

European Union comments

CODEX COMMITTEE ON FOOD HYGIENE

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Agenda Item 6: Proposed Draft Guidelines of the General Principles of Food Hygiene (CXC 1-1969) and its HACCP Annex (CX/FH 19/51/6)

*Mixed Competence
European Union Vote*

The European Union and its MS (EUMS) would like to thank and congratulate United Kingdom, France, Ghana, India, Mexico and the United States of America for the development of these draft guidelines. Substantial progress has clearly been made.

The EUMS would like to make the following comments:

General comment

Several specific Codex Guidelines (e.g. on *Salmonella*, STEC, ...) refer to GHP-based, Hazard-based and risk-based control measures, which seems to be related to good hygiene practices and HACCP. However such control measures are not referred to in this draft. The link between these different control measures/terminology should be clarified to better link the general principles with specific guidelines.

The EUMS suggest to replace “to minimize contamination” by “to **prevent or** minimize contamination” throughout the text. It is considered that it is more appropriate as the purpose of the hygiene principles is to provide safe and suitable food for the consumers.

Specific comments

- Paragraph 3: The following change is proposed to the second sentence: “Taking into account the stage in the food chain, the nature of the product, **the intended use of the consumer, the targeted consumer group,** the relevant contaminants, and whether the relevant contaminants adversely affect safety,...”

Rationale: for completeness.

- Paragraph 4 to 7: These paragraphs contain key guidelines for the general principles. Although their content can be largely supported, it is strange to find them that

elaborated in the introduction. They should be shorted or deleted in the introduction and put in a separate Section e.g. after the definitions, explaining the link between Chapter One (Good Hygiene Practices) and Two (HACCP).

- Paragraph 4: In addition to the previous comment, the following changes are proposed: "... For some FBOs effective implementation of GHPs will be sufficient to address food safety. ~~Ideally, t~~This would **may** be determined through conducting a hazard analysis and determining how to control identified hazards... ...For example, requirements in regulations for production of safe food are based on hazard analyses conducted by competent authorities. Similarly, guidance documents from trade associations that describe food safety procedures are based on hazard analyses **conducted by internal or external risk assessment bodies recognised by experts knowledgeable about the hazards and controls needed to ensure the safety of specific types of products. When external generic guidelines are used, the FBO shall in any case verify if such guidelines fully correspond with all activities in his/her specific establishment and adapt where needed.**"

Rationale: Editorial as “ideally” is a strange wording in this context. The second change accounts for systems that have separate Risk Assessment (RA) organisations like EFSA and others that have internal RA within the CA. In addition, the EUMS recognised that not all FBO can do the hazard analysis themselves and make use of external expertise or general external guidelines. Good hygiene practices and procedures based on the HACCP principles must however be adapted to the work flow in each specific establishment.

- Paragraph 12: The following change is proposed on the second sentence: “In deciding whether a requirement is necessary or appropriate, an evaluation **of the likelihood and severity of the hazard, thus establishing** the potential harmful effects to consumers should be made, taking into account any relevant knowledge of the operation and hazards, including available scientific information.”

Rationale: for completeness.

- Paragraph 13: It is proposed to delete the third bullet.

Rationale: This is a consequence of the other three bullets rather than an aim in itself.

- Paragraph 13: the following additional bullet is proposed: “**Verify the implementation of GHPs and HACCP principle as developed by FBOs**”
- Paragraph 14, fifth bullet: The following change is proposed: “... and prevent the **introduction** /growth/survival of foodborne pathogens by storing,...”

Rationale: For completeness

- GENERAL PRINCIPLES

- (vii): The following change is proposed: “Food hygiene systems should be reviewed to determine if modifications are needed. This should be done periodically and whenever there is a significant change **in the process or processing environment** that could impact the potential hazards and/or the control measures (e.g. new process, new ingredient, new product, new equipment) associated with the food business, **new scientific knowledge or new legislation.**”

Rationale: For completeness.

- A new bullet (ix) is proposed: **“(ix) Ensure adequate documentation and records appropriate to the size and nature of the food business and ensure that they are kept for a certain minimum period.”**

Rationale: to be added for completeness but it is essential that flexibility is addressed/highlighted.

(Note that numbering is missing)

- DEFINITIONS:

- "Contaminant" versus "hazard": the difference is unclear to the EUMS and seems to suggest that "hazards" are intentionally added (only difference with "contaminant"), which is not correct. The words seem alternatively used throughout the text within the same sense. One single wording is proposed being "hazard".
- Competent Authority: The following change is proposed: “The official body authorized by the government **that is responsible** ~~with the control of food hygiene, including~~ **for the setting and enforcing** of regulatory food safety requirements **and for the organisation of official controls including enforcement.**”

Rationale: Proposed wording change for clarification as the role of the competent authority is quite specific.

- Critical control point: The following change is proposed: “Critical Control Point (CCP): A step at which a control measure or measures, essential to control a significant hazard **by preventing, eliminating or reducing it to an acceptable level,** is/are applied in a HACCP system.”

Rationale: For completeness and to better align with current definition.

- Paragraph 19: It is proposed to replace “should” by “could”.

Rationale: this is optional.

- Paragraph 21: The following change is proposed: "... is sufficient to manage **only** some or all of the hazards ..."

Rationale: clarification.

- Paragraph 22: The following change is proposed: "After consideration of the conditions and activities in the business, it may be determined that GHPs alone may be sufficient to manage the hazards, **as provided for in Paragraph 4**" (or wherever this paragraph ends up).

Rationale: a cross reference to Paragraph 4 seems relevant here since this paragraph explains when GHPs alone may be sufficient.

- Paragraph 26: The following change is proposed: "... which could taint foodstuffs or near sources of contaminated water such as **emission of waste water from industrial production or** runoff from agricultural land with high faecal material or ..."

Rationale: completeness/clarification.

- Paragraph 32: The following change is proposed: "... that cross-contamination is **prevented or** minimized ~~or prevented.~~"

Rationale: to highlight better prevention.

- Paragraph 33: The following change is proposed: "... such as physical separation (e.g. walls, partitions) and/or location (e.g. distance), traffic flow (e.g. one-directional production flow **and flow of personnel**), airflow, and separation in time, with suitable cleaning and disinfection between uses."

Rationale: Completeness.

- Section 4 (of Chapter One): It is unclear why this paragraph is inserted here. It should be moved to the end of Chapter One since training and competence seem relevant for all Sections.

- Paragraph 56, first bullet: The following change is proposed: "the nature and hazards associated with the food, e.g. its ability to sustain growth of pathogenic or spoilage microorganisms, the existence of potential ~~physical~~ contaminants or known allergens;"

Rationale: Contaminants include biological, chemical and physical agents by the definition. No need to limit here to physical ones.

- Paragraph 57, third bullet: "The Following change is proposed: "the importance of good personal hygiene, including proper hand washing **and when appropriate adequate clothing**, for food safety;"

Rationale: Completeness.

- Paragraph 64: The following change is proposed: "... Cleaning products suitable for food contact surfaces should be used in food preparation **and storage** areas."

Rationale: Completeness.

- Paragraph 65: The following change is proposed: "... separated from food, in clearly **labelled and identified** **able** containers to avoid contamination of food."

Rationale: Completeness.

- Paragraph 83: The following change is proposed: "Waste storage areas **should be easily identifiable and** should be kept appropriately clean and be resistant to pest infestation. They should also be located away from processing areas."

Rationale: Completeness.

- Paragraph 97, fourth bullet: An example would be useful to clarify what is meant by this point.
- Before paragraph 101: An additional heading "**7.1.5 Corrective Action**" seems appropriate.
- Paragraph 101: An additional bullet point is proposed: "**Identify the cause that determine the non compliance,**"

Rationale: only if we are able to identify the source of the non compliance we might be able to avoid the recurrence. Consistency with paragraph 173.

- Paragraph 121: The EUMS propose to keep the Paragraph 121 on water as it is.
- Paragraph 123, last but one sentence: The following changes are proposed: "~~The need for~~ Public warnings and reporting to the relevant competent authority should be considered **required** where product may have been reached consumers and when return of product to the FBO or **removal from the market** is **appropriate** ~~advisable.~~"

Rationale: It should be an obligation for FBO to contact the competent authority without delay in order to guarantee the safety of public health. Furthermore the operator often does not have the knowledge (smaller operators) to estimate the risk correctly. Also the withdrawal from the market / recall is not always properly followed up by the following steps in the chain. Only the competent authority is authorized to enforce a correct follow-up and to sanction if instructions are not followed.

- Paragraph 133: An additional sentence is proposed at the end of the paragraph: "**Some non-foods should not be transported with a conveyance or container used for foodstuffs (e.g. transporting gasoline in a milk tanker).**"

Rationale: Some non-foods create a high food safety risk for cross-contamination of food under any condition of transport with the same means. The EUMS suggest to provide more specifications to the paragraph.

- Paragraph 137: very repetitive with Paragraph 144. Considering the importance of flexibility, the paragraph 144 in the dedicated section 2.2, should be maintained and Paragraph 137 deleted.
- Chapter 2, Section 1, Principle 3: the EUMS support this principle as explained by the co-chairs in paragraph 15 of their report on the eWG.
- Paragraph 139: very repetitive with Paragraph 145. One of them could be deleted (no preference).
- Paragraph 144, last sentence: The following change is proposed: “The FBO is ultimately responsible for **the elaboration and implementation of** the HACCP system and the production of safe food.”

Rationale: Clarification.

- Paragraph 151: An additional bullet is proposed, reading: “**Flow of personnel**”

Rationale: Completeness.

- Paragraph 155, seventh bullet: The following change is proposed: “the intended use and/or **if appropriate and feasible** probability of product mishandling by potential consumers that could render the food unsafe; and,”

Rationale: Clarification.

- Paragraph 156: The following change is proposed: “The hazard analysis should consider not only the intended use, but **if feasible** also any **to the FBO** known unintended use ...”

Rationale: Clarification.

- Paragraph 170: The following amendment is proposed: “All records and documents associated with monitoring CCPs should be signed or initialed by the person performing the monitoring **and should also report data and timing of the performed activity.**”

Rationale: report data and time could be useful to contain a possible non compliance and define with more accuracy the activity performed

- Paragraph 172: It is proposed to replace “analysing” by “evaluating”.

Rationale: Clarification.

- Paragraph 173: The following change is proposed: “External experts may be needed to conduct evaluations ~~of the safety of~~ **regarding the safe use of** products when a deviation occurs. ~~In some cases, the evaluation may indicate that the product is safe and can be released. In other cases, It~~ may be determined ...”

Rationale: If a validated critical limit is set correctly then failure of that critical limit means the product is unsafe and will need further processing to render it safe. So the issue here is more about expert advice on safe use of affected product because the product is unsafe. The phrase suggesting that an expert could determine a food is safe after failure of a critical limit could be misused or misinterpreted e.g. a micro test performed and found negative leading to release. This sentence should be deleted.

- Paragraph 182, fourth bullet: The following change is proposed: “critical limit determination and the scientific, **empirical or legislative** support for the limits set;”

Rationale: Completeness.