



Submission - FSANZ Proposal P1017
Criteria for *Listeria monocytogenes* – Microbiological Limits for Foods
10th January 2014

Thank you for the opportunity to comment on the criteria for *Listeria monocytogenes* – Microbiological Limits for Foods, Proposal P1017.

1. This submission is made by Seafood New Zealand Limited (SNZ) on behalf of the New Zealand commercial seafood industry.
2. SNZ is the primary umbrella organisation representing the generic interests of the New Zealand seafood industry, which includes quota owners, fishers, marine farmers, seafood processors, wholesalers, retailers, and exporters. Seafood New Zealand plays a leading role in developing and presenting the seafood industry's response on all legislative and regulatory proposals affecting the industry.
3. This submission is based on consideration of the following:
 - a) Food Standards (Proposal P1017 – Criteria for *Listeria monocytogenes* – Microbiological Limits for Foods) Variation, Attachment A – Draft variations to the Australia New Zealand Food Standards Code
 - b) SD1 – Supporting Document 1, Guidance on the application of microbiological criteria for *Listeria monocytogenes* in RTE food – Proposal P1017
4. With respect to the proposed variation to Standard 1.1.1, while it is necessary for the purpose of clarity and to allow a consistent application of the standard, to include a generic definition of 'ready-to-eat', we consider that the generic definition provided inadvertently captures products that should be but are not explicitly excluded.
5. Supporting document 1 (SD1) discusses the application of *Listeria monocytogenes* limit not being relevant for some RTE foods, for example products that have received a listericidal treatment after being sealed in final packaging and foods that are aseptically processed etc. SNZ agrees with the risk management approach, and that *Listeria monocytogenes* criteria are not appropriate for these products.
6. However this risk management approach, and therefore the exclusion of these products is not reflected in Standard 1.6.1, i.e. they meet the RTE definition but no exclusion applies. Specifically under the proposed generic definition, these products are captured in Column 1 of the Schedule to Standard 1.6.1 (as RTE food) and the limit for RTE food in which the growth of *Listeria monocytogenes* does not occur, would apply to these products.

7. Therefore considering the above and the proposed definition of RTE (with the exception of those foods excluded under a and b), RTE food where *Listeria monocytogenes* is not likely to occur or where the risk is minimal due to the nature of processing and/or the packaging that is applied, where the food contains a listericidal component that ensures rapid inactivation, or where testing would not be relevant, are captured. Examples of seafood products inadvertently captured by this definition but which should be excluded include:
- Seafood that has received heat treatment or other processing to eliminate *Listeria monocytogenes*, such as canned seafood or cooked-pouched products
 - Live or raw seafood that can be consumed without further processing, including raw bivalve molluscs or sashimi style fish or shellfish
8. Seafood New Zealand considers that due to the discussion included in SD1, it was not intended to capture the products identified above and therefore proposes that these be explicitly excluded either under the definition of RTE in Standard 1.1.1 or excluded within the Schedule pertaining to Standard 1.6.1.
9. Again thank you for this opportunity to provide these comments.

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