

16/11/2022

CODEX COMMITTEE ON FOOD HYGIENE
(Fifty third Session)
San Diego, United States
29 November – 2 December 2022 and 8 December 2022

European Union Comments on

Agenda item 6:
Proposed draft Guidelines for the safe use and re-use of water in
food production at Step 4
(CX/FH 22/53/6)

(Reply to CL 2022/48/OCS-FH)

Mixed Competence
European Union Vote

In response to the request for comments, the European Union and its Member States (EUMS) would like to make the following comments.

I. General Comment

The EUMS would like to thank and congratulate Honduras, Chili and the European Union with the drafting of these guidelines.

II. Reply to the recommendations

On the general part/definitions:

- Apart from the comments below, the EUMS agree with the definitions proposed and have not identified a need for additional definition;
- the EUMS prefer cross-references to existing definitions in other standards. It avoids inconsistencies of definitions when these definitions would be updated in a future revision;
- as regards the definition of “water fit for purpose”, the EUMS prefer the first options since much clearer and understandable;
- as regards “water risk assessment” or “water risk analysis”, the EUMS consider that the definition refers to a risk assessment not to a risk analysis (which is broader than the proposed definition);
- as regards “active management” and “passive management”, the EUMS consider that if the figure 1 is maintained in the text, there is need to define them

On the fresh produce annex:

- the EUMS prefer to maintain the definition of “fresh produce” in Annex I since this wording is only used in this Annex and to be consistent with the approach in Annex II,

containing definitions specific for that Annex; the EUMS can agree with the revised definition of “fresh produce” as currently presented in Annex I;

- the EUMS agree that the last part of paragraph 34 refers to chemical hazards (residues from biocides); however, the EUMS prefer to maintain this part; the first part of the paragraph is relevant for biological hazards (use of biocides) and it might be useful to keep recommendations on the safe use of biocides;
- the EUMS consider that the examples and decision trees are appropriate for the development of the document;
- the EUMS consider the last part of paragraph 30 useful and to be maintained, since most relevant for small-scale establishments;
- the EUMS consider that Table 1 should remain consistent with MRA series 33 provided by JEMRA.

On the fishery annex:

- The scope of the annex is appropriate, we suggest introducing a section for Water Sources like the one in Fresh Produce Annex since specific sources are used e.g. seawater.
- The Annex sufficiently describes the different types of source waters and do not need further description, especially if a new section on water sources is introduced.
- The proposed DTs are useful for the proper use of water in the process, however, considering that the definition of fishery products includes “any species of fish, including crustaceans, molluscs, gastropods, echinoderm, or part of them intended for human consumption” it should be appropriate the introduction of DTs also for molluscs, gastropods and echinoderm.
- We encourage the introduction of a specific section dedicated to the used of water for molluscs, gastropods and echinoderms. For example, molluscs are filter feeders which have tendency to accumulate bacteria, requiring specific attention to the water use.

Furthermore, pending the resolution of the above issues and pending the outcome of the discussions in the physical working group and at CCFH53, the EUMS may support advancing the draft, including Annexes I and II to step 5.

The EUMS also support the establishment of an EWG for the finalisation of the current draft guidelines and the development of an Annex on the use and re-use of water in the dairy sector.

III. Specific comments

General part

Several paragraphs

Reference is made to “food hygiene systems or HACCP-systems”. In the understanding of the EUMS, a HACCP system is part (when appropriate) of the food hygiene system. The wording “or HACCP system” can therefore be deleted.

In certain paragraphs “microbiological contaminants” is used, in other “microbiological hazards”. The EUMS propose to use “microbiological hazards” throughout the draft. Rationale: consistency.

Paragraph 16, first sentence

~~“Like food safety management, water safety management~~ **Like food hygiene systems, water hygiene systems** should be risk- and evidence-based,...” Rationale: consistency of terminology with the wording used in the General Principles of Food Hygiene.

Paragraphs 17, last sentence

The EUMS propose to replace the last sentence by **“The water safety plan should be integrated in the FBO’s food hygiene system”**. Rationale: the current final sentence is confusing: in the understanding of the EUMS, the first part of this paragraph is/describes the “water safety plan”, which should be part of the overall food hygiene system. The proposed sentence better reflects this.

SECTION 2: Food Hygiene Systems

The EUMS propose to amend the title into “SECTION 2: **Water Safety Plans**”

Rationale: the whole section is on the safe use of water (water safety plan), being part of/integrated in the food hygiene systems. Other parts of the food hygiene system are not within the scope of this section.

Annex I

Paragraph 5

The second sentence may be deleted. Rationale: repetition and fully elaborated in Paragraph 6.

Paragraph 48

The EUMS propose to amend the 7th bullet as follows: “physiological characteristics of the fresh product (such as the peel and whether the produce would be subject to infiltration **of water in the produce**);” Rationale: clarification what infiltration means in this context.

Paragraph 63 last bullet

The EUMS propose to replace the reference to paragraph 60 at the end by a reference to paragraph 62. Rationale: the irrigation system or mitigation options are scored in that paragraph.

Annex II

Definitions

The EUMS propose the following change to the definition of fishery products: “Fishery products: Any species of fish, including crustaceans, molluscs, **marine** gastropods, echinoderm, **tunicates** or part of them intended for human consumption.” Rationale to differentiate from terrestrial gastropods and for completeness.