts?*
3. *How can we explain the emergence of a transnational policy approach, given the divergence on the national level?*

From an interpretive, discourse-analytical perspective, I explored the ways in which food safety was taken up as a policy issue in the three country case studies as well as the level of the EU. In order to explain these differences on the national level and the relative convergence on the transnational level, I explored the divergent socio-historical contexts through a discourse-analytical lens and then studied the key moments of *dislocation* (Laclau 1990), that is, moments through which the hegemonic policy discourse came to be disrupted and when ‘food safety’ became disconnected from its previously sedimented meanings. These moments, I argued, called into question the ways in which this policy discourse was routinely performed. Subsequently, I studied the key moments of institutional transformation and then provided an in-depth discourse analysis of contemporary policy discourse across England, Germany, the Netherlands, and at the level of the EU. This discourse analysis, first, proceeded on the premise that a distinction between discourse and practice is not sustainable and, second, used dramaturgical metaphors in order to capture the relations between the two in a non-essentialist fashion, as I shall discuss further below. Moreover, I rejected the rationalist assumptions in more conventional accounts of policymaking and instead of presuming defined actor-categories – the policymaker, the scientist, the members of the industry, and citizens’ groups – I began by parsing the logics that inform those and hence produce particular actor constellations, or discursive clusterings.

Consistent with such an approach, each empirical chapter therefore considered three dimensions: the socio-historical context, viewed through a discourse-analytical lens; the disintegration and evolution of policy institutions; and the changing discursive practices within those institutions. Across these three dimensions, the objects of the empirical analysis were (i) the different meanings of food safety, (ii) the discourses which inform these meanings, (iii) the notions that make up these discourses and the related discursive constellations, and (iv) the particular practices in which meanings are produced, contested, and enacted. Given these premises, the empirical chapters were guided by the following four questions in descending order of generality and abstraction:

1. What does food safety mean?
2. What discourses have shaped the meaning of ‘food safety’, and what notions bind those discourses together?
3. How do those discourses inform the policymaking process, and what kinds of discursive formations do they produce between policymakers, scientists, citizens, and the food industry?
4. How, by what means, and with what effects are the diverse meanings associated with food (safety) performed?

In order to access these dimensions of meaning, discourse, and their performative expression in policymaking, extensive qualitative analysis of policy documents from various organizations and governmental institutions was conducted, as well as over sixty interviews with civil servants, environmentalist organizations, consumer advocates, journalists, academics, and members of the food industry (see appendix A). These sources were complementary and equally useful pools of resources. Based on this material, the objective of the discourse analysis consisted in disentangling the seemingly coherent policy discourse in these locations. In doing so, I inductively distilled five discourses: the discourse of ‘good governance’; ‘environmental sustainability’; ‘market efficiency’; ‘consumer protection’; and ‘public health’. While, for the sake of comparability, equivalent labels (i.e. titles) were assigned to these discourses, they vary in strength and composition across the countries studied. Below, I revisit the discourses, highlighting differences and similarities across the studied contexts.

## **8.2 Dynamics of discursive change and continuity**

### *8.2.1 Good governance*

Across the studied sites, the food scares over the past decade were interpreted as symptoms of a crisis of governance. More specifically, the crises called into question the ‘classical-modernist’ modes of governance (Hajer 2003) that had shaped the previously hegemonic way of governing food (safety). With this dislocatory experience, restoring and sustaining trust became the concern of policymakers, scientists, and members of the industry alike, producing particular clusters of practices in this discourse that were aimed at ‘restoring consumer trust’. Another key ‘good governance’ notion concerned the relation between ‘science’ and ‘policy’, for it pinpointed the need to construct an interface, or even a re-connection, between policymakers, scientists, and their ‘audience’ in response to the perceived gap produced by the dislocatory experiences related to the food scares. The debate around the ‘science/policy nexus’ led to substantial institutional

rearrangements across the studied cases. Only in the United Kingdom (UK), however, did science and policy come to be integrated in one institution. On the contrary, in Germany, the Netherlands, and at the level of the EU, 'good governance' was expressed in the construction of (in praxis, unstable) institutional boundaries between the two spheres of practice in order to restore citizen trust in food (safety) and those in charge of ensuring it.

Whilst good governance notions of a need for transparency and openness emerged across the three countries as well as at the level of the EU, the notion of a need to remove 'the smell of stables' from food (safety) policy has not found substantial resonance in the Netherlands so far. Instead, notions of 'cutting red tape' and improving efficiency and coordination emerged as prominent notions to shape and redefine institutional practice and self-understandings. By employing these notions and entering into alliances with some members of the industry, the Dutch authorities were able to work towards minimizing the discursive friction observed in Germany and England, and could thereby handle the crisis instances in more 'efficient' ways. The good governance discourse across the studied contexts also generated a shift towards more reflexivity, away from a notion of science-for-policy where only experts could 'speak the truth'. Moreover, calls for transparency and openness on the part of scientists and policymakers increased and a range of innovative participatory policy practices were introduced, turning the laboratory into a 'public space'.

To conclude, good governance has come to denote openness, transparency, the independence of experts, and administrative efficiency in very context-specific ways. In this discourse, one can observe new actor constellations emerging; more specifically, policymakers and scientists come together under this discourse as mutually constitutive actor-categories – given the constant renegotiation of boundaries between the two spheres. Especially in the UK, the good governance discourse, in conjunction with the discourse of consumer protection, as will be further discussed below, put scientists and policymakers in an equivalential position vis-à-vis 'the consumer', as is reflected in the Food Standards Agency (FSA). The most central notion that emerges in this discourse across all contexts is the notion of 'being a stakeholder in the food chain'. In its quality as a nodal point, it functions to bridge the number of seemingly disparate actors and creates a sense of 'being in this together' across institutional and national boundaries.

### *8.2.2 Environmental sustainability*

When BSE was discovered in domestic herds in Germany in 2000, the food safety problematic was immediately placed onto the environmental agenda, whereas in the Netherlands, BSE was considered to be a 'technical problem' related to food production. Dutch policymakers

dismissed the German call for a thorough rethinking and reform of intensive agriculture whereas in England, the twin-crisis of BSE and FMD facilitated the re-emergence of a discourse of environmental sustainability that comprised notions of landscape preservation, a natural environment, and an emphasis on animal welfare. Enacted in the promotion of organic farming, local food, and continuous research on 'food miles' – that is, the ecological impact of food production - this discourse informed institutional rearrangements and the self-understandings of scientists and policymakers in significant ways in England.

As chapter five argued, in Germany, the emancipatory force of dislocations made possible the re-emergence of a previously marginal discourse with a specific, socially constructed notion of 'nature', and the employment of the notion of the food chain as a source of empowerment, particularly for environmental movements, animal welfare advocates, and consumer groups. In the Dutch context, we can observe an environmental sustainability discourse with a particular focus on animal welfare, following the imagery around swine fever and FMD. These two epidemics, as I argued in chapter six, produced a discursive mismatch between the historically sedimented notion that intensive agricultural food production was beneficial for all and a scientifically founded necessity, and, on the other hand, the reality of burning carcasses. The renewed discourse of environmental sustainability observable in the Netherlands, however, is far from coherent; on the contrary, it is often wrapped into a dominant market efficiency discourse (to be discussed in subsection 8.2.3). We can observe this dynamic, for instance, in the ways in which organic food production and consumption are encouraged and in the use of the sustainability concept, with its focus on 'people, planet, and profit'.

Regarding the Europeanized dimension of the environmental discourse, the sustainability of both agriculture and the environment has come to form a key notion in today's Common Agricultural Policy (CAP), and, increasingly, we have also seen an emphasis on the role of farmers as preservers of landscapes and vanguard of the 'cultural heritage' of Europe. In a related notion at the level of EU policy discourse, European societies as a whole are expected to bear the costs of environmentally friendly production, whereas in the Netherlands, for instance, the significant price gaps between conventionally produced and organic food are frequently lamented.

Beyond these different elements of the notion of sustainability, the notion of being a member of the 'food chain' has brought to the fore a sense of collective responsibility, which has supported the development of shared understandings regarding food (safety). Notably, this terminology is used by nearly all the actors involved at the EU level – the European Commission, the European Food Safety Authority (EFSA), non-governmental organizations



(NGOs), industry and farming representatives, retailers, and consumer advocates, which indicates the discursive ‘bridging effect’ of the notion of the food chain. Rather than a linguistic category, this notion has, in fact, produced tangible actor constellations and new modes of cooperation that are equally based on the notion of ‘holding a stake’ in food (safety) and on the metaphor of a chain, a sense of mutual dependence.

In conclusion, we can observe different uses of the same concept – sustainability – across contexts. In other words, the composition of this discourse varied substantially. In particular, the different meanings of ‘nature’ and the divergent understandings of the importance of ‘profit’, ‘planet’, and ‘people’ in terms of environmental sustainability produce tangible consequences in policy discourse and practice. Despite these differences, we have seen a growing discourse of environmental sustainability at the level of EU policy discourse and an apparent convergence of meaning in this arena. A discourse-analytical approach, however, can explain this apparent paradox between divergence at the level of countries and relative convergence at the transnational level by way of identifying the key nodal points in this discourse that produce shared understandings and a sufficiently flexible quality of interaction. In the present discourse, the notion of being a member of the food chain carried particular weight.

### *8.2.3 Market efficiency*

The discourse of market efficiency has structured the debate on food (safety) across all cases, but its manifestations and enactments are contextually contingent. In the Netherlands, the German call for de-intensifying agriculture was dismissed, as mentioned above. Instead, the Dutch authorities adopted a language of prices, international competitiveness, entrepreneurship, product innovation, and a fear of ‘lagging behind’ their European neighbors. Although private food (safety) labeling or quality assurance schemes have been put in place across the studied contexts, an amalgamation of the good governance and the market efficiency discourses in the Netherlands produced a particularly strong notion of ‘improving administrative efficiency’ in which the industry (‘the food chain’) is primarily responsible for food safety, whereas the government may act as a ‘facilitator’ – even though the policy program ‘For a different kind of government’ (*Programma andere overheid*) has not necessarily been successful. The comparatively strong status of the market efficiency discourse helps explain the comparatively limited debate in the Dutch context, as in this discourse, food safety and food quality are constructed as ‘amoral’ categories, that is, a matter of economic, rather than socio-ecological deliberation and implications. Conversely, in the discourses of environmental sustainability and public health, which take on a more substantial role in England and Germany, food safety and food quality

take on more holistic meanings. For instance, the discussion of food prices – that is, the difference in prices between organic and conventional foodstuffs – although not absent, is led quite differently in the latter two cases. Neither is the organic food sector talked about as a ‘market opportunity’ in Germany and England, but rather as a good thing *by nature*. The relative lack of a debate around the observable price differences in Germany, however, may foreclose a debate regarding food inequalities and the related health inequalities in different socio-economic segments of society.

The discourse of market efficiency also continues to structure food (safety) policy in the EU context and has found alliances with the discourses of consumer protection as well as environmental sustainability. This discourse, and specifically the previously hegemonic notion of the free movement of goods within the internal market, however, came to represent uncertainty, lack of protection, and disease, when food (safety) became *re-cited* as a European issue, for instance, in the European Parliament’s Medina Report (EP 1997). In such a way, the food scares of the past decade linked issues of trade and competitiveness, on the one hand, and issues of safety, public health, and consumer protection, on the other hand. Here, the food chain is now employed to promote ‘non-competitiveness’: By referring to the food chain as a collection of non-competitive, interdependent actors, food safety comes to be constructed as a universalistic aim. Put differently, the notion of the food chain functions to partially neutralize the market efficiency discourse in favor of new modes of cooperation and participation in the policy process. The notions within a market efficiency discourse and those in a consumer protection discourse have grown together in some contexts, pushed for by new discursive actor constellations, as we shall see in the next subsection.

#### *8.2.4 Consumer protection*

In the English context, the discovery of the link between BSE and its human counterpart nvCJD was followed by the emergence of a discourse that was critical of the influential position of the agricultural lobby within governmental institutions, such as the National Farmers’ Union (NFU) in the Ministry for Agriculture, Food, and Fisheries (MAFF). As a result, the Food Standards Agency (FSA) was set up under the motto of ‘independence, transparency, and putting the consumer first’. In England, a brief genealogy of the consumer movement indicates that the discourses of consumer protection and consumer rights, even in conjunction with food (safety) specifically, were already established before the series of food scares in the late twentieth century. This background, viewed through a discourse-analytical lens, helps explain the comparatively successful mobilization of a discourse of ‘putting the consumer first’ and, simultaneously, the institutional blurring of the boundaries between ‘science’ and ‘policy’: The

empowered consumer emerging in this discourse came to be entitled to having a say in both 'science' and 'policy' and policymakers and scientists came to merge under the discourse of consumer protection.

In the German context, similarly, a pervasive critical discourse emerged that attacked the influence of the agricultural lobby in the agricultural ministry at the time, which led to an institutional separation of agricultural policy from food safety affairs in (both the UK and) Germany. Consumer protection came to be strongly linked to food (safety) policy in Germany as well as the UK. In the German context, however, the discourse of consumer protection had previously primarily existed as the technical application of the precautionary principle particularly in the environmental policy domain. In addition, a particular set of values partly shaped by Christian beliefs (Hendriks 1987) had prevented the emergence of an equivalent consumer rights discourse in Germany. The dislocatory effects following the discovery of BSE in domestic herds, however, facilitated the re-emergence of such a discourse, which was supported by a specific notion of the food chain and the notion of being a stakeholder. Historically, the institutionalized precautionary principle, whereby governmental authorities attempt to determine a particular problem and then take measures in advance to prevent the exposure of citizens to (public health) risk, constructed the consumer as uninformed and in need of protection. More recently, however, particularly over the last decade, the concept of the consumer has changed, and she is considered more and more as an informed agent vis-à-vis other (market) actors, with certain entitlements and rights to claim, yet still with certain responsibilities vis-à-vis environmental sustainability and 'society as a whole'. While notions of consumer choice feature strongly in this discourse, one can simultaneously observe (a sometimes more implicit) discursive construction of a specific 'right' choice – for organic food, for example. These discursive tensions became evident in the discourse analysis of the case of Germany.

Across the three studied national contexts, notions of a 'right to information', sometimes a right to involvement in policy, and notions of choice have marked the discourse of consumer protection. In the Dutch context, this has taken a particular shape. Here, the individual citizen is constructed as a market agent and a rational being who, by nature, values price over (different understandings of) food quality. Although marginal discourses have indeed contested this understanding (including critical voices within the agricultural school of Wageningen University), the notion of a distinction between 'the consumer' and 'the citizen' remains pervasive in food (safety) policy discourse. The notion that one naturally comes to act as a 'consumer' when in the market sphere' entails tangible political ramifications. The distinction suggests that, as market agents, we are private agents and that, in this 'private sphere', there is no space for expression of

our concerns as ‘citizens’, such as those over environmental sustainability or our support for fair trade. Even though some social-scientific research suggests that price may not necessarily be the main priority for citizens (Baltussen et al. 2006), policy discourse continues to reproduce such a notion. This distinction also resonates in the notion that prices for organically produced foodstuffs may be too high and should be lowered.

An examination of the discourse of ‘consumer protection’ at the level of EU policy discourse demonstrates that the discursive category of the consumer has become a key notion in contemporary policy discourse in (and beyond) this domain. First, the notion that food safety risks can affect ‘society as a whole’ connotes a sense of collectiveness, and a move away from a purely individualist notion of risk. Second – and in some tension with the former notion – a key notion as far as the category of the consumer is concerned is that of *choice*. By constructing consumer choice as a universal (European) right (‘we are all consumers’), a common language is appealed to, and ‘consumers’ are directly identified as such in a performative, authoritative fashion. At the same time, the Commission emphasizes that it does not seek to ‘micromanage’ European citizens but, rather, to permit ‘fully-informed choice’ (COMM 2004) - a claim that resembles the notions we find in the Dutch (and to a lesser extent in the English) context. The discursive friction within the discourse of consumer protection again points to the finding that EU policy discourse is contingent and not necessarily as ‘harmonious’, as the degree of harmonization in this policy field would suggest to some observers whose analysis moves at the surface of policy contents, rather than the overlapping, but also conflicting discourses that inform policy.

Overall, my findings indicate that the nodal points of ‘the consumer’, ‘the stakeholder’, and the ‘food chain’ have enabled so-called civil society to take part in the policy process in novel ways, both in formal mechanisms at EU institutions and in more informal modes of cooperation, such as in ‘stakeholder alliances’ among NGOs.

### *8.2.5 Public health*

Finally, the discourse of public health has also informed food (safety) policy discourse across contexts in different ways. In the German context, food (safety) was traditionally understood as a public health issue, which echoed in the scientific debate regarding BSE and the proactive role of Germany in developing an EU policy on BSE before it was even discovered on the European continent. In England, the Netherlands, and at the level of the EU, in contrast, food safety was primarily regarded as an issue that could hinder intra-European trade for a considerable period of time, until the discovery of BSE on the European continent between 1999 and 2000 called

into question the constructed, yet institutionalized boundary between national and transnational, as I suggested in chapter one and chapter seven.

Since then, the public health discourse has functioned to blur the boundaries of what ‘food safety’ means even further. For instance, notions connecting public health and consumer protection, such as the notion of being entitled to nutrition information, expressed through the labeling of foodstuffs, are evident in contemporary policy discourse on food (safety). Observable shifts in the public health agenda regarding obesity, vitamins, and labeling across contexts present an interesting amalgamation of the discourses of consumer protection, good governance, and public health. The growing tendency to define the meaning of ‘food safety’ in terms of ‘hygienic’ qualities reflects this amalgamation, even though it has been met with resistance by environmentalists and consumer advocates: While the former, specifically in Germany, continue to push for notions that define ‘food safety’ as ‘naturally produced’, the latter claim that consumers are often misled by the appearance of products. For instance, vacuum-wrapped meat may well be rotten, even though neither color nor appearance will necessarily indicate as much. The changing notions of hygiene have also implied, I would argue, a relocation of food safety to the private sphere, as in this discourse consumers are held responsible for food safety as much as producers are.

When the notion of BSE as an exclusively British problem was revealed as constructed and when the contamination with dioxins called into question the transnational traceability of foodstuffs, the public health discourse took on a new meaning at the transnational level, too. Competencies in this policy area had previously been reserved for member states, aside from the non-regulatory statements regarding public health in, for instance, the Maastricht Treaty. The emergence of a transnational public health agenda, institutionalized in the European Commission’s Directorate-General for Health and Consumer Protection (*Santé et Protection Consommateurs*, DG SANCO), therefore constitutes a remarkable development that was made possible by the dislocation of the two institutionalized boundaries that had previously structured the hegemonic policy discourse: first, the distinction between national and transnational and, second, the differentiation between animal and human health.

The Europeanized discourse of ‘public health’ has come to feature an unusual combination of the discourses of market efficiency, consumer protection, and a discourse that emphasizes *individual* health. Particular clusters of practices – such as private labeling schemes and nutrition campaigns – speak to these findings. Until the food scares of the 1990s, the hegemonic position of the discourse of (internal) market efficiency foreclosed other alternative meanings, such as a link between food (safety), consumer protection, and public health. The dislocatory events of the

past decade, however, facilitated the re-emergence of alternative meanings and discursive constellations. As a result, EU policy discourse on food (safety) presently combines notions related to public health with those belonging to a consumer protection discourse, as is observable in the number of institutional rearrangements. It is further interesting to note that, also here, one can observe traces of ‘older’ notions of a market efficiency discourse that frames health as a factor in economic competitiveness and obesity as a cost factor in public health policy. Such findings expose that we cannot speak of either pure change or pure continuity after dislocations, but that both logics are at play simultaneously.

In conclusion, the public health discourse, despite its relative novelty at the transnational level, contributed substantially to the fixation of meaning of food (safety) in EU policy discourse, based on the nodal point of *stakeholderness* and that of a European consumer with certain entitlements and rights. While EU health competencies vis-à-vis member states remain limited, the study of food (safety) policy demonstrates that even in sensitive policy areas, Europeanization can take place rapidly, even though never without friction, by means of the re-citation of meanings and the performative appeal to nodal points.

To conclude, whereas in the individual countries, one can observe highly specific and contextually contingent compositions of policy discourse, in the EU arena, those contradictions seem to disappear by virtue of an open and elastic policy discourse that has been mobilized. This is not to say that we find discursive *harmony* in *harmonization* – as one would be led to believe by the fact that the majority of food safety regulation is formulated at the EU level – even though this is difficult to quantify, given the fluid nature of food (safety) itself and the ways in which it cuts across multiple policy areas, as this thesis demonstrated. Rather than harmony, one can observe contradictions and contingency only through an in-depth comparative discourse analysis: The inevitable contradictions are ‘hidden behind’ the key integrative nodal points of the stakeholder, the consumer, and the food chain, which produce and reproduce overlapping, yet also conflicting sets of notions across the studied countries. The nodal points then make for an open yet relatively stable policy discourse, which, in its flexibility, leaves room for diverse actors to come together, to enter alliances, but also to negotiate contradictions and produce shared meanings of ‘food safety’. Moreover, these findings indicate that, in order for Europeanization to be successfully mobilized, sufficient flexibility is required to secure the adaptation of policies on the national level. While the present study was not concerned with the effectiveness of EU policies and the frictions entailed in implementing EU regulation on the national level, its findings could provide a useful basis for such an inquiry.

In light of my findings regarding the relative stability of the EU policy discourse, it is important to note that this stability is, of course, not definite: As I argued in chapter three of this thesis, discourses are always vulnerable to dislocations. Moreover, by virtue of the inevitable exclusion of some discourses that the hegemonic production of meanings will entail, policy discourse, as coherent as it may seem, will remain ambiguous and full of contradictions. While these contradictions tend to become hidden away in successful Europeanization, moments of dislocation can function to expose the constructed and fragile nature of policy – as the food scares of the past decade did to the post-WWII policy discourse.

To sum up, the approach developed in chapter two and three facilitated both a contextually sensitive comparative mode of analysis and an analysis of a successful case of Europeanization against the observed heterogeneity on the national level. By exploring, in detail, the different compositions of policy discourses across contexts, this study demonstrated the capacity of discourse analysis, when combined with a focus on practice, to (i) explain the different degrees of discursive openings witnessed across the studied contexts, (ii) to explain the ways in which these openings were discursively managed, and (iii) to demonstrate the ways in which new and previously hegemonic discourses become materialized, actively performed, and also contested in institutional practices. Beyond these specific avenues, this study also showed that policy actors do not exist in a discursive vacuum, nor are their strategies and cognitive abilities predefined and stable. Rather, they are informed by a specific, and necessarily limited discursive horizon that make some actions and strategies possible, and not others. Their self-understandings and identities are shaped in relational and mutually constitutive ways by virtue of overlapping, yet also conflicting discourses.

Following this presentation of the five interlinked, yet also conflicting discourses across the three countries studied here as well as the level of EU policy discourse, below, I address contributions and limitations of this study and then suggest further avenues for research. I focus specifically on (i) the study of institutional sites (in crisis), (ii) the study of Europeanization, and (iii) the usefulness of an approach that combines poststructuralist discourse theory with an analysis of policymaking.

### **8.3 Contributions, limitations, and further avenues for research**

#### *Studying institutions*

In chapter three, I emphasized that meanings are never entirely fixed and rival discourses are always at play. This stance also implies that institutions feature a chronic ambiguity, which becomes acutely visible in moments of dislocation. An approach that integrates the concept of

discourse and practice allows one to expose how policymakers draw on previously institutionalized practices in the attempt to preserve institutional authority and to maintain their rehearsed performances in times of crisis and ambiguity.

These performances and routines make for organizational culture and the self-understandings of policymakers and scientists. The in-depth interviews conducted for the purpose of this study constituted a particularly useful pool of resources in observing organizational culture in both established institutions such as the European Commission and relatively recent institutions such as the EFSA. While the Commission could preserve some of its organizational authority, the EFSA constitutes a recently established, more dynamic and, as it appears, more accessible institution to research.

In order to clarify both the stimulating and the challenging nature of studying institutions from a discourse-theoretical, interpretive perspective, it is worth restating some of the methodological issues I raised in chapter three. Regarding the Commission in particular, the sense of being over-interviewed – a ‘crisis effect’ indeed - impeded access to potential respondents of the pre-BSE regime. The number of respondents who were directly involved in one or another crisis was also limited, especially at the transnational level. As far as actually available respondents are concerned, the organizational culture affected the procedural aspects of interviews – such as cancellations at short notice, unannounced delays, and the insistence on conducting interviews in office-ial settings, as mentioned in chapter three. In addition, the settings and organizational practices undoubtedly affected what could be said, and the types of questions that could be asked by either of the interview partners. Equally interesting to note are the frequent declarations of not giving an ‘opinion, just information’, by which officials enact and reproduce the ‘apolitical’ organizational culture at the European Commission. In other cases, the respondents asked not to be quoted on a specific issue (while they had agreed to the interview being recorded), although the information they were giving would have been accessible otherwise, too. Whilst this can be frustrating for the researcher, in-depth interviews lead as closely as possible to a position from which we can observe these mechanisms of power and institutional gate-keeping that also resonate in the researcher-respondent relationship. Regrettably, shadowing officials and scientists, as ethnographers might recommend, was not possible at the European Commission nor at the EFSA.

While this thesis pointed to a number of instances of conflict and the way they may find expression in scientific disagreements, more could be done to study the micro-level interaction between ‘transnational scientists’. The EFSA has not (yet) replaced national scientific agencies and, for the sake of scientific diversity and experimentation, this will most likely remain so. This



structure also generates questions as to how, where, and to what effect new scientific discoveries or evaluations of foodstuffs are taken up, interpreted, and why one, and not another, interpretation becomes dominant. For a better understanding of the interaction between ‘actors’ and ‘audience’ in and beyond scientific disputes, studies of open board meetings would be a useful method and would enhance our understanding of meaning-making at the micro-level. A thorough analysis of dramaturgical mechanisms in meetings and public performances would have gone beyond the scope of this study, yet recent work has sought to engage with this dimension in more detail (e.g. Hajer forthcoming; Hajer and Laws 2003; Hajer and Uitermark 2008). Such a methodology promises to enrich our understanding of post-‘classical-modernist’ policymaking and could equally provide illuminating insights to those who want to study ‘crises’ in policymaking.

### *Studying Europeanization*

The particular framework of analysis used in this study made it possible to point to the imprints of ‘national’ meanings and interpretations at the level of the EU without necessarily establishing causal connections between those two localities. I also want to argue more generally for comparative, yet contextually sensitive, work in the field of Europeanization, provided the policy area under consideration allows for such an analysis. Most importantly, interpretive, poststructuralist research need not shy away from comparative case study research, but careful attention must be paid to the mode of selecting cases. The present study, for instance, emerged from the very observation of divergence across three accessible and familiar countries and set those against convergence at the level of the EU. It was then a puzzle that inspired research, rather than a pre-given presumption of the need for a comparative research design. Moreover, this thesis sought to avoid subsuming phenomena under overarching laws and, instead, concluded by emphasizing diversity and contingency.

In future research, scholars from different epistemological schools as well as those interested in the political economic aspects of EU food and agricultural policy may consider further investigating the imprints of ‘national’ discourses at the level of EU policy discourse by assessing and trying to explain the respective influence of, first, national policymakers, and second, what some would refer to as ‘lobby groups’. In other words, whilst this study moved from discourses to notions and to actors, scholars of ‘interest politics’ may consider discourse in a more instrumental way and explore the quality of interaction between different interest groups or actors in the policy process. The analytical framework developed here would provide a useful basis for such studies, regardless of methodological orientation.

The approach to Europeanization developed here could also be useful for studies beyond Europe. As paradoxical as it may seem at first, I would suggest that the Food and Drug Administration of the United States of America (US) could be studied from a similar perspective, given that food and drug control was exercised principally by federal states until the early 20<sup>th</sup> century, and control mechanisms and standards were markedly different across states; its current institutional shape was only developed in the late 1930s. Federal competencies only developed gradually in the subsequent decades, and the Food and Drug Administration as an institution has been shaped in part by political pressure, new scientific discoveries, consumer advocacy, and industry involvement. A study of these movements would be insightful, as would be an exploration as to why, in the US, competencies for health, pharmaceuticals, and foodstuffs are combined, whereas at the level of the EU, pharmaceuticals and food are evaluated in separate agencies.

A weakness of this study lies in the fact that the studied cases were defined as nation-states (plus the EU as a whole). The discourses analyzed were assigned to whole countries, whereby some of the diversity and pluralism within states gets hidden away. In other words, a comparative angle was chosen at the expense of more detailed analysis of, for instance, social movements in the field of food (safety). A related limitation lies in the limited capacity of this study to generate findings regarding the relative penetration of the Europeanized policy discourse in national states. The analysis, however, did point to the integration of notions of 'stakeholderhood' at the national level, whereby even the term itself is left untranslated. Interestingly enough, the term 'stakeholder' is not included in the 'Eurovoc' database, a thesaurus that legal experts as well as policymakers employ when writing up policy documents, and which is now available in 21 official languages of the EU. Perhaps the very inclusion of the notion in the thesaurus would break its magic, as its elasticity makes it so powerful in facilitating both policy formulation and implementation across contexts.

A related limitation of this study was its relative emphasis on governmental institutions. Whilst the analysis did include environmental NGOs and (transnational) consumer advocacy groups, studying newly emerging food (safety) movements may be productive. The different findings across contexts and the relative strength of one or another discourse could then raise questions as to the role of NGOs in pushing particular discourses, and not others, and regarding the ways in which discursive rivalry between different groups could play out. Consumer groups and environmentalists do not 'naturally' come together (as they also did not at the EU level); rather, the negotiation of a shared discourse may fail in some instances. In such cases, one could

explore the dynamics of rivalry, the reasons for failure or success, and the political ramifications regarding the policy agenda.

As for other European policy areas, one could equally consider areas of environmental policy, such as concerning transport policy, where we can witness the significance of contextual contingency as well. For instance, to some actors, the building of a tunnel, a bridge, or a new road may represent innovation, efficiency, and an improvement of the free movement of goods, whereas to others it may symbolize the disruption of 'nature'. In these instances, one could produce an inquiry concerning the specific challenges posed to Europeanization and how, and to what effect, these divergences of meaning come to be reconciled, if at all. Likewise, one could study policy areas that fail to become Europeanized (such as, notably, in the field of social policy) and, by investigating the production and reproduction of (divergent) meanings, move away from the notion that supposedly clearly definable and stable 'national interests' are to blame.

Particularly valuable would be a study of Europeanization while it develops, rather than only ex-post, as I did in the present study. A present-focused study would certainly bring with it specific challenges, yet it would also allow one better access to the production of meanings at a micro-level. For example, we could study the immediate impact of new findings in biotechnology and how – in some contexts, not others – these become linked to public health. Another case in point would be research that links forms of cancer to particular foodstuffs and the effects this may have on the perception of food (safety) more generally across contexts. In such subject matters, ethnographic methods could be useful, such as the 'shadowing' of officials while they engage in the production of meaning and their struggle to make sense of events that cannot be fully grasped within the hegemonic policy discourse and the discursively sedimented routines and practices available to them.

Another specific example where Europeanization is only gradually and slowly developing would be the field of cancer prevention, a subfield of public health policy. Only recently, medical scientists discovered a probable link between cervical cancer and the Human Papilloma Virus. The practices of prevention and screening, however, remain remarkably diverse across European countries concerning the age of women who get access to screening as well as the frequency thereof. Moreover, discussions around the 'ethical' implications of the introduction of a vaccine against some strands of the virus are diverse in terms of their discursive composition and their ramifications for actual practice. The divergence observed here would inspire and justify a comparative approach and, in addition, could lead to an innovative and fruitful combination of

discourse theory, interpretive policy analysis, and insights from the field of Science and Technology Studies.

*(Policy) discourse analysis*

Beyond the empirical double-focus and the ambition to find a way to account for Europeanization in new conceptual terms, this thesis sought to advance the link between (interpretive) policy analysis and discourse theory. Two points deserve reiteration here.

First, a major contribution of this study was the conceptual linkage between ‘dislocation’ (Laclau 1990) and ‘institutional ambiguity’ (Hajer 2003). This conceptual innovation, as explicated in chapter three, allowed me to use ‘dislocation’ as a truly empirical category, as I took institutional ambiguity to be a symptom of such moments in addition to a chronic feature of institutions. The linkage also opened up a plurality of points of observation, whereby the combination of extensive document analysis and over 60 in-depth interviews became a useful pool of resources.

At the same time, this link required an additional category that would strengthen it, make it accessible, and would help to capture the specific ways in which policy actors come to act the way they act and what dislocations mean for those routines. To that end, I introduced a performativity perspective that draws on, amongst others, Judith Butler (1997) and her notion that (gender) identity is not essentially given but must be constantly rehearsed and that this rehearsing materializes in particular practices. She further argues that, while terms such as ‘gender’ are *iterable*, that is, they can be inserted into other (linguistic) contexts and there will be a minimal remainder of meaning, this re-insertion, or re-citation, is empowering and can function to disconnect a term from its previously sedimented meanings.

Translating this notion of rehearsal and *re-citation* onto a policymaking level, I employed dramaturgical metaphors and asked, what happens when the script no longer makes sense to either ‘actors’ or ‘audience’? What if the script, and the artefacts on that stage, are no longer useful and convincing enough for telling a story? What if the rehearsed routines and the actors’ training no longer fulfil either their artistic ambitions or the audience’s expectations? In moments of dislocation, instability, and ambiguity, the rehearsed relations between the actors on stage, the assistants backstage and the audience no longer ‘make sense’. In particular, the elements of authority implicit in these relationships are called into question and the constructed, mutually constitutive nature of the two categories becomes exposed.

By drawing on performance as a metaphor in this way, I was able to conceptualize role in the policymaking process in a non-essentialist way. Dislocations and acute institutional ambiguity, I

argued in chapter three, ‘force’ institutional agents to reconstruct their own roles, rules and responsibilities. This process entails the production of meaning and, at the same time, the act of ‘writing’ policy functions to control the flow of interpretation and meaning-making in an authoritative way.

Beyond this non-essentialist conception of policy actors, a performativity perspective enabled me to access the dimension of concrete policy practices. While I highlighted publicly staged performances, such as a minister’s visit to a farm, I also pointed to instances where policymakers and scientists came to appeal to a ‘new approach’. By calling upon a difference in the script between ‘before’ and ‘after’, a particular interpretation of the situation is appealed to in a performative way. The third, and most micro-level, dimension of performativity I pointed to consisted of instances where organizational culture was being formed anew in discursive rehearsals. Here, I highlighted, for instance, the constant negotiation of the institutional boundaries between ‘science’ and ‘policy’, the new technologies employed in order to form a relationship between ‘actors’ and ‘audience’, and material discursive practices – for example, the fact that the FSA, informed by a discourse of good governance, changed its documents to a new, ‘more modern’ font.

To those sceptical of discourse analysis, let us recall that the poststructuralist approach taken here does not merely imply a study of linguistic categories. Instead, a poststructuralist discourse analysis can indeed tell a story about politics by emphasizing the performative force of language in informing meaning, identities, discontinuity, as well as relative stability of some hegemonic formations, and not others. By starting at the level of discourse, rather than the level of seemingly independent policy actors, it becomes possible to uncover the clusters of practices (or discursive actor constellations) that policymakers, scientists, citizen groups, and members of the industry enter into by virtue of being informed by overlapping discourses. In other words, next to national boundaries, institutional boundaries can be revealed as constructed when we find seemingly disparate actors come together to collectively articulate the same discourses and shared notions, for example, the specific notion of ‘putting the consumer first’ as a ‘stakeholder’ in the discourse of consumer protection.

As briefly suggested earlier, a political economy approach could benefit from discourse-theoretical insights, in particular the assertion that hegemony is necessarily incomplete and vulnerable to dislocations. In recognition of this chronic instability of policy discourse, we can return to a notion of agency that is non-essentialist, a notion of agency that does not rely on an understanding of a ‘given’ structure. The role of retailers and private governance schemes, for example, are then not taken as given, but as the result of previous dislocations as loopholes for a

market-efficiency discourse. These schemes deserve further attention, particularly on a global level, where one could study the shared understandings on which notions of ‘corporate social responsibility’ are based. Finally, discourse analysis would be useful in a unique way to actually ‘liberate’ notions of ‘the consumer’ and of being a ‘stakeholder’. One could explore the discursive actor constellations in more detail that ‘hide behind’ these notions - for instance, behind the repetitive assertion that ‘the consumer wants’, be it strawberries imported from overseas all year long or the individualization of public health. To uncover the politics behind these notions, as this study could only do to a limited extent, would make for a productive research project.

With this thesis, I sought to demonstrate that discourse analysts can quite confidently make explanatory arguments without departing from their specific ontological and epistemological orientation and without resorting to establishing stylized causal claims. Three specific points seem important. First, the interpretive methodology employed here facilitated access to empirical dimensions that would have otherwise been neglected. The ‘logics of contestation’ explicated in chapter two and even more so their empirical elements demonstrated this analytical capacity. Second, the particular analytical framework I developed here allowed me to demonstrate the discursive, contextually contingent dimension of food (safety) that can account for the specific compositions of policy discourses across the studied contexts. In sum, I have produced innovative accounts of the impacts of food scares across three countries; I have constructed contextually-contingent explanatory insights into the divergence between them by means of interpretive, discourse-analytical methods; and, finally, I have studied the qualities of a successfully Europeanized policy discourse. With this study, I expect to have contributed to not only the empirical field of research, but also to a better understanding of the capacity of discourse analysis by those sceptical of this approach or of interpretive methods more generally. Poststructuralist discourse analysis does not impose a distinction between the linguistic and the material – rather, the very rejection of the distinction makes it powerful and widely applicable.

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## Appendix A: Interviews

### A.1 Codes

EU = EU institutional context

DE = Germany

EN = England

NL = Netherlands

1 = numerical code

S = scientist

G = government/policymaker

NG = non-governmental

QG = quasi-non-governmental organization

CO= consumer organization

ENV = environmental (non-governmental) organization

IND = industry (food and feed industry; retailers)

FA = farmers' association

IA = industry association

J = journalist

AC = academic

### A.3 Chapter four: Interviews England

Code	Organization and Function	Place and Date	Language	Topics
EN1-G	<b>FSA</b> (Food Standards Agency) <b>Position:</b> Senior official EU and International Strategy Branch	3 November 2006, London	English	* General practices and 'culture' in FSA (openness etc.) * Involvement in EU/EFSA * Consumer policy * Nutrition (remit of FSA; salt campaign; obesity; school dinners)
EN2-G	<b>FSA</b> <b>Position:</b> Junior official Consumer research branch	3 November 2006, London	English	* Consumer Committee & renewal of institutional structure in this regard * Types of consumer research done at FSA * Local consumer studies and workshops

				<ul style="list-style-type: none"> <li>* Nutrition</li> <li>* Different categories of consumers (e.g. 'hard to reach' groups)</li> </ul>
<b>EN3-S</b>	<b>FSA</b> <b>Position:</b> Senior official in charge of science policy	15 November 2006, London	English	<ul style="list-style-type: none"> <li>* Research practices</li> <li>* Science agenda</li> <li>* Social science research at FSA</li> <li>* Openness and transparency</li> </ul>
<b>EN4-G</b>	<b>DEFRA</b> <b>Position:</b> Junior official of the sustainability task force (SSFF); affinity with Curry Commission and charged with its implementation	20 November 2006, London	English	<ul style="list-style-type: none"> <li>* Curry Commission</li> <li>* Strategy for Sustainable Farming and Food (SSFF)</li> <li>* Stakeholder involvement</li> <li>* farming culture</li> <li>* Food from Britain &amp; partnerships</li> <li>* Cooperation/consultation with industry</li> </ul>
<b>EN5-G</b>	<b>DEFRA</b> <b>Position:</b> Senior official in the Unit Food Chain Competitiveness and Organic Division	28 November 2006, London	English	<ul style="list-style-type: none"> <li>* Food Chain Centre</li> <li>* English Food and Farming Partnerships (EFFP) program</li> <li>* Curry Commission</li> <li>* Institutional rearrangements (establishment of and working practices at DEFRA)</li> <li>* Notion of sustainability</li> <li>* Formal involvement of industry in the policy process</li> <li>* Impact of food safety scares on the food and farming industry</li> </ul>
<b>EN6-G</b>	<b>DEFRA</b> <b>Position:</b> Senior official in the Food Chain Competitiveness and Organic Division; organic farming branch	28 November 2006, London	English	<ul style="list-style-type: none"> <li>* Organic food schemes</li> <li>* Link between organic food and health</li> <li>* Biodiversity (and possible contribution of organic farming)</li> <li>* Post-WWII food (safety) and nutrition policy agenda</li> <li>* Regional foods</li> <li>* Farmers' markets</li> </ul>
<b>EN7-G</b>	<b>DEFRA</b> <b>Position:</b> Senior official in charge of food	28 November 2006, London	English	<ul style="list-style-type: none"> <li>* Food From Britain (a program to promote English food produce abroad)</li> </ul>

	exports and regional food branch			<ul style="list-style-type: none"> <li>* Concept of food miles</li> <li>* Food 'culture' in England</li> <li>* Institutional change from MAFF to DEFRA</li> </ul>
<b>EN8-CO</b>	<b>Consumers International</b> <b>Position:</b> Policy officer food and consumer issues	3 October 2006, London	English	<ul style="list-style-type: none"> <li>* Cooperation of consumer advocacy groups on the transnational level</li> <li>* Issues they deal with</li> <li>* Comparative view on consumer movements/historical development of those (UK/US)</li> </ul>
<b>EN9-J</b>	<b>BBC</b> <b>Position:</b> editor of the <i>Food Programme</i>	27 November 2006, London	English	<ul style="list-style-type: none"> <li>* History of BBC Food Programme</li> <li>* How BSE was discussed in the programme</li> <li>* Organic food and local food culture</li> </ul>
<b>EN10-CO</b>	<b>Food Aware</b> <b>Position:</b> Policy officer/campaigner with senior experience in policy participation as layperson	5 December 2006, London	English	<ul style="list-style-type: none"> <li>* Consumer organizations' involvement in food safety policy</li> <li>* Formal participation of consumer organizations at FSA</li> </ul>
<b>EN11-AC</b>	<b>University of Warwick</b> <b>Position:</b> Department of Sociology	7 December 2006 Coventry, University of Warwick	English	<ul style="list-style-type: none"> <li>* History of food movement in UK (especially England)</li> <li>* Connection between food movement of the 1980s in England and other social movements such as Marxist groups</li> <li>* Public health and food access/food poverty in relation to food (safety) policy (from the 1970s onwards in England)</li> </ul>
<b>EN12-G</b>	<b>Natural England</b> (formerly Countryside Agency) <b>Position:</b> Senior specialist; project: ' <i>Eat the View</i> '	10 October 2006, Cheltenham	English	<ul style="list-style-type: none"> <li>* Institutional history</li> <li>* Working practices</li> <li>* Farming schemes/conversion to organic production</li> <li>* Farmers' markets</li> <li>* Curry Commission &amp; sustainability</li> <li>* Theme of 'disconnection' in food/farming policy</li> </ul>
<b>EN13-NG</b>	<b>Food Commission</b> <b>Position:</b> senior policy advisor	21 November 2006, London	English	<ul style="list-style-type: none"> <li>* Food and health</li> <li>* Food poverty</li> </ul>

				<ul style="list-style-type: none"> <li>* The food (safety) movement of the 1980s in England</li> <li>* Children and food</li> <li>* Policy discussions around obesity</li> </ul>
<b>EN14-FA/NG/E NV</b>	<b>Organic farmer;</b> involved in a number of governmental boards/commissions, as well as NGOs in the field of food and farming	10 July 2007, phone interview	English	<ul style="list-style-type: none"> <li>* Curry Commission</li> <li>* The status of organic food market</li> <li>* Certification schemes</li> <li>* Experiences in policymaking</li> </ul>
<b>EN15-CO</b>	<b>Which?</b> <b>Position:</b> Chief Policy Advisor	27 October 2006, London	English	<ul style="list-style-type: none"> <li>* History of <i>Which?</i></li> <li>* Working practices (e.g. research, publications)</li> <li>* Lay participation at FSA UK</li> <li>* Institutional arrangements at FSA</li> <li>* Recent issues: health, obesity</li> <li>* Contact with European Food Safety Authority</li> <li>* Innovative practices at FSA (e.g. Open Board Meetings)</li> </ul>

#### A.4 Chapter five: Interviews Germany

<b>Code</b>	<b>Organization and function</b>	<b>Date and place of interview</b>	<b>Language</b>	<b>Topics discussed</b>
<b>D1-CO</b>	<b>Verbraucherinitiative</b> (Consumer Initiative) <b>Position</b> : policy officer nutrition policy	1 February 2006 (email conversation) 7 February 2006 (phone)	German	<ul style="list-style-type: none"> <li>* Early consumer movement in Germany</li> <li>* Impact of food scares on the consumer movement and policy</li> </ul>
<b>D2-CO</b>	<b>VZBV</b> ( <i>Verbraucherzentrale Bundesverband</i> , Federal Consumer Association) <b>Position:</b> Policy officer nutrition policy	26 February 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Experiences with food safety crises and scandals since 1980s</li> <li>* BSE</li> <li>* Dioxin contamination</li> </ul>
<b>D3-CO</b>	<b>VZBV</b> <b>Position:</b> policy officer Codex Alimentarius (international affairs, health and nutrition)	27 February 2006, Berlin Partial transcription/interview notes available	German	<ul style="list-style-type: none"> <li>* Policy work on transnational level</li> <li>* Working practices at Codex Alimentarius</li> </ul>
<b>D4-ENV</b>	<b>BUND</b> (Friends of the Earth Germany)	23 February 2006,	German	<ul style="list-style-type: none"> <li>* Origins of environmental movement</li> </ul>

	<b>Position:</b> environmental policy officer; rural land use	Berlin		<ul style="list-style-type: none"> <li>* Experiences of food safety crises, especially BSE</li> <li>* Agrarwende</li> <li>* Cooperation with other organizations</li> <li>* Concept of the food chain</li> <li>* Impact of food scares on the environmental movement</li> <li>* History of organic farming</li> </ul>
<b>D5-QG</b>	<b>AID</b> ( <i>Auswertungs- und Informationsdienst für Ernährung, Landwirtschaft und Forsten</i> ) Information Center for Nutrition, Agriculture, and Forestry <b>Position:</b> Communications officer	15 February 2006, Bonn	German	<ul style="list-style-type: none"> <li>* Communication strategies</li> <li>* Risk communication</li> <li>* Cooperation with governmental bodies</li> <li>* Origins and work of AID</li> <li>* Modes of cooperation with other organizations</li> </ul>
<b>D6-G</b>	<b>BVL</b> ( <i>Bundesamt für Verbraucherschutz und Lebensmittelsicherheit</i> , Federal Office of Federal Office of Consumer Protection and Food Safety) <b>Position:</b> Senior official, Unit of prevention, rapid alert system, crisis management	13 February 2006, Bonn	German	<ul style="list-style-type: none"> <li>* History of BVL and growth of work area</li> <li>* Organizational practices</li> <li>* New modes of cooperation, especially with BfR</li> <li>* Informal and formal crisis/risk management practices</li> <li>* BSE, acrylamide</li> </ul>
<b>D7-G</b>	<b>BVL</b> <b>Position:</b> Senior official, Unit of Rapid Alert Systems and Crisis Management	13 February 2006, Bonn	German	<ul style="list-style-type: none"> <li>* Link with EFSA</li> <li>* EU early warning systems</li> <li>* EU crisis management</li> </ul>
<b>D8-CO</b>	<b>ECC</b> (European Consumer Centre) <b>Position:</b> Administrator and nutrition specialist	20 January 2006, Phone (Kiel)	German	<ul style="list-style-type: none"> <li>* Organization and history of ECC</li> <li>* Activities in the area of food (safety)</li> </ul>
<b>D9-G</b>	<b>BMVEL</b> <sup>158</sup> (Bundesministerium für Verbraucherschutz, Ernährung, und Landwirtschaft): Ministry for Consumer Protection, Nutrition, and Agriculture); <b>Position:</b> Official in the Unit Food Safety Controls and Crisis Management	14 February 2006, Berlin	German	<ul style="list-style-type: none"> <li>* BMVEL practices</li> <li>* Cooperation with industry and new ‘stakeholder practices’</li> <li>* Institutional (and informal) separation of risk assessment and management</li> </ul>

<sup>158</sup> Now *Bundesministeriums für Ernährung, Landwirtschaft und Verbraucherschutz* (BMELV) (see chapter five, section three).

<b>D10-S</b>	<b>BfR</b> ( <i>Bundestinstitut fuer Risikobewertung</i> ) <b>Position:</b> Senior official in the Department of Risk Communication	14 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* Cooperation and interaction with other government agencies</li> <li>* Institutional identity of BfR</li> <li>* Self-evaluation of BfR</li> </ul>
<b>D11-S</b>	<b>BfR</b> <b>Position:</b> Department of Risk Communication; Senior official in charge of Clearing and Internal Coordination	15 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* Legal aspects of food safety</li> <li>* Differences in food safety regulatory infrastructure between EU member states</li> </ul>
<b>D12-S</b>	<b>BfR</b> <b>Position:</b> Department of Risk Communication, Social scientist, junior official.	14 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* New organizational practices</li> <li>* Institutional identity of BfR</li> </ul>
<b>D13-S</b>	<b>BfR</b> <b>Position:</b> Senior scientist; Risk Assessment and Impact Assessment	16 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* Legal aspects of food safety</li> <li>* Development of new 'risk communication' practices</li> </ul>
<b>D14-S</b>	<b>BfR</b> <b>Position:</b> senior scientist (biological safety)	14 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* Health risk evaluations</li> <li>* Institutional rearrangements from BMG (<i>Bundesministerium für Gesundheit</i>, Ministry of Health) to BfR</li> <li>* EFSA expert panels</li> <li>* International cooperation and communication</li> </ul>
<b>D15-S</b>	<b>BfR</b> <b>Position:</b> senior scientist (former EFSA panel member on nutrition)	16 August 2006, Berlin	German	<ul style="list-style-type: none"> <li>* Institutional (and informal) separation of risk assessment and management</li> <li>* Evaluation of nutritional benefits or harm</li> <li>* Children's health</li> </ul>

				* EFSA scientific panels: modes of interaction at meetings
<b>D16-G</b>	<b>MLV</b> ( <i>Ministerium Ländlicher Raum</i> ), Ministry of Rural Affairs Baden-Wuerttemberg <b>Position:</b> Senior official in charge of inspection systems, food safety controls, and consumer protection	1 September 2006, Stuttgart	German	* FLEP (Food Law Enforcement Practitioners) * International cooperation between food safety (inspection) agencies * Federal inspection system in Germany
<b>D17-G</b>	<b>BVL</b> <b>Position:</b> Senior official (scientist)	21 March 2006, The Hague	German	* Work of BVL * Acrylamide * Comparing BVL and Dutch food safety authority VWA ( <i>Voedsel en waren Autoriteit</i> )

#### A.5 Chapter six: Interviews Netherlands

<b>Code</b>	<b>Organization and function</b>	<b>Date and place of interview</b>	<b>Language</b>	<b>Topics discussed</b>
<b>NL1-S</b>	<b>VWA</b> ( <i>Voedsel en Warenautoriteit</i> , Dutch Food and Product Safety Authority) <b>Position:</b> senior official risk assessment	17 May 2006, The Hague	English	* Institutional rearrangements as a consequence of BSE * Institutional separation between risk assessment and risk management * Interaction and cooperation with Ministry of Agriculture, Nature, and Food Quality
<b>NL2-S</b>	<b>VWA</b> <b>Position:</b> Senior official, Unit for communication and information	30 June 2006, The Hague	English/Dutch	* Institutional rearrangements as a consequence of BSE * Institutional separation between risk assessment and risk management * Interaction and cooperation with Ministry of Agriculture, Nature, and Food Quality * Risk communication practices
<b>NL3-Q</b>	<b>Voedingscentrum</b> (Nutrition Information Centre) <b>Position:</b> Policy officer nutrition	20 July 2006, The Hague	Dutch	* General working practices of <i>Voedingscentrum</i> : * Implementation of EU-wide campaigns * Questions around nutrition and 'new' ways of answering them * Official and perceived role of the center



<b>NL4-Q</b>	<b>Voedingscentrum</b> <b>Position:</b> Policy officer, communications	26 July 2006, The Hague	Dutch	* Four-year campaign around: animal welfare; nutrition/obesity; environment; and fair trade
<b>NL5-ENV</b>	<b>Milieucentrum</b> Amsterdam (Center for the Environment, NGO) <b>Position:</b> Policy advisor	27 July 2006, Amsterdam	Dutch	* Overlaps between work on environment and work on food (safety) * Animal welfare
<b>NL6-AC</b>	<b>Position:</b> unaffiliated (social scientist)	20 July 2006, Enschede	Dutch	* History of food (safety) and agricultural policy in the Netherlands * Animal welfare movements * The post-BSE (lack of a) debate
<b>NL7-G</b>	<b>Ministerie LNV</b> ( <i>Ministerie van Landbouw, Natuur, en Visserij</i> ) Ministry for Agriculture, Nature and Food Quality) <b>Position:</b> policy officer, 'Directorate Knowledge'	1 July 2006, The Hague	Dutch	* General Food Law and White Paper on Food Safety * Research commissioned by LNV * Participation of NGOs in policy processes
<b>NL8-G</b>	<b>LNV</b> <b>Position:</b> senior policy coordinator food quality division; 'Directorate Knowledge'	28 August 2006, The Hague	Dutch	* Swine fever epidemic * Foot and Mouth Disease * Distinction between 'consumer' and 'citizen' * Institutional rearrangements
<b>NL9-G</b>	<b>LNV</b> <b>Position:</b> senior policy officer food quality division ('directorate knowledge'; involved in project on food safety, animal health, and food quality	28 August 2006, The Hague	Dutch	* Institutional rearrangements * swine fever epidemic, BSE * Animal welfare discourses * Organizational practices at LNV * Interaction with Wageningen University as well as European Commission * Shape of the debate on genetically modified organisms (GMOs) in the Netherlands
<b>NL10-G</b>	<b>LNV</b> <b>Position:</b> Senior policy officer, directorate food quality and animal health	29 August 2006, The Hague	Dutch	* Institutional rearrangements * Swine fever epidemic, BSE * Animal welfare discourses * Organizational practices at LNV * Interaction with EU

				* The 'talking food' campaign of 2000/1
<b>NL11-G</b>	<b>LNV</b> <b>Position:</b> Policy officer, directorate food quality and animal health	29 August 2006, The Hague	Dutch	* Institutional rearrangements * Swine fever epidemic, BSE * Animal welfare discourses * Organizational practices at LNV * Interaction with EU * The 'talking food' campaign of 2000/1
<b>NL12-FA</b>	<b>LTO</b> Nederland ( <i>Land- en Tuinbouw organisatie</i> ) Agricultural and Horticultural Association) <b>Position:</b> Project manager	8 August 2006, Deventer	Dutch	* Effects of swine fever and Foot and Mouth Disease * Farmers as entrepreneurs * Farmers as environmental stewards * Efforts to promote animal welfare (e.g. 'Comfort Class' project)
<b>NL13-ENV</b>	<b>A SEED</b> (Action for Solidarity, Equality, Environment, and Diversity Europe; NGO) <b>Position:</b> Senior campaign manager	11 September 2006, Amsterdam	Dutch	* GMO debate in the Netherlands * The role of food (safety) in A seed's work * International networks * (Resistance to) formal participation in policy processes
<b>NL14-IA</b>	<b>CBL</b> ( <i>Centraalbureau Levensmiddelenhandel</i> , Central Retailers' Association) <b>Position:</b> Head of Consumer and Quality Affairs	6 September 2006, Leidschendam	Dutch	* Voluntary agreements among retailers * International cooperation * Cooperation and interaction with NGOs and governmental agencies
<b>NL15-IND</b>	<b>Jumbo</b> Supermarket <b>Position:</b> Product manager (meat)	19 September 2006, Veghel	Dutch	* Cooperation and interaction with NGOs * Efforts to 'reconnect' citizens to food * Structure and role of supermarkets in the Netherlands * Setting and arrangements in supermarket locations
<b>NL16-IND</b>	<b>Jumbo</b> Supermarket <b>Position:</b> Logistic buyer	19 September 2006, Veghel	Dutch	* Cooperation and interaction with NGOs * Efforts to 'reconnect' citizens to food * Structure and role of supermarkets in the Netherlands * Setting and arrangements in supermarket locations

## A.2 Chapter Seven: Interviews EU

Code	Organization and function	Date and place of interview	Language	Topics discussed
EU1-CO	<b>BEUC</b> ( <i>Bureau Européen des Union Consommateurs</i> ), umbrella organisation for European consumer groups). <b>Position:</b> Senior Food Policy Advisor	11 October 2005 Brussels.	English	<ul style="list-style-type: none"> <li>* Development and status of EU consumer policy</li> <li>* Collaborative practices with other organizations and European Parliament</li> <li>* Experiences with EFSA stakeholder involvement</li> <li>* UK FSA</li> </ul>
EU2-IA	<b>CIAA</b> (Confederation of the Food and Drink Industries in Europe) <b>Position:</b> Senior Policy Officer for Scientific and Regulatory Affairs.	2 December 2005, Brussels, and 14 December 2005 (phone) Partial transcription/ notes available.	German	<ul style="list-style-type: none"> <li>* Development and role of food and consumer policy</li> <li>* German food (safety) policy</li> <li>* Collaborative practices within industry in EU context</li> <li>* Voluntary industry agreements</li> <li>* Experience during BSE crisis</li> <li>* Institutional reform and EFSA</li> </ul>
EU3-G	<b>DG SANCO</b> ( <i>Santé et Protection Consommateurs</i> ) Directorate-General for Health and Consumer Affairs, European Commission <b>Position:</b> Legal advisor (administrator) General Food Law	14 October 2005 Brussels	English	<ul style="list-style-type: none"> <li>* Legal aspects of EU food (safety) policy</li> <li>* Role of scientific evidence</li> <li>* Member state differences</li> <li>* Relations with EFSA</li> <li>* Relations with NGOs</li> </ul>
EU4-G	<b>DG SANCO</b> <b>Position:</b> Principal Administrator	7 December 2005 Brussels.	English	<ul style="list-style-type: none"> <li>* Particular food safety issues (BSE, salmonella, food-related bacterial infections)</li> <li>* BSE crisis</li> <li>* Role of scientific evidence in EU food (safety) policy</li> </ul>
EU5-S	<b>EFSA</b> (European Food Safety Authority) <b>Position:</b> Senior official in charge of international and inter-institutional relations	4 October 2005 Brussels. Partial transcription/notes	English	<ul style="list-style-type: none"> <li>* BSE and evolution of EFSA</li> <li>* Institutional relations with DG SANCO</li> </ul>

		available.		<ul style="list-style-type: none"> <li>* EFSA's relocation to Parma</li> <li>* Stakeholder involvement</li> </ul>
<b>EU6-S</b>	<b>EFSA</b> <b>Position:</b> Senior official in Communications Department	4 October 2005, Brussels. Partial transcription/notes available.	English	<ul style="list-style-type: none"> <li>* BSE and evolution of EFSA</li> <li>* Institutional relations with DG SANCO</li> <li>* EFSA move to Parma</li> <li>* Stakeholder involvement</li> <li>* Risk communication and role of member states</li> </ul>
<b>EU7-NG</b>	<b>EPHA</b> (European Public Health Alliance; umbrella group for European health advocacy groups). <b>Position:</b> Food policy advisor	10 October 2005, Brussels.	English	<ul style="list-style-type: none"> <li>* Cooperation with other organizations, especially consumer organizations.</li> <li>* EU-wide networks, structure of EPHA.</li> <li>* Practices of collaboration in EU institutional contexts.</li> <li>* Development and status of health policy in EU</li> </ul>
<b>EU8-IA</b>	<b>EUROCOMMERCE</b> (represents the retail, wholesale and international trade sectors in Europe). <b>Position:</b> Policy officer on Food Policy and Consumer Issues	25 August 2006, Brussels.	English	<ul style="list-style-type: none"> <li>* Food safety as a shared concern for the food industry</li> <li>* Voluntary agreements among retailers (codes of practice)</li> <li>* Cooperation in the food chain</li> </ul>
<b>EU9-CO</b>	<b>EUROCOOP</b> (European Community of Consumer Cooperatives) <b>Position:</b> Brussels Senior Policy Advisor.	20 March 2006, Brussels	English	<ul style="list-style-type: none"> <li>* Working areas of organization (environment, fair trade, food, corporate social responsibility, consumer issues)</li> <li>* International network and organizational structure</li> <li>* Collaboration with other organizations (NGOs) in EU context</li> <li>* Interaction with and at EFSA through Stakeholder Consultative Platform</li> <li>* Distinction between 'science' and 'politics' and changing working practices at EU level</li> </ul>

<b>EU10-G</b>	European Commission <b>DG Research</b> <b>Position:</b> Senior official in Biotechnology Unit.	7 August 2006, Brussels.	English	<ul style="list-style-type: none"> <li>* Early biotechnology regulation</li> <li>* Shifting of scientific committees during institutional rearrangement</li> <li>* Emergence of consumer policy at EU level</li> </ul>
<b>EU11-FA</b>	<b>COPA - COGECA</b> (General Confederation of Agricultural Co-operatives in the European Union; General Confederation of Agricultural Co-operatives in the European Union) <b>Position:</b> General Affairs Policy Advisor.	10 November 2006, Brussels	English	<ul style="list-style-type: none"> <li>* Dioxins contamination and BSE crisis</li> <li>* Institutional arrangements, establishment of DG SANCO</li> <li>* Copa responses to Commission consultations (such as regarding the White Paper on Food Safety 1999/2000)</li> <li>* Origins of General Food Law</li> <li>* Hygiene regulation</li> <li>* Language and style of policy documents</li> <li>* Common Agricultural Policy (CAP) and cross-compliance</li> <li>* Environmental stewardship</li> <li>* Cooperation with other organizations (such as BEUC) as members of the 'food chain'</li> </ul>
<b>EU12-G</b>	European Commission, <b>DG SANCO</b> <b>Position:</b> Senior official in the Novel Foods Unit.	7 November 2006, Brussels.	German	<ul style="list-style-type: none"> <li>* Scientific disputes such as <i>Nomi</i> juice</li> <li>* Work of scientific committees within COMM</li> </ul>
<b>EU13-G</b>	<b>EFSA</b> (European Food Safety Authority), <b>Position:</b> Official in the secretariat Advisory Forum.	26 October 2005, The Hague. Partial transcription/notes available.	English/Dutch	<ul style="list-style-type: none"> <li>* EFSA working practices</li> <li>* Institutional structures</li> <li>* (Formal) interaction between national food safety agencies and EFSA/European Commission</li> <li>* Dutch administrative system</li> </ul>

## Appendix B: Consultation of Newsletters

### B.1 Chapter four: England

Organization and title	Time frame	Main topics	Frequency of Newsletter
<b>Food Standards Agency Info (FSA)</b>	12/2004-7/2008	Consultations; regulatory news; labeling	(nearly) daily
<b>FSA Enforcement News</b>	12/2004-7/2008	Inspection and controls	On occasion of discovered food safety issues (e.g. fraud; recall of food products)
<b>FSA Science News</b>	12/2004-7/2008	Science agenda, new findings, FSA science policy, consultation announcements	Weekly
<b>Natural England</b> (formerly Countryside Agency): * <b>Eat the View</b> Newsletter * Sustainable News Roundup	4/2006-7/2008	Update regarding 'Eat the View' project and policy news regarding sustainability and rural policy	Varies (1-2 issues per month)
<b>BBC Food</b> Newsletter	10/2006-7/2008	Recipes, food debates, on occasion food safety and food quality	Weekly
<b>Friends of the Earth: Food News Update</b>	7/2005-7/2008	Environmental sustainability; regulatory demands; specific campaigns (not exclusively on food safety); pesticides	Monthly
<b>Food Ethics Council</b>	5/2006-7/2008	Food (safety) issues in society, industry, and government; research reports; policy analysis; EU common agricultural policy (CAP)	Monthly
<b>Food Vision</b> (Local Authorities Coordinators of Regulatory Services, LACORS)	1/2007-7/2008	Local food initiatives, health, food choice	Fairly regular; six issues in total within indicated time frame
<b>Sustain: the alliance for better food and farming</b>	11/2004-7/2008	Environmental sustainability and organic agriculture; pesticides; biodiversity; specific campaign news; regulatory affairs	Fairly regular (on average four-five issues per year)

<b>Soil Association</b> e-newsletter	9/2006-7/2008	Organic agriculture and food production; pesticides; 'food miles'; research reports on the status of organic production and its contribution to sustainability	Monthly
<b>Food Commission</b> Newsletter	3/2003-8/ 2006	Information about and critical analysis of food production and food marketing in the UK today (also food inequalities and food (safety) and nutrition from a 'class' perspective)	Every three months

## B.2 Chapter five: Germany

<b>Organization and title</b>	<b>Time frame</b>	<b>Main topics</b>	<b>Frequency of Newsletter</b>
<b>BMVEL news</b>	3/2005-7/2008	Regulatory affairs; (organic) agriculture; consumer rights regulation (in diverse areas such as telecommunication or insurance policies, but predominantly food safety)	Usually issued twice per month
<b>BfR press releases</b>	7/2005-7/2008	Science news; announcements of BfR activities; press releases on specific issues or findings (including social science research)	Usually issued twice per month
<b>Bundesprogramm Ökolandbau</b>	1/2006-7/2008	Organic agriculture; funding announcements; regulatory affairs	Monthly
<b>BLL</b> ( <i>Bund für Lebensmittelrecht und Lebensmittelkunde</i> ; trade association for food regulation and food science)	2/2006-7/2008	Industry news; events; regulatory affairs	Fairly regular
<b>Aid</b> (1) <b>Press Info</b> (2) <b>Talking food</b>	(1) 1/2006-7/2008 (2) 1/2006-7/2008	Consumer and nutrition policy; agriculture and environment; food hygiene; vitamins; children's health; announcements of events	(1) Weekly (2) Monthly

<b>Foodwatch</b>	12/2005-7/2008	Foodwatch campaigns; discovery of food safety problems (e.g. industry fraud); recent food safety featuring in the media; consumer rights in relation to food safety and regulatory affairs	On occasion weekly, or twice per month
<b>Verbraucherinitiative</b>	7/2006-7/2008	Consumer protection and rights; fair trade; sustainability; environmental protection	Approximately four issues per year
<b>Vzbv</b> newsletter: consumer policy communication ( <i>Verbraucherpolitische Korrespondenz</i> )	9/2005-3/2008	News about consumer policy issued by federal consumer association	Bimonthly newsletter

### B.3 Chapter six: the Netherlands

<b>Organization and title</b>	<b>Time frame</b>	<b>Main topics</b>	<b>Frequency of Newsletter</b>
<b>LNV</b> General newsletter	1/2005-7/2008	Speeches, LNV activities, regulatory news	On occasion several times per week
<b>Doen &amp; Laten</b> ('Doing and not doing' group at LNV)	3/2007-7/2008	Environmental ('nature') policy; land use policy	Monthly
<b>VWA</b> mailing list	6/2005-7/2008	Inspection news, regulatory affairs	On average weekly
<b>Biologica</b> (association for organic food and farming)	5/2006-7/2008	Regulation; organic agriculture; industry news	Monthly
<b>Milieudefensie</b> ( <i>Team Voedsel</i> ; 'the food team')	7/2006-7/2008	Campaigns related to animal welfare; environmental protection; intensive agriculture; and EU Common Agricultural Policy (CAP)	Monthly
<b>National Institute for Public Health and the Environment</b> ( <i>Rijksinstituut voor Volksgezondheid en Milieu</i> )	6/2005-7/2008	Science and research news	Monthly
<b>Voedingscentrum</b>	8/2005-7/2008	Nutrition, science news, health, campaigns	(Nearly) monthly
<b>Voeding</b> (magazine of the	3/2003-6/2006 [selected]	Nutrition news, public campaigns,	Four times/year



Voedingscentrum)		translation of science news	
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#### B.4 Chapter seven: European Union (EU)

Organization and title	Time frame	Main topics	Frequency of Newsletter
<b>DG SANCO Consumer Voice</b>	1/2005-7/2008	EU food safety and consumer (health) policy, regulatory affairs	Monthly
<b>EFSA Highlights</b>	1/2005-7/2008	Science news, regulatory affairs relating to food safety, announcements	Approximately twice per month
<b>EUFIC News</b> (European Food Information Council, EUFIC)	9/2005-7/2008	Food safety and quality; health and nutrition	Monthly
<b>EPHA</b> (European Public Health Alliance)	7/2005-7/2008	EU health policy, such as related to consumer policy	Monthly

#### B.5 Other

<b>Food Navigator</b>	8/2006-7/2008	News from the food and feed industry; regulatory affairs	Weekly
<b>Food Quality News</b>	8/2006-7/2008	News from the food and feed industry; regulatory affairs	Weekly
<b>Codex Alimentarius</b>	1/2006-7/2008	News on work of Codex Alimentarius	Approximately four issues per year
<b>Innovation in Food Safety and Instrumentation</b>	8/2006-7/2008	News from the food and feed industry; regulatory affairs	Bimonthly

## Appendix C: Discursive clusterings in policy discourse<sup>159</sup>

### C.1 Chapter four: England<sup>160</sup>

Document title	Term	Word count (total)	Frequency
James, P. (1997). <i>Food Standards Agency report - An Interim Proposal by Professor Philip James</i> . London, MAFF.	Consumer	2265 (19 pages)	42
	Transparent/transparency		8
	Confidence/trust		4
	Open(ness)		3
	Food safety		47
	Independence/independent		30
	Protection		19
	Food chain		5
	Stakeholder		0
Phillips, L., J. Bridgeman, and M. Ferguson-Smith (1998). <i>The BSE Inquiry</i> . (excluding Vol 16: reference materials; and volume 9: Wales, Scotland, and Northern Ireland)	Transparent/transparency	(340 pages)	12
	Openness		30
	Consumer		470
	Risk		2066
	Trust/confidence (confident)		99/346
	Independence (independent)		220
	Food chain		483
	Stakeholder		2
<i>Policy Commission on the Future of Food and Farming</i> (excl. appendix)	Consumer	141 pages	127

<sup>159</sup> In all documents, the occurrence of the specified terms in, for instance, the names of governmental agencies or legal acts, was excluded from the count.

<sup>160</sup> No electronic version of the White Paper 'The Food Standards Agency: A Force for change' is available. The selection presented here constitutes examples, while I employed this device for other major documents, too, in the early stages of this research project.

(Policy Commission 2001)			
	Trust/confidence		10/20
	Transparency		6
	Choice		13
	Stakeholder		16
	Food chain		45

### C.2 Chapter five: Germany

Document title	Term	Word count (total)	Frequency
Von Wedel, H. (2001). <i>Organisation des gesundheitlichen Verbraucherschutzes (Schwerpunkt Lebensmittel). In: Schriftenreihe der Bundesbeauftragten für Wirtschaftlichkeit in der Verwaltung (Volume 8). Stuttgart/Berlin/Köln: Kohlhammer.</i>	Consumer [Verbraucher]	(138 pages)	211
	Consumer right [Verbraucherrecht/Recht des Verbrauchers or der Verbraucherin]		0
	Consumer protection [Verbraucherschutz]		139
	Risk(s) [Risiko, Risiken]		24
	Risk management [Risikomanagement]		29
	Risk communication [Risikokommunikation]		27
	Risk assessment [Risikobewertung]		46
	Trust [Vertrauen]		5
	Food chain [Lebensmittelkette, Herstellungskette]		5
	stakeholder		0
Wissenschaftsrat (2001). <i>Übergreifende Empfehlungen zu Bundeseinrichtungen mit Forschungsaufgaben im Geschäftsbereich des Bundesministeriums für Gesundheit. Cologne, Deutscher Wissenschaftsrat.</i>	Consumer [Verbraucher]	5879 (20 pages)	7

	Consumer right [Verbraucherrechte/Recht des Verbrauchers or der Verbraucherin]		0
	Consumer protection [Verbraucherschutz]		8
	Risk [Risiko, Risiken]		0
	Trust [Vertrauen]		0
	Food chain [Lebensmittelkette, Herstellungskette]		0
	Public health [Gesundheit]		9
	Stakeholder		0

### C.3 Chapter six: Netherlands

Document title	Term	Word count (total)	Frequency of term
Berenschot (1999). <i>Voedselveiligheid: Waar borgen en naar zorgen</i> . Policy consultancy report. Utrecht, Berenschot Consultancy.	Consumer [consument]	56 pages	84
	Trust [vertrouwen]		26
	Crisis [crisis]		136
	Citizen [burger]		42
	Transparency [transparantie]		4
	Control [controle]		30
	Food chain [keten/voedselketen]		10/28
	(Public) health [gezondheid]		35
	Stakeholder		1
Wijffels, H. (2001). <i>Rapport Commissie Wijffels. Toekomst voor de veehouderij. Agenda voor een herontwerp van de sector</i> .	Consumer [consument]	18 pages	8

	Trust [vertrouwen]		3
	Crisis [crisis]		0
	Citizen [burger]		5
	Transparency [transparantie]		7
	Control [controle]		5
	Food chain [keten/voedselketen]		9
	(Public) health [gezondheid]		4
	Nature [natuur]		7
	Stakeholder		0
	Research, teaching, and information [onderzoek, voorlichting, en onderwijs]		4

#### C.4 European Union (EU)

Document title	Term	Word count (total)	Frequency
EP (1997). <i>Report on alleged contraventions or maladministration in the implementation of Community law in relation to BSE, without prejudice to the jurisdiction of the Community and national courts.</i> [Medina Report]. Brussels, Strasbourg, and Luxembourg, EP.	Consumer	22782 (49 pages)	24
	Transparency/transparent		20
	(Public) health		111
	Environment(al)		5
	Stakeholder		0
	Consumer right		0
	Consumer protection		12
<i>Green Paper on the general principles of food law in the European Union (COMM 1997b)</i>	Consumer	146569 (72 pages)	55
	Consumer protection		11
	Consumer right		1
	Scientific		88
	BSE		5

	Risk		64
	Stakeholder		0
	Transparent/transparency		19
	(Public) health		94
	Environment(al)		17
<i>White Paper on Food Safety (COMM 1999/2000)</i>	Consumer	19324 (52 pages)	52
	BSE		10
	Risk		69
	(Consumer) confidence		18
	Stakeholder		7
	(Public) health		74
	Environment		11
	Food chain		18
	Consumer protection		6
	Consumer right		3
	Stakeholder		
<i>General Food Law (Regulation EC 178/2002) (EC 2002)</i>	Consumer	17459 (24 pages)	34
	Scientific/science		184
	Transparent/transparency		14
	Independent/independence		29
	BSE		0
	Risk		104
	Stakeholder		2
	Food chain		9
	(Public) health		76
	Environment		7
	Consumer protection		4
	Consumer right		0
James, P., F. Kemper and G. Pascal (1999). <i>A European Food and Public Health Authority: The Future of Scientific Advice in the EU. A report commissioned by the Director General of DG XXIV</i> Brussels, European Commission.	Consumer	25053 (74 pages)	62

	Consumer protection		14
	Consumer right		0
	Science/scientific/scientist		335
	Food chain		10
	Transparent/transparency		46
	Expert/expertise		97
	Health		160
	Environment		60
	Stakeholder		43

## Summary

Food safety has become a subject of public as well as academic debate over the past decade, ever since a series of food scares placed the safety of a range of foods, and particularly meat, (back) onto the policy agenda across Europe. This study begins its journey in the early 1990s in rural England and from there moves on to Germany, the Netherlands, and finally, to the level of the European Union (EU). In each of these four contexts, food safety policy came to be a contested policy field as a result of a series of food scares, such as the discovery of the possible link between the cattle disease Bovine Spongiform Encephalopathy (hereafter BSE) (which, according to the current scientific consensus, developed out of industrial feeding practices) and a new variant of Creutzfeld-Jakob-Disease (hereafter nvCJD), its fatal human counterpart.

The series of food scares, however, were taken up in divergent ways across the contexts studied here. To begin with, German and Dutch authorities as well as the European Commission long considered BSE to be a British problem that could be confined to national boundaries by means of import bans. When domestic cases of the disease were discovered in Germany, however, BSE was broadly received as a symptom of the ills of industrialized agricultural food production, and politicians consequently called for an Agricultural Turnaround (*Agrarwende*). In England, where BSE hit the hardest in numerical terms, calls for 'putting the consumer first' dominated the BSE episode as well as criticisms of a 'policy culture of secrecy'. Both in Germany and in England, policymakers reacted with a promise to remove the influential agrarian lobby from food (safety) policymaking. In contrast, the Dutch authorities understood BSE to require more efficient coordination and safety controls and dismissed the German call for a de-intensification of food production.

This study explores the reasons for which the very same risks were taken up in divergent ways across national contexts and over time, and why, in spite of this divergence, we have also seen the rapid and successful mobilization of an EU-based policy approach in this policy domain. The paradox between divergence and apparent convergence motivated the central research questions of this study:

1. *How has food safety been taken up as a policy issue in England, Germany, and the Netherlands since the 1990s?*
2. *How can we explain the different ways in which food safety has been taken up across the national contexts?*
3. *How can we explain the emergence of a transnational policy approach, given the divergence on the national level?*



In my approach to these questions, I began with the assertion that food *safety* does not solely refer to the technical qualities of an end-product (such as the hygienic handling of meat). Transcending micro-biological qualities of a particular product, food safety denotes the control of every step ‘from farm to fork’: the way a farm animal is raised and fed; where it is transported and by what means; the way it is slaughtered and consequently turned into sausage, ham, pork chops, or dog food; the way meat is subsequently distributed; checked for its safety; who finally consumes it and how, and on the basis of whose nutrition advice. Throughout these travels, the meaning of food safety transcends physical and species boundaries and touch upon diverse policy fields, ranging from agricultural policy to environmental and policy and public health.

In recognition of the fluidity of the meaning of food (safety), I refer to the object of analysis as food (safety) policy, in parentheses. More specifically, in chapter three, I conceptualized food (safety) policy as a *policy discourse*, denoting ‘a specific ensemble of ideas, concepts, and categorizations that are produced, reproduced and transformed in a particular set of practices and through which meaning is given to physical and social realities’ (Hajer 1995: 44). In line with interpretive approaches to policy analysis (cf. Fischer and Forester 1987; Hajer 1995; Wagenaar forthcoming; Yanow 1996), I view discourses as embodied in actual practices and institutions. Accordingly, this study draws on written and spoken material from governmental food (safety) agencies, members of the food industry, and non-governmental organizations (hereafter NGOs), including policy papers, reports, minutes of meetings, speeches, press releases, and newsletters. Beyond qualitative document analysis, this study is based on over 60 interviews with governmental officials, scientists, journalists, nutritionists, members of the industry, and NGOs in the areas of environmental protection and consumer advocacy. The primary aim of these interviews was to ‘parse’ the logics that define actors’ modes of operation and the alliances between them, and to infer the relative strength of rival discourses that inform policymaking, both at a national and at the transnational level of the EU.

Drawing on this methodology, this study seeks to (i) explain the diverse ways in which food (safety) was taken up as a policy issue, and (ii) to identify the discursive vehicles that made the mobilization of a common, EU-based approach possible in this policy context. Following Ernesto Laclau (1990; cf. Roslyng 2006 on the salmonella crisis in the UK), this study conceptualizes the experiences of food scares as *dislocations*, that is, moments whose meanings and implications cannot be understood within the predominant ways of thinking about, and hence regulating, food (safety). Such moments may disrupt the seemingly stable policy discourse at a given time and thus expose institutional ambiguity (Hajer 2003), whereas they may also facilitate the generation of *new* meanings. In such a way, dislocatory moments can produce a

reshuffling of policy priorities and the roles and responsibilities associated with the policy field in question.

In order to analytically access the dimension of discourse, (changing) meanings, and their empirical manifestations, the empirical chapters of this thesis are guided by the following four questions in descending order of generality and abstraction:

1. *What does food safety mean?*
2. *What discourses have shaped the meaning of 'food safety', and what notions bind those discourses together?*
3. *How do those discourses inform the policymaking process, and what kinds of discursive formations do they produce between policymakers, scientists, citizens, and the food industry?*
4. *How, by what means, and with what effects are the diverse meanings associated with food (safety) performed?*

Consistent with interpretive, discourse-analytical methodology, the analytical framework of this thesis rests on five inductively distilled discourses that inform food (safety) policy: 'good governance'; 'environmental sustainability'; 'market efficiency'; 'consumer protection'; and 'public health'. Whilst for the sake of comparability, these discourses were assigned equivalent titles, or labels, the specific composition of these discourses, captured as individual, yet interlinked 'notions', form the object of inquiry.

As the composition of the discourses varies considerably across the countries studied, this thesis develops the concept of 'integrative nodal points' in order to explain how the divergent interpretations and problem definitions were 'discursively bridged' in the negotiation of a transnational, EU-based policy discourse. Following the comparative, country-based chapters four, five, and six, chapter seven identifies three central, 'integrative' notions that define food (safety) as a transnational, European issue and temporarily stabilize the meaning of 'food safety' at the level of the EU: the notion of being a member of the food chain; the notion of being a 'stakeholder' in food (safety) policy; and the notion of (being) a transnational consumer. It is the quality of these notions as 'nodal points' (Laclau and Mouffe 1985; see also Howarth, Norval, and Stavrakakis 2000: 8ff.) that form the backbone of the successful mobilization of Europeanization in this policy field: These notions are elastic, seemingly neutral, and malleable in their meanings. Below, the compositions of the discourses across countries, as well as at the level of the EU are briefly revisited, whereby I shall specifically highlight the role of 'nodal points'.

#### *Good governance*

A key 'good governance' notion concerned the 'science/policy nexus', which led to substantial institutional rearrangements across the studied countries as well as at the level of the EU. Only in the United Kingdom (UK), however, did science and policy come to be integrated in one

institution. On the contrary, in Germany, the Netherlands, and at the level of the EU, ‘good governance’ was expressed in the construction of (in praxis, unstable) institutional boundaries between the two spheres of practice in order to restore citizen trust in food (safety) and those in charge of ensuring it.

In conjunction with the rethinking of the science/policy nexus, notions of a need for transparency and openness in the policymaking process emerged across the three countries as well as at the level of the EU. The notion of a need to remove ‘the smell of stables’ from food (safety) policy as part of ‘good governance’, however, did not find substantial resonance in the Netherlands. Instead, ‘good governance’ came to denote the need for ‘cutting red tape’ and improving efficiency and coordination. By employing these notions, the Dutch authorities were able to work towards minimizing the discursive friction observed in Germany and England.

Beyond openness and transparency, a key feature of policy discourses across the studied contexts formed its alliance with the consumer protection discourse. As a result, slogans of ‘putting the consumer first’ and, as a consequence, participatory policymaking practices became common features of food (safety) policy discourses, particularly in England. While specific meanings of ‘good governance’ were identified in the countries studied, the notion of ‘being a stakeholder in the food chain’ functions as a Europeanizing, integrative nodal point, as it came to bridge the number of seemingly disparate actors and created a sense of ‘being in this together’ across institutional and national boundaries.

### *Environmental sustainability*

When BSE was discovered in domestic herds in Germany in 2000, the food safety problematic was immediately placed onto the environmental agenda, whereas in the Netherlands, BSE was considered to be a ‘technical problem’ related to food production. Dutch policymakers dismissed the German call for a thorough rethinking and reform of intensive agriculture, whereas in England, the twin-crises of BSE and Foot-and-Mouth Disease (FMD) facilitated the re-emergence of a discourse of environmental sustainability that comprised notions of landscape preservation, a natural environment, and an emphasis on animal welfare.

In Germany, a previously marginal discourse has reemerged that is based on a specific, socially constructed notion of ‘nature’, and the employment of the notion of the food chain as a source of empowerment, particularly for environmental movements and consumer groups. In the Dutch context, the swine fever epidemic and the outbreak of FMD produced a renewal of the discourse of environmental sustainability, however, this discourse is far from coherent; on the contrary, it is often wrapped into a dominant market efficiency discourse. We can observe this dynamic, for instance, in the specific ways in which organic food production and

consumption are encouraged and in the use of the sustainability concept, with its focus on ‘people, planet, and profit’.

Regarding the Europeanized dimension of the environmental discourse, the sustainability of both agriculture and the environment has come to form a key notion in today’s Common Agricultural Policy (CAP), and, increasingly, we have also seen an emphasis on the role of farmers as preservers of landscapes and vanguard of the ‘cultural heritage’ of Europe. In a related notion at the level of EU policy discourse, European societies as a whole are expected to bear the costs of environmentally friendly production, whereas in the Netherlands, for instance, the significant price gaps between conventionally produced and organic food are frequently lamented.

Echoing my findings in the German case, at the transnational level, the notion of being a member of the ‘food chain’ has brought to the fore a sense of collective responsibility. Notably, this terminology is used by nearly all the actors involved at the EU level – the European Commission, the European Food Safety Authority (EFSA), non-governmental organizations (NGOs), industry and farming representatives, retailers, and consumer advocates, which indicates the discursive ‘bridging effect’ of the notion of the food chain. Based on this sense of mutual dependence, this notion has produced tangible actor constellations and new modes of cooperation that are equally based on the notion of ‘holding a stake’ in food (safety).

#### *Market efficiency*

Beyond discourses of good governance and environmental sustainability, the discourse of market efficiency structured the debate on food (safety) across all cases, while its manifestations and enactments remain contextually contingent. The Dutch authorities adopted a language of prices, international competitiveness, entrepreneurship, product innovation, and a fear of ‘lagging behind’ their European neighbors. Although private food (safety) labeling or quality assurance schemes have been put in place across the studied contexts, an amalgamation of the good governance and the market efficiency discourses in the Netherlands produced a particularly strong notion of ‘improving administrative efficiency’ in which the industry (‘the food chain’) is primarily responsible for food safety, whereas the government may act as a ‘facilitator’.

A key finding here concerns the relatively strong status of the market efficiency discourse in the Netherlands. Here, food safety and food quality are constructed as ‘amoral’ categories, that is, a matter of economic, rather than socio-ecological implications and deliberation. Conversely, in England and Germany, the discourses of environmental sustainability and public health take on a more substantial role and ‘food safety’ and ‘food quality’ take on more holistic meanings. For instance, the discussion of food prices – that is, the difference in prices between organic and

conventional foodstuffs – although not absent, is led quite differently in the latter two cases. Neither is the organic food sector talked about as a ‘market opportunity’ in Germany and England, but rather as a good thing *by nature*.

At the level of the EU, the discourse of market efficiency, and specifically the previously hegemonic notion of the free movement of goods within the internal market, came to represent uncertainty, lack of protection, and disease, when food (safety) became redefined as a European issue, for instance, in the European Parliament’s Medina Report (EP 1997). In such a way, the food scares of the past decade linked issues of trade and competitiveness, on the one hand, and issues of safety, public health, and consumer protection, on the other hand.

With regard to the process of Europeanization, the reference to the food chain as a collection of non-competitive, interdependent actors, constructs food safety as a universalistic aim. Put differently, the notion of the food chain functions to partially neutralize the market efficiency discourse in favor of new modes of cooperation across institutional and national boundaries.

#### *Consumer protection*

In the English context, the discovery of the link between BSE and nvCJD was followed by the emergence of a discourse that was critical of the influential position of the agricultural lobby within governmental institutions, such as the National Farmers’ Union in the Ministry for Agriculture, Food, and Fisheries. As a result, the Food Standards Agency was set up under the motto of ‘independence, transparency, and putting the consumer first’. In England, a brief genealogy of the consumer movement indicates that the discourses of consumer protection and consumer rights, even in conjunction with food (safety) specifically, were already established before the series of food scares in the late twentieth century. This background, viewed through a discourse-analytical lens, helps explain the comparatively successful mobilization of a discourse of ‘putting the consumer first’ and, simultaneously, the institutional blurring of the boundaries between ‘science’ and ‘policy’: The ‘empowered consumer’ came to be entitled to having a say in both ‘science’ and ‘policy’ and policymakers and scientists came to join together by virtue of the discourse of consumer protection.

In Germany, similarly, a critical discourse emerged in the aftermath of the BSE crisis that attacked the influence of the agricultural lobby. This discourse mobilized the institutional separation of agricultural policy from food safety affairs in (both the UK and) Germany, as well as an institutional linkage between consumer protection and food (safety) policy in both countries. Contrary to the English consumer movement, however, the discourse of consumer protection had previously primarily existed as the technical application of the precautionary

principle particularly in the environmental policy domain, whereas, more recently, the concept of the consumer changed, and she came to be considered more and more as an informed agent vis-à-vis other (market) actors, with certain entitlements to claim, yet still with certain responsibilities vis-à-vis environmental sustainability and ‘society as a whole’.

In the Dutch context, the individual citizen came to be constructed as a market agent who, by nature, values price over (different understandings of) food quality. Although marginal discourses have indeed contested this understanding, the notion of a distinction between ‘the consumer’ and ‘the citizen’ remains pervasive in food (safety) policy discourse. The distinction suggests that, as ‘consumers’, we are private agents and that, in this ‘private sphere’, there is no space for expressing our concerns as ‘citizens’, such as those regarding environmental sustainability – even though some social-scientific research suggests that price may not necessarily be the main priority for citizens (Baltussen et al. 2006), policy discourse continues to reproduce this distinction.

At the level of EU policy discourse, the consumer has become a key notion in (and beyond) this policy domain. First, the notion that food safety risks can affect ‘society as a whole’ connotes a sense of collectiveness, and a move away from a purely individualist notion of risk. Second – and in some tension with the former notion – a key notion as far as consumer protection is concerned is that of *choice*. By constructing consumer choice as a universal (European) right, a common language is appealed to, thereby facilitating Europeanization in this policy domain.

#### *Public health*

Finally, the discourse of public health also informed food (safety) policy discourse across contexts in divergent ways. In the German context, food (safety) was traditionally understood as a public health issue, which echoed in the scientific debate regarding BSE and the proactive role of Germany in developing an EU policy on BSE before it was even discovered on the European continent. In England, the Netherlands, and at the level of the EU, in contrast, food safety was primarily treated as an issue that could hinder intra-European trade until the discovery of BSE on the European continent between 1999 and 2000.

Since then, the public health discourse has blurred the boundaries of what ‘food safety’ means even further across the three countries studied. Observable shifts in the public health agenda regarding obesity, vitamins, and labeling across contexts present an interesting amalgamation of the discourses of public health, consumer protection, and good governance. The growing tendency to define the meaning of ‘food safety’ in terms of ‘hygienic’ qualities reflects this amalgamation, too, even though it has been met with resistance by

environmentalists and consumer advocates: While the former, specifically in Germany, continue to push for the meaning of 'food safety' as 'naturally produced', the latter claim that consumers are often misled by the appearance of products. For instance, vacuum-wrapped meat may well be rotten, even though neither color nor appearance will necessarily indicate as much.

At the EU level, public health competencies were traditionally reserved for member states, aside from the non-regulatory statements regarding public health in, for instance, the Maastricht Treaty. The emergence of a transnational public health agenda, institutionalized in the European Commission's Directorate-General for Health and Consumer Protection (*Santé et Protection Consommateurs*, DG SANCO), therefore constitutes a remarkable development. The Europeanized discourse of 'public health' now features an unusual combination of consumer protection and a discourse that emphasizes *individual* health. Nonetheless, one can observe traces of 'older' notions of a market efficiency discourse that frames health as a factor in economic competitiveness and obesity as a cost factor in public health policy. These findings expose that we cannot speak of either pure change or pure continuity after dislocations, but that both logics are at play simultaneously.

To conclude, whereas in the individual countries, one can observe highly specific and contextually contingent compositions of policy discourse, in the EU arena, those contradictions seem to disappear by virtue of an open and elastic policy discourse that has been mobilized. This is not to say that we find discursive *harmony* in *harmonization*. Rather, one can observe contradictions and contingency only through an in-depth comparative discourse analysis: The inevitable contradictions are 'hidden behind' the key integrative nodal points of the stakeholder, the consumer, and the food chain. These integrative nodal points make for an open yet relatively stable policy discourse, which, in its flexibility, leaves room for diverse actors to come together across institutional and national boundaries, to enter alliances, but also to negotiate contradictions and to produce shared, *Europeanized* understandings of 'food safety'.

## Samenvatting

In het afgelopen decennia is voedselveiligheid een belangrijk onderwerp geworden in het publieke en academische debat. Dit na aanleiding van een aantal voedselcrises, met name over vlees, die voedselveiligheid in heel Europa hoog op de beleidsagenda hebben geplaatst. Het begin van dit onderzoek ligt aan het begin van de jaren '90 in landelijk Engeland, vandaar gaat het naar Duitsland, Nederland, en tenslotte naar het niveau van de Europese Unie (EU). In ieder van deze vier casus is voedselveiligheid een discussiepunt geworden na het uitbreken van een voedselcrisis. Een voorbeeld hiervan is de mogelijke connectie tussen de veeziekte Bovine Spongiform Encephalopathy (hierna BSE) - die volgens wetenschappelijk onderzoek ontstaan is uit industriële voedingsproductie - en een nieuwe, dodelijke variant van Creutzfeld-Jakob-Ziekte (hierna nvCJD, die bij mensen kan toeslaan).

Elk land in deze studie heeft de voedselcrisis op zijn eigen manier aangepakt. Duitsland, Nederland en de Europese Commissie zagen BSE lang als een probleem dat zich, wanneer men zich aan het import verbod zou houden, niet buiten de Engelse grenzen zou verspreiden. Toen bleek dat BSE zich toch verspreid had naar Duitsland heerste het beeld dat BSE een symptoom was van de misstanden in de geïndustrialiseerde voedselproductie. In reactie hierop vroegen politici voor een 'Agrarische Omwenteling' (*Agrarwende*). In Engeland, waar BSE de meeste slachtoffers vergde, werd het debat rondom BSE gedomineerd door slogans als 'consumenten eerst' en was er kritiek op de politieke cultuur van geheimhouding. Zowel in Duitsland als in Engeland reageerde beleidsmakers met de belofte om de invloedrijke agrarische lobby rondom (veilig)voedselbeleid aan te pakken. In tegenstelling tot Duitsland, waar de autoriteiten voorstelden om de voedselproductie te verlagen, reageerde Nederland met efficiëntere en beter gecoördineerde veiligheidscontroles.

Deze studie stelt zich ten doel om te verklaren waarom met eenzelfde risico op verschillende manieren werd omgegaan in de nationale contexten, en waarom, ondanks de verschillende aanpak er een snelle en succesvolle mobilisatie van EU-beleid op dit domein tot stand kwam. De paradox tussen discrepantie op nationaal niveau en convergentie op transnationaal niveau vormt de centrale vraag voor dit onderzoek.

1. *Hoe is voedselveiligheid opgekomen als een beleidsissue in Engeland, Duitsland, en Nederland sinds the jaren '90?*
2. *Hoe kunnen de verschillen in het oppakken van voedselveiligheid verklaard worden in de nationale contexten?*



3. *Hoe kan het ontstaan van een transnationaal beleid verklaard worden, gezien de discrepantie op de nationale niveaus?*

In mijn benadering van deze vragen had ik de assumptie dat voedselveiligheid meer is dan refereren aan de technische kwaliteit van het eindproduct (zoals de hygiënische behandeling van vlees). Om te kunnen uitstijgen, boven de microbiologische kwaliteit van een bepaald product, vraagt voedselveiligheid om controle op iedere stap van ‘de boerderij tot de vork’: de manier waarop een dier is opgegroeid en gevoed; waar naartoe en hoe het is vervoerd; de manier waarop het geslacht is en verwerkt tot een worst, ham, varkenslappen, of hondenvoer; de manier waarop vlees vervolgens wordt verspreid; gecontroleerd op veiligheid; wie het uiteindelijk eet en hoe, en op basis van wiens voedingsadvies. Op deze lange reis raakt de betekenis van ‘voedselveiligheid’ aan diverse beleidsvelden; van landbouwbeleid tot milieubeleid en volksgezondheid.

Gezien deze diversiteit en contextafhankelijkheid, conceptualiseer ik voedselveiligheidsbeleid als een *policy discourse*, waarmee wordt bedoeld op ‘a specific ensemble of ideas, concepts, and categorizations that are produced, reproduced and transformed in a particular set of practices and through which meaning is given to physical and social realities’ (Hajer 1995: 44). In lijn met de interpretatieve benadering van ‘policy analysis’ (cf. Fischer and Forester 1987; Hajer 1995; Wagenaar voortkomend; Yanow 1996), manifesteert een discours zich in specifieke instituties en praktijken. Om die reden is dit onderzoek gebaseerd op geschreven en gesproken bronnen van overheidsinstellingen, leden van de voedselindustrie, en niet-gouvernementele organisaties (hierna NGOs), beleidsstukken, rapporten, , speeches, persberichten, en nieuwsbrieven. Naast kwalitatieve documentanalyse is deze studie gebaseerd op meer dan 60 interviews met overheidsmedewerkers, onderzoekers, journalisten, voedingsdeskundigen, leden van de industrie, en NGOs op het gebied van milieuprotectie en consumentenbelangen.

Op basis van deze methodologie had de studie ten doel (i) het verklaren van de verschillende manieren waarop voedsel(veiligheid) tot stand kwam als beleidsissue, en (ii) om te verklaren hoe een gezamenlijk EU-beleid mogelijk is gemaakt ondanks deze nationale verschillen in beleid en beleidsdiscours. In navolging van Ernesto Laclau (1990; cf. Roslyng 2006 over de salmonella crisis in Engeland), worden in deze studie de ervaringen van voedselcrisis geconceptualiseerd als ‘dislocations’. ‘Dislocations’ zijn momenten waarvan de betekenis en implicaties niet begrepen kunnen worden binnen de heersende manier van denken over het reguleren van, in dit geval, voedsel(veiligheid). Zulke crises kunnen op ieder moment onrust teweeg brengen in het uiterlijk stabiele beleidsdiscours en daarmee institutionele ambiguïteit (Hajer 2003) aan het licht brengen. Bovendien kunnen ‘dislocations’ aanleiding vormen voor het ontstaan van nieuwe betekenissen

en identiteiten. Op deze manier kunnen crisismomenten leiden tot herziening van beleidsprioriteiten en verantwoordelijkheden in het beleidsveld in kwestie.

Om toegang te krijgen tot de dimensie van de discoursen, (veranderende) betekenissen, en hun empirische manifestaties, worden de empirische hoofdstukken van deze dissertatie geleid door vier vragen in afnemende volgorde van generaliteit en abstractie:

1. *Wat betekent voedselveiligheid?*
2. *Welke vertogen (discourses) hebben vorm gegeven aan voedselveiligheid, en wat voor concepten binden deze vertogen aan elkaar?*
3. *Hoe beïnvloeden deze discoursen het beleidsproces, en welke soort discursieve informatie creëren zij tussen beleidsmakers, onderzoekers, burgers, en de voedselindustrie?*
4. *Op welke wijze, en met welke effecten, worden de discursieve betekenissen geassocieerd met voedsel(veiligheid) en tot uitvoering gebracht?*

Het analytische raamwerk van deze dissertaties steunt op vijf inductieve wijze geïdentificeerde vertogen op het terrein van voedsel(veilig) beleid: ‘good governance’; een duurzaam milieu (*environmental sustainability*); markt efficiency; consumenten bescherming (*consumer protection*); en volksgezondheid (*public health*). De specifieke composities van deze vertogen - worden samengevat en visueel weergegeven in een tabel in elk empirisch hoofdstuk.

Omdat de compositie van discoursen sterk varieert in de bestudeerde landen, heb ik het concept van ‘integrative nodal points’ ontworpen om te verklaren hoe uiteenlopende interpretaties en probleemdefinities discursief overbrugd zijn in de onderhandelingen over een transnationaal EU-beleid. In navolging van de vergelijking van de landen in de hoofdstukken vier, vijf, en zes, bespreek ik in hoofdstuk zeven drie centrale concepten waarmee voedsel(veiligheid) wordt geïntegreerd als een Europees onderwerp en tijdelijk de betekenis van ‘voedselveiligheid’ op het EU niveau stabiliseren; dat wil zeggen de betekenis van onderdeel uitmaken van de voedselketen (*being a member of the food chain*); de betekenis van belanghebbende te zijn in voedsel(veilig) beleid (*stakeholdersness*); en de betekenis een transnationale consument te zijn.

Het zijn de kwaliteiten van deze concepten in hun hoedanigheid als ‘nodal points’ (Laclau and Mouffe 1985; zie ook Howarth, Norval, en Stavrakakis 2000: 8ff.) die de mobilisatie van Europeanisering op het terrein van voedselveiligheid ondersteunen. Deze concepten zijn elastisch, neutraal, en flexibel in hun betekenissen. In de komende paragrafen zijn de discoursen van de verschillende landen, evenals op het niveau van de Europese Unie samengevat, waarbij ik specifiek zal ingaan op de rol van ‘nodal points’.

### *Good Governance*

Een sleuteldenkbeeld in het ‘good governance’ discours is de noodzakelijk geachte verbinding tussen wetenschap en beleid. Deze heeft geleid tot een substantiële institutionele herschikking, zowel in de afzonderlijke onderzochten landen als op het niveau van de EU. In het Verenigd Koninkrijk werden wetenschap en beleid geïntegreerd in één instituut. In Duitsland, Nederland, en op het niveau van de EU, daarentegen, kreeg ‘good governance’ vorm in de constructie van (in praktijk instabiele) institutionele grenzen tussen de domeinen wetenschap en beleid om het vertrouwen van zowel consumenten als van hen die toezien op de voedsel(veiligheid) te herstellen.

Het concept ‘good governance’ schrijft transparantie en openheid in het beleidsproces voor. Deze ontstonden in alle drie de landen en op het niveau van de EU. Desalniettemin kreeg het idee om ‘de geur van de stallen’ te verwijderen uit het voedsel(veilig) beleid in Nederland geen substantiële bijval. In plaats daarvan kwam het begrip ‘good governance’ te staan voor ‘cutting red tape’ en het verbeteren van efficiëntie en coördinatie. Door gebruik te maken van dit concept en allianties aan te gaan met een aantal leden van de industrie, werden de Nederlandse autoriteiten in staat gesteld om de discursieve frictie, die was ontstaan in Duitsland en Engeland, te vermijden.

### *Een duurzaam milieu*

Toen BSE werd ontdekt in Duitse kuddes, in 2000, werd de problematiek rond voedselveiligheid meteen op de milieuagenda geplaatst. In Nederland werd BSE gezien als een ‘technisch’ probleem dat gerelateerd was aan voedselproductie. Nederlandse beleidsmakers wezen het Duitse voorstel voor heroverweging en hervorming van intensieve landbouw af, terwijl in Engeland de dubbele crisis van BSE en de uitbraak van mond-en-klauwzeer (MKZ) leidde tot een heropleving van het discours rondom milieu en duurzaamheid. Het Engelse discours vormde een combinatie tussen het in stand houden van landschap, een natuurlijk milieu, met benadrukking van dierenwelzijn. In het bijzondere door de stimulering van biologische landbouw en de consumptie van lokaal geproduceerd voedsel, alsmede onderzoek naar zogenaamde ‘food miles’ – waarmee de ecologische impact van voedselproductie wordt bedoeld – heeft dit discours de institutionele herschikking van de voedselketen in Engeland sterk beïnvloed.

In Duitsland heeft de ervaring van *dislocations* in het afgelopen decennia een herleving van een discours over duurzaam milieubeleid mogelijk gemaakt. Een specifiek, sociaal geconstrueerd idee van natuur, en het mobiliseren van het concept ‘voedselketen’ werden gebruikt als aanleiding voor het versterken van de positie van milieubewegingen en consumentengroepen. In de

Nederlandse context hebben de varkenspest en de uitbraak van MKZ de ambiguïteit van het historische discours aan het licht gebracht. Het hernieuwde discours van een duurzaam milieu in Nederland is echter verre van coherent. Grote delen ervan waren ondergeschikt aan een dominant markdenken. We vinden deze dynamiek terug zowel in de manier waarop biologische voedselproductie en consumptie worden bevorderd, als in de gelijkstelling van duurzaamheid met een gerichtheid op ‘people, planet, and profit’.

Wat betreft de Europese dimensie van het milieudiscours, zien we dat de duurzaamheid van zowel landbouw als milieu een prominent issue is geworden in de hedendaagse Common Agricultural Policy (CAP). In toenemende mate zijn de boeren een rol gaan spelen in de voorhoede van belangenbehartigers die ernaar streven het landschap en het culturele erfgoed van Europa te conserveren. Terwijl er in Nederland geklaagd wordt over het prijsverschil tussen conventioneel geproduceerd en biologisch voedsel, wordt er op het niveau van het Europese beleidsdiscours verwacht dat Europese samenlevingen gezamenlijk de kosten dragen voor milieuvriendelijke productie. Ondanks deze verschillen in opvattingen over duurzaamheid, heeft het besef dat men onderdeel uitmaakt van dezelfde Europa-brede voedselketen een gevoel van collectieve verantwoordelijkheid teweeg gebracht. Dit heeft, op zijn beurt, geleid tot een gedeeld begrip van voedsel(veiligheid). Deze terminologie wordt gebruikt door bijna alle betrokken actoren op EU-niveau – de Europese Commissie, the European Food Safety Authority (EFSA), NGOs, industrie, verkopers, en consumenten belangenverenigingen. Hiermee is het overbruggende effect van het concept ‘voedselketen’ weergegeven. In plaats van een taalkundige categorie, heeft het concept een concrete coalitie van actoren geproduceerd, alsmede nieuwe vormen van samenwerking. Deze zijn gebaseerd op het besef zowel een gezamenlijk aandeel als een gedeeld belang in voedselveiligheid te hebben. De metafoor van de ketting heeft een gevoel van wederzijdse afhankelijkheid gecreëerd.

### *Markt efficiëntie*

Het discours van economische efficiëntie heeft het debat rondom voedsel (veiligheid) in alle casus gestructureerd, echter op een context afhankelijke wijze. Zoals eerder vermeld is in Nederland het Duitse idee van het verminderen van de productie (*Agrarwende*) geseponeerd. De Nederlandse autoriteiten kozen daarentegen voor een taal van prijzen, internationale competitie, ondernemerschap, product innovatie, en de angst van achterblijven bij hun Europese bureaus. Hoewel, voedselveiligheid- en kwaliteitsgaranties die door bedrijven worden uitgevoerd, zijn opgenomen in de studie, laat de casus van Nederland een fusie van ‘good governance’ en marktefficiëntie zien. In het vertoog over voedselveiligheid manifesteert zich dit in de centrale

positie van het begrip ‘administrative efficiency’, waarin de industrie (voedselketen) primair verantwoordelijk is voor voedselveiligheid en de regering slechts de rol van ‘facilitator’ speelt.

Deze relatieve dominantie van het marktefficiëntie discours helpt het relatief beperkte debat in de Nederlandse context te verklaren, omdat in dit discours voedselveiligheid en voedselkwaliteit geconstrueerd zijn als niet-morele categorieën. Daarmee worden ze geen onderwerp van socio-ecologische deliberatie. In tegenstelling daarmee spelen in Engeland en Duitsland het discours van milieuduurzaamheden en volksgezondheid een substantiëlere rol, en hebben voedselveiligheid en voedselkwaliteit daardoor een meer holistische betekenis. Hoewel de discussie rondom de verschillen tussen biologische en conventionele producten niet geheel afwezig is in Engeland and Duitsland, worden deze anders benaderd dan in Nederland: In Engeland en Duitsland wordt de biologische voedselsector niet gezien als een ‘market opportunity’, maar als een doel met een intrinsieke morele waarde.

Op Europees niveau vertegenwoordigde het discours van marktefficiëntie - en in het bijzonder het concept van het vrije verkeer van goederen op de interne markt - onzekerheid, gebrek aan protectie, en ziekte, vooral op die momenten waarop voedsel(veiligheid) opnieuw in opspraak kwam zoals in het Medina Report van het Europees Parlement (EP 1997). Hierdoor werden de voedselcrises uit het voorafgaande decennium gekoppeld aan handel en competitie enerzijds, en issues over veiligheid, volksgezondheid en consumentenbescherming anderzijds. In het tegenwoordige Europese beleidsdiscours heeft de voedselketen echter een nieuwe betekenis en wordt gezien als een collectie van niet-competitieve, onafhankelijke actoren. Dit biedt de mogelijkheid om voedselveiligheid te construeren als een universalistische, transnationaal belang. Oftewel, het concept van de voedselketen functioneert om het discours van marktefficiëntie gedeeltelijk te neutraliseren ten bate van nieuwe methoden van samenwerking waar nationale en institutionele grenzen minder belangrijk worden.

### *Consumentenbescherming*

In de Engelse context veroorzaakte de ontdekking van BSE en nvcJD een verandering binnen het discours. Er werd kritiek geuit op de invloedrijke positie van de landbouwlobby op de overheids, zoals bijvoorbeeld de ‘National Farmers’ Union’ (NFU) op beleidsmakers in het voormalige ‘Ministry for Agriculture, Food, and Fisheries’. Dit vormde de aanleiding voor de oprichting van de Food Standards Agency, die streeft naar meer onafhankelijkheid, transparantie, en meer aandacht voor wat de consument vraagt. Wanneer gekeken wordt naar de chronologie van consumentenbewegingen blijkt dat het discours van consumentenbeschermingen, zelfs als dat gekoppeld wordt aan voedselveiligheid, al bestond voor het uitbreken van de verschillende voedselcrises aan het einde van de twintigste eeuw. Deze

achtergrond, gezien vanuit een discoursanalytische lens, helpt de succesvolle mobilisatie van het ‘consumer first’ discours in Groot Brittannië te verklaren en, tegelijkertijd, de institutionele fusie tussen wetenschap en beleid, waardoor beleidsmakers en wetenschappers samenwerken onder het discours van consumentenbescherming.

Ook in Duitsland ontstond een kritisch discours rond de landbouwlobby. Op het ministerie van landbouw leidde dit, zoals in Engeland, tot een afscheiding van voedselveiligheid binnen het landbouwbeleid, en een koppeling van consumentenveiligheid aan voedselveiligheid. In de Duitse context had het discours van consumentenbescherming voorheen gediend als een technische benaming van de beschermende houding van de overheid op het terrein van milieubeleid. Recentelijk echter is het concept consument veranderd, en wordt de consument meer en meer benaderd als een goed geïnformeerde actor vis-à-vis andere (markt-) actoren, met bepaalde rechten, maar ook een eigen verantwoordelijkheid voor een duurzaam milieu.

In de Nederlandse context wordt de individuele burger geconstrueerd als een speler op de markt die van nature de prijs boven de kwaliteit van het voedsel zou stellen. Hoewel deze bevindingen betwist worden blijft het verschil in concept tussen ‘de consument’ en ‘de burger’ hardnekkig overeind in het beleid rondom voedsel(veiligheid). Het verschil suggereert dat het publiek vooral beschouwd wordt als een consument, en daarmee als een private actor, en dat in de publieke sfeer nauwelijks ruimte om uitdrukking te geven aan de bezorgdheid van het publiek in zijn hoedanigheid als ‘burger’, zoals bezorgdheid over een duurzaam milieu – dit terwijl sociaalwetenschappelijk onderzoek laat zien dat de prijs niet per se de prioriteit van burgers hoeft te hebben (Baltussen et al. 2006).

Op het niveau van EU-beleid discours is de consument een belangrijk concept geworden binnen (en buiten) dit domein. Ten eerste, het inzicht dat voedselveiligheid een risico is dat de samenleving als geheel raakt duidt afstand genomen wordt van individualistische opvattingen over risico. neemt. Ten tweede –enigszins in strijd met het vorige idee – een belangrijk idee, als het gaat om de categorie van de consument, is dat het hier gaat om *keuze*. Het creëren van een consumentenkeuze als een universeel (Europees) recht steunt de Europeanisering op dit beleidsterrein.

### *Volksgezondheid*

In de Duitse context werd voedselveiligheid traditioneel gezien als een onderwerp van volksgezondheid. Dit komt naar voren in het wetenschappelijke debat rondom BSE en de vooruitstrevende rol die Duitsland speelde bij het creëren van EU-beleid rondom BSE, zelfs voordat BSE was uitgebroken op het Europese vasteland. Anders dan in Duitsland werd in Engeland, Nederland, en op EU-niveau voedselveiligheid gezien als een onderwerp dat de inter-

Europese handel kon hinderen. Pas na de uitbraak van BSE op het vasteland tussen 1999 en 2000 veranderde deze houding.

Sindsdien is de betekenis van voedselveiligheid in de context van volksgezondheid nog breder geworden door de koppeling aan consumentenbescherming, zoals het idee van het recht op voedingsinformatie. Bovendien geven de discussies over overgewicht, vitamines, en *labelling* een interessante fusie weer in de vertogen van consumentenbescherming, 'good governance', en volksgezondheid in alle drie de landen. De huidige neiging om het begrip voedselveiligheid uit te drukken in termen van hygiëne reflecteert deze fusie, ondanks protest van milieubewegingen en consumentenvertegenwoordigers.

Aangezien het feit dat bevoegdheden op het terrein van eerder voorbehouden waren aan de afzonderlijke EU lidstaten, is het een opmerkelijke ontwikkeling dat de aanzet tot een transnationale volksgezondheidsagenda te vinden is in het Directoraat-generaal Gezondheid en Consumentenbescherming van de Europese Commissie's. Het geëuropeaniseerde discours van 'volksgezondheid' bestaat tegenwoordig uit een ongewone combinatie van vertogen over consumentenbescherming en een vertoog dat de nadruk legt op *individuele* gezondheid. Desalniettemin, is het mogelijk om de sporen van een ouder marktefficiëntie discours te vinden, waar gezondheid een element in de economische competitie was, en overgewicht werd gezien als een kostenpost voor de volksgezondheidsbeleid. Deze bevindingen laten zien dat we niet enkel kunnen spreken van een verandering of van pure continuïteit na *dislocations*, maar dat beide processen tegelijkertijd spelen.

### *Conclusies*

Ter afsluiting, waar in de nationale arena's zeer specifieke en contextafhankelijke combinaties van beleidsdiscours worden aangetroffen, lijken deze tegenstellingen door het mobiliseren van een open en elastisch beleidsdiscours in de Europese arena te verdwijnen. Dit wil niet zeggen dat er sprake is van een discursieve *overeenstemming* in het proces van *harmonisering* van Europese regelgeving. In plaats daarvan is het mogelijk contradicties en incidenten te observeren door middel van een diepgaande discoursanalyse: De onontkoombare contradicties zijn verscholen achter de zogenaamde 'integrative nodal points' van de aandeelhouder, de consument, en de voedselketen. De 'nodal points' creëren een open en relatief stabiel beleidsdiscours. In die flexibiliteit blijft er ruimte voor diverse actoren om samen te komen, allianties te vormen, maar ook om te onderhandelen over tegenstellingen en samen een gedeelde betekenis te geven aan 'voedselveiligheid'.

De interpretatieve methodologie en het specifieke analytische raamwerk dat ik ontworpen heb gaven mij de mogelijkheid om uitdrukking te geven aan de discursieve, contextafhankelijke

dimensie van voedsel(veiligheid). Op deze manier draagt deze dissertatie bij aan innovatieve verklaringen van de impact van voedselcrises in de drie bestudeerde landen. Tegelijkertijd, wordt er inzicht gegeven in de kwaliteit van een het succesvolle geëuropeaaniseerde beleidsdiscours. Ook hoop ik te hebben bijgedragen aan een beter begrip van de mogelijkheden van discoursanalyse voor hen die sceptisch staan tegenover deze methode, of tegenover interpretatieve methoden in het algemeen. Poststructuralistische discoursanalyse poneert een continuïteit, of nauwkeuriger gezegd, een dialectische relatie, tussen het taalkundige en het materiële. Hierdoor wordt de analyse overtuigender, ondermeer omdat deze hierdoor breder toepasbaar is.