

14 August 2006

FDF Comments on the FSA's Draft Guidance on Temperature Control Legislation in England, Wales and Northern Ireland

FDF welcomes the opportunity to respond to this consultation on the above Draft Guidance document. This draft has been reviewed and discussed by FDF's Food Hygiene Sub-committee and detailed comments are presented below.

A brief description of FDF is given at Annex 1.

Detailed Comments

Additional Summary Table

It is suggested that a summary table, cross referencing relevant European and national legislation may aid reference.

Page 6, Section 22, Page 16, Section 66, Page 17, Section 70

These sections refer to a variety of guidance documents. In particular references are made to trade associations in section 70. However, it should also be noted that most trade associations are not involved in the development of industry guidance in this area.

Page 3, Section 9 and Section 37, Subsection II.

The text in section 9 suggests that temperature control is unlikely to be hazardous in the case of raw meats which will be further cooked. Whilst the cooking of raw meat will ensure safety with respect to vegetative pathogenic microorganisms, cooking will not eliminate some toxins formed by the growth of microorganisms that chill temperature is used to control.

Additionally the wording in section 37 suggests that the canning process prevents the growth of pathogens whereas it in fact destroys/eliminates pathogens.

Page 3, Section 11, Subsection A, I.

The text within this subsection suggests that growth from *Listeria monocytogenes* will be controlled by chill. In fact temperature control on its own does not control *Listeria* growth, the major control is pasteurisation and subsequent prevention of contamination.

Page 4, Section 11, Subsection A, II.

The text within this section suggests that temperature control is an important issue for dairy products in relation to food safety. In reality unless the product is made from raw milk it is more likely to be a quality issue.

Page 4, Section 11, Subsection B.

We note that hard cheeses are normally protected by water activity (Aw) and that, in this instance, chill is more commonly associated with food quality.

Page 4, Section 11, Subsection C

We suggest modifying the title of this Subsection to "Smoked or cured fish which is not ambient shelf-stable". The current text implies that smoking or curing only inhibits growth of spoilage organisms, which is an oversimplification of the situation.

Smoking/curing is not selective in its spoilage vs. pathogen efficacy and the extent of the severity of the process will impact the safety and stability of the final product eg hard-smoked products do not require refrigerated storage whilst lightly smoked/cured products may allow growth of spoilage organisms and pathogens such as *Listeria monocytogenes* and so chilled storage is required for safety and to delay spoilage.

Page 4, Section 11, Subsection E.

Mayonnaise is not a good example as the issue of *Salmonella* in raw eggs makes a strong argument for ambient storage to ensure that *Salmonella* die off is increased.

Page 5, Section 14

We suggest that the last sentence of this section which references vacuum pack and sous-vide products should be deleted. The wording is not in line with the recommendation made by the ACMSF on 8 June 2006 on this issue.

Page 9, Section 37, Subsection I, Second Paragraph

This section is very confusing, it is unclear whether it relates directly to food manufactured and sold on the premises and fails to relate this to the situation of manufacture, storage, distribution and supply.

Page 13, Section 52

This section is concerning as it would appear to endorse ignorance as a defence. It should be made clear that it is still the responsibility of the FBO receiving the goods to determine if the materials it then further processes are fit for purpose in line with its SQA procedures.

Section 53 clearly states that the supplier should not do this unless 'that recommendation is supported by a well-founded scientific assessment of the safety of the food at the specified temperature'.

Page 14, Section 58

ComBase and other predictive models are known to be failsafe and we therefore suggest that the comment at the end of this section is alarmist and by implication incorrect. Predictive modelling alone does not assure the safety of a particular product (safety is assured by product

design and HACCP), but it does as a rule give a failsafe indication of certain pathogens' growth under various conditions.

Page 15, Section 60

We suggest that this section is be amended to include the text '...or group of products for which a specific controlling factor has been established'.

Page 15, Section 61

We suggest that the wording "type of acidulants" is amended to read "type and amount of acidulants", since the amount can be as important as the type of acid and is often overlooked as having a contribution to the overall preservation system.

Page 17, Section 71

The reference to UKAS indicates that accreditation is a true indication of competence, which is not proven. It should also be noted that were accreditation is granted for a laboratory it needs to be for specific methods used in specific food matrices and not a general laboratory accreditation.

The UK Food and Drink Manufacturing Industry

The Food and Drink Federation (FDF) represents the food and drink manufacturing industry, the largest manufacturing sector in the UK, employing over 500,000 people. The industry has an annual turnover of £70bn accounting for 15% of the total manufacturing sector. Exports amount to almost £10bn of which 64% goes to EU members. The Industry buys two-thirds of all UK's agricultural produce.

The following Associations are members of the Food and Drink Federation:

ABIM	Association of Bakery Ingredient Manufacturers
ACFM	Association of Cereal Food Manufacturers
BCA	British Coffee Association
BCCCA	Biscuit, Cake, Chocolate and Confectionery Association
BOBMA	British Oats and Barley Millers Association
BSIA	British Starch Industry Association
CFA	Chilled Food Association
CIMA	Cereal Ingredient Manufacturers' Association
EMMA	European Malt Product Manufacturers' Association
FA	Food Association
FOB	Federation of Bakers
FPA	Food Processors' Association
GPA	General Products Association
IDFA	Infant and Dietetic Foods Association
MSA	Margarine and Spreads Association
NABIM	National Association of British and Irish Millers
NACM	National Association of Cider Makers
SB	Sugar Bureau
SIBA	Society of Independent Brewers
SMA	Salt Manufacturers' Association
SNACMA	Snack, Nut and Crisp Manufacturers' Association
SPA	Soya Protein Association
SSA	Seasoning and Spice Association
UKAMBY	UK Association of Manufacturers of Bakers' Yeast
UKTA	UK Tea Association

Within FDF there are the following sectoral organisations:

FF	Frozen Food Group
LDT	Lifestyle and Dietary Trends Group
MG	Meat Group
ORG	Organic Food and Drink Manufacturers' Group
SG	Seafood Group
VEG	Vegetarian and Meat Free Industry Group
YOG	Yoghurt and Chilled Dessert Group