

COMMISSION RECOMMENDATION

of 18 April 2001

concerning a coordinated programme for the official control of foodstuffs for 2001

(notified under document number C(2001) 1076)

(Text with EEA relevance)

(2001/337/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs ⁽¹⁾, and in particular Article 14(3) thereof,

After consultation of the Standing Committee for Foodstuffs,

Whereas:

- (1) It is necessary, with a view to the sound operation of the internal market, to arrange for coordinated food inspection programmes at Community level.
- (2) Such programmes place emphasis on compliance with Community legislation, the protection of public health, consumer interests and fair trade practices.
- (3) Article 3 of Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs ⁽²⁾ requires the laboratories referred to in Article 7 of Directive 89/397/EEC to comply with the criteria in European Standard EN 45000 series. Only such laboratories may be considered as laboratories suitable to carry out analyses within the coordinated programme of official controls.
- (4) The results from simultaneous implementation of national programmes and coordinated programmes may provide information and experience on which to base future control activities,

HEREBY RECOMMENDS:

1. During 2001 Member States should carry out inspections and controls including, where indicated, taking samples and analysing such samples in laboratories, with the aim of:
 - monitoring compliance with the Community labelling rules concerning the quantitative ingredients declaration (QUID),
 - assessing the bacteriological quality of smoked fish products.
2. Although sampling and/or inspection rates have not been set in this Recommendation, Member States should ensure

that they are sufficient to provide an overview of the subject under consideration in each Member State.

3. Member States should provide information as requested following the format of the record sheets provided in the Annex to this Recommendation to help enhance the comparability of results.
4. Foodstuffs submitted for analysis under this programme should be submitted to laboratories complying with the provisions of Article 3 of Directive 93/99/EEC.
5. Quantitative ingredients declaration (QUID)

5.1. Scope of the programme

A statement of the quantity of an ingredient or category of ingredients used in the manufacture or preparation of foodstuff provides the consumer with better information and helps to ensure fair trade. According to Article 7 of European Parliament and Council Directive 2000/13/EC of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽³⁾, a declaration of quantity is compulsory if:

- the ingredient or category of ingredients concerned appears in the name under which the foodstuff is sold or is usually associated with that name by the consumer, or
- the ingredient or category of ingredients concerned is emphasised on the labelling in words, picture or graphics, or
- the ingredient or category of ingredients concerned is essential to characterise a foodstuff and to distinguish it from products with which it might be confused because of its name or appearance.

Products not labelled in accordance with the requirements of the abovementioned Directive should not be traded. However, products labelled before 14 February 2000 are permitted until the stocks are depleted. The aim of this element of the programme is to check the compliance of foodstuffs with the new provisions for quantitative ingredient declaration.

⁽¹⁾ OJ L 186, 30.6.1989, p. 23.

⁽²⁾ OJ L 290, 24.11.1993, p. 14.

⁽³⁾ OJ L 109, 6.5.2000, p. 29.

5.2. Method

The examinations should concern, in particular, milk products (i.e. yoghurt, cheese, etc.), fruits juices, and dry biscuits. The competent authorities of the Member States should carry out inspections on premises of manufacturers or importers of foodstuffs in order to check compliance with the provisions for quantitative ingredients declaration. Samples could be taken in addition to the inspections in order to determine the quantity of an ingredient or category of ingredients.

The results of the control should be recorded on the record sheet in Annex I.

6. Bacteriological quality of smoked fish

6.1. Scope of the programme

There is no Community legislation fixing specific microbiological standards for smoked fish. Experience shows that a considerable percentage of these products may be contaminated by pathogenic micro-organisms, including *Listeria monocytogenes*, and that the adoption of new techniques of production and processing may increase the risk of bacteriological contamination.

Listeria monocytogenes is known to cause foodborne outbreaks of listeriosis in humans, with potentially fatal consequences for susceptible categories of the population and therefore actions shall be taken to reduce the risk of human listeriosis from food consumption, in particular ready-to-eat food, such as smoked fish.

Certain measures may be adopted relating to the management of risk at the level of food business operators. Implementation of good hygiene practices and principles used to develop the HACCP (hazard analysis and critical control points) system are important tools in ensuring food safety.

The aim of this element of the programme is to assess the level of contamination on smoked fish, specifically on smoked salmon, in particular as concerns *Listeria monocytogenes* and indicator organisms for faecal contamination. The programme should allow the

assessment of the bacteriological quality of these products and possible risks for human health.

6.2. Method

The examinations should concern refrigerated and pre-packaged salmon and other hot or cold smoked fish. The competent authorities of the Member States should take samples of products at retail level, possibly close to the date of minimum durability. In those countries with important volumes of production, the taking of samples also at the site of production (raw material and/or finished products) is recommended. These samplings should be in the form of samples, from the same lot, comprising, when possible, five units of one hundred grams minimum each and the product should be kept in its original packaging. Products should be refrigerated as soon as samples have been taken and they should be sent immediately, in this state, to the laboratory.

The level of sampling is left to the judgement of the competent authorities of the Member States. In this regard, volume and characteristics of production, trade and consumption patterns are important factors to be taken into account.

Laboratories are allowed to use methods of their choice provided their level of performance matches the aims to be achieved. However, for detection and enumeration of *Listeria monocytogenes*, the most recent version of standard EN/ISO 11290-1 and EN/ISO 11290-2 is recommended. Additional equivalent methods recognised by competent authorities may also be used.

The results of the following controls should be recorded on the record sheet in Annex II. In the case of sampling at the site of production a separate record sheet should be used.

Done at Brussels, 18 April 2001.

For the Commission

David BYRNE

Member of the Commission

QUANTITATIVE INGREDIENTS DECLARATION

Member State:

Product identification	Number of product inspections	Number of infringements	Kind of infringement		Measures taken (number)							
			Not applying QUID	Giving wrong percentage	None	Verbal warning	Written warning	Improved in-house control required	Sales prohibition	Administrative penalty	Court action	Other

BACTERIOLOGICAL QUALITY OF SMOKED FISH
(hot or cold smoked salmon, haddock, herrings and other smoked fish)

Member State:

Site of sampling: distribution/retail ☐ production/raw material ☐ production/finished product ☐

Microbiological criteria	Product identification	Number of samples	Analysis results (*)			Method used (ref.)	Measures taken (number)			
			S	A	U		None	Action as regards the products	Action as regards the establishment of production	Other
Aerobic micro-organisms 30 °C Smoked salmon, haddock and other smoked fish: n=5, c=2, m=10 ⁶ /g, M=10 ⁷ /g smoked herring anchovies in brine: n=5, c=2, m=10 ⁵ /g, M=10 ⁶ /g										
Coagulase positive <i>Staphylococcus</i> Smoked salmon, haddock and other smoked fish: n=5, c=2, m=1/g, M=10/g sliced vacuum-packed smoked salmon: n=5, c=2, m=10/g, M=100/g										
<i>Escherichia coli</i> n=5, c=1, m=10/g, M=100/g or faecal coliforms n=5, c=1, m=1/g, M=10/g										
			Absent in 25 g	≤m	>					
<i>Listeria monocytogenes</i> (**) n=5, c=0, m=100/g										

n: Number of sample units.

c: Number of sample units between m and M.

(*) The batch is considered: satisfactory (S) if the value in all sample units is equal to or less than m; acceptable (A) if a maximum of c sample units is between m and M and all other sample units are equal to or less than m; unsatisfactory (U) if one or more sample units have value over M or more than c sample units have value between m and M.

(**) Indicate the value obtained where enumeration was performed.