



Legislation on *Listeria monocytogenes* in RTE foods

***Listeria* stakeholder meeting
19-20 September 2017
Parma**

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EU food law - microbiological hazards: preventive approach

Food Hygiene Legislation

Zoonoses Directive

Directive 2003/99
***Monitoring
and reporting
Zoonotic agents
Foodborne outbreaks
AMR***

Reg. 178/2002
Reg. 852/2004
Reg. 853/2004
Reg. 854/2004
Reg. 882/2004
Reg. 2073/2005

...

Zoonoses Regulation

Reg. 2160/2003
**Control salmonella
and other specified
zoonotic agents
National Control
Programmes
and targets**

Reg. 183/2005
Feedstuffs

EU food law - microbiological hazards: preventive approach

- Microbiological testing alone can never guarantee the safety of the foodstuff tested.
- The safety of foodstuffs is principally ensured by a structured preventive approach (HACCP, GHP, ...)



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Reg. (EC) No 2073/2005 – microbiological criteria



- ✓ Article 4 Regulation (EC) No 852/2004
- ✓ **Tool** to be used by FBO
- ✓ Criteria established in **support of Food Hygiene Legislation**
- ✓ The use of microbiological criteria should form an integral part of the implementation of **HACCP-based procedures** and other hygiene control measures

Obligations for the FBO

- ☞ **demonstrate compliance** with microcriteria
 - durability, challenge studies (Art 3(2), Annex II)
- ☞ establish a **sampling and testing** scheme
based on risk
- ☞ **respond** in case of **non-compliance**
- ☞ follow and assess **trends**

Obligations for the Competent Authority



verify that FBO's **comply** with rules and criteria



is entitled to undertake **further sampling** and analysis



In the light of results – take any **appropriate measures**

Reg. (EC) No 2073/2005 – microbiological criteria

MAIN OBJECTIVES:

- ✓ To ensure a high level of **human health protection**
- ✓ To **harmonise** microbiological criteria
- ✓ **Uniform** rules for food business operators





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Microbiological criteria

- ***Reference methods to guarantee a uniform application and control of legislation in EU***



Food safety criteria

- Defines the acceptability of the product/butch
- Applicable to products placed on the market
- Applicable to **intra-EU trade** and to **imported products** from third countries

➤ *Action: withdrawal/recall*

Process hygiene criteria

- Indicates the acceptable functioning of the production process
- Applicable only during the production process, not to products placed on the market

➤ *Action: improvement of production hygiene, selection of raw materials*

Reg. (EC) No 2073/2005 – microbiological criteria



Annex I:

- 1. Chapter 1: Food Safety Criteria**
2. Chapter 2: Process Hygiene Criteria
3. Chapter 3: Rules for sampling and preparation of test samples

L. monocytogenes food safety criteria

(10) The SCVPH issued at the same time a separate opinion on *Listeria monocytogenes*. That opinion recommended that it be an objective to keep the concentration of *Listeria monocytogenes* in food below 100 cfu/g. The Scientific Committee on Food (SCF) agreed with these recommendations in its opinion of 22 June 2000.

Food category	Micro-organisms/their toxins, metabolites	Sampling plan ⁽¹⁾		Limits ⁽²⁾		Analytical reference method ⁽³⁾	Stage where the criterion applies
		n	c	m	M		
1.1 Ready-to-eat foods intended for infants and ready-to-eat foods for special medical purposes ⁽⁴⁾	<i>Listeria monocytogenes</i>	10	0	Absence in 25 g		EN/ISO 11290-1	Products placed on the market during their shelf-life
1.2 Ready-to-eat foods able to support the growth of <i>L. monocytogenes</i> , other than those intended for infants and for special medical purposes	<i>Listeria monocytogenes</i>	5	0	a) 100 cfu/g ⁽⁵⁾		EN/ISO 11290-2 ⁽⁶⁾	Products placed on the market during their shelf-life
		5	0	b) Absence in 25 g ⁽⁷⁾		EN/ISO 11290-1	Before the food has left the immediate control of the food business operator, who has produced it
1.3 Ready-to-eat foods unable to support the growth of <i>L. monocytogenes</i> , other than those intended for infants and for special medical purposes ⁽⁴⁾ ⁽⁸⁾	<i>Listeria monocytogenes</i>	5	0	100 cfu/g		EN/ISO 11290-2 ⁽⁶⁾	Products placed on the market during their shelf-life

Ready-to-eat food (RTE):

(g) 'ready-to-eat food' means food intended by the producer or the manufacturer for direct human consumption without the need for cooking or other processing effective to eliminate or reduce to an acceptable level micro-organisms of concern;

RTE food unable to support the growth of *L. monocytogenes*:

- Products with **pH \leq 4,4** or **$a_w \leq 0,92$**
- Products with **pH \leq 5,0** and **$a_w \leq 0,94$**
- Products with a **shelf-life of less than 5 days**
- **Other** categories of products can also belong to this category, subject to **scientific justification**.

Lm FSC 1.1-1.3



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Ready to Eat food (RTE)?

Yes

RTE intended for **infants** or **special medical purposes**?

No

RTE **unable** to support the **growth**?

No

RTE **able** to support the **growth**: is the shelf life **< 5 days**?

No

RTE **able** to support the **growth**: is the manufacturer able to demonstrate that the RTE will **not exceed 100 cfu/g throughout the shelf-life**?

No

No

Yes

Yes

No FSC (Food Safety Criteria)

FSC 1.1

(n=10; c=0; m= **Abs in 25g**; during shelf-life)

FSC 1.3

(n=5; c=0; m= **100 cfu/g**; during shelf-life)

Yes

Yes

FSC 1.2a (n=5; c=0;
m= **100 cfu/g**; during shelf-life)

FSC 1.2b (n=5; c=0; m= **Absence in 25 g**; **Before** the food has left the immediate control of the FBO, who has produced it)

Environmental sampling

Article 5.2 of Regulation (EC) No 2073/2005:

2. Samples shall be taken from processing areas and equipment used in food production, when such sampling is necessary for ensuring that the criteria are met. In that sampling the ISO standard 18593 shall be used as a reference method.

Food business operators manufacturing ready-to-eat foods, which may pose a *Listeria monocytogenes* risk for public health, shall sample the processing areas and equipment for *Listeria monocytogenes* as part of their sampling scheme.

Thank you very much for your
attention!

Questions?!