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Public Health Division
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SUBMISSION ON PROPOSAL P1017 – CRITERIA FOR LISTERIA MONOCYTOGENES – MICROBIOLOGICAL LIMITS FOR FOOD

The Department of Health Western Australia (DOHWA) would like to thank Food Standards Australia New Zealand (FSANZ) for seeking comment on Proposal P1017 - Criteria for *Listeria monocytogenes* – Microbiological Limits for Foods. This submission has been prepared by the DOHWA Environmental Health Directorate.

After careful consideration, the DOHWA **supports** FSANZ's Option 1 – to include microbiological criteria in Standard 1.6.1 for *Listeria monocytogenes* on the basis of whether the food is ready-to-eat and can or cannot support its growth. The DOHWA supports this option and agrees that foods in which the growth of *L.monocytogenes* will not occur, occasional low level detections (<100 cfu/g) do not present a public health risk.

The DOHWA has concerns however, that increasing the level of *L.monocytogenes* to 100 cfu/g in foods that cannot support growth may result in additional risks that are required to be managed by food businesses and regulated by enforcement agencies.

According to the Food and Agriculture Organization and World Health Organization (2004), *Risk Assessment of Listeria monocytogenes in ready-to-eat foods – Interpretive Summary* "Raising a zero tolerance standard to a higher value (e.g. 1 CFU/25g to 100/g) would be expected to result in increased incidence of listeriosis unless relaxing the standard led to the general adoption of control measures that significantly decreased the incidence of RTE food servings that exceeded the standard, particularly the number of servings with elevated levels of *L.monocytogenes*." Therefore, while a change to Standard 1.6.1 of the *Australia New Zealand Food Standards Code* ensures Australia is aligned with international practices, there is a risk that there will be an increase in the number of incident of RTE food servings with >100 cfu/g of *L.monocytogenes*. This risk could be managed if food businesses incorporated additional general good manufacturing practices that are targeted at the control of *L. monocytogenes*.

It is the view of the DOHWA that large food businesses can readily adopt and apply the proposed framework. The DOHWA industry database however, indicates that a significant proportion of food businesses in Western Australia are small to medium sized. The available evidence also suggests that these food businesses are generally associated with a higher level of risk for *L.monocytogenes* in their products.

While food businesses are well regulated within Western Australia, there are a number of small food businesses that are not mature enough to adopt complex control measures to ensure the incident of *L.monocytogenes* >100cfu/g in RTE (that does not support the growth of the pathogen) are kept to a minimum. In addition to this, in most small food businesses in Western Australia, the proposed FSANZ framework (page 7, Figure 1 of FSANZ Supporting Document 1) would be too complex to adopt and apply.

To resolve this issue, the DOHWA recommends the proposed framework is published with an explanatory paper detailing the basics of growth and survival of *L.monocytogenes* in food and also appropriate risk management strategies to control *L.monocytogenes*. It is expected these explanatory guidelines would give food businesses a better understanding on appropriate *L.monocytogenes* management programs. The DOHWA is aware of an existing document produced by Ministries for Primary Industries (New Zealand) – *Guidance for the Control of Listeria monocytogenes in Ready-to-Eat Foods* (November, 2012) that could be utilised as the framework for a FSANZ explanatory document.

The DOHWA understands that food businesses are responsible for considering the characteristics of their products and managing the risks associated with each product. In addition to this, enforcement agencies are responsible for determining compliance regarding *L. monocytogenes* in the food businesses' product.

The DOHWA noted in the *Call for submission - Proposal P1017* (8 November 2013), on page 8, Table 1: Summary of Issues that a New Zealand independent scientific organisation raised the issue of affordability in relation to small manufacturers undertaking microbial enumeration tests. In response, FSANZ stated: "Enforcement agencies should be able to provide advice and guidance to small businesses on sampling procedures and requirements appropriate to their product and circumstance."

The DOHWA does not agree with the response provided by FSANZ as under the *WA Food Act 2008*, enforcement agencies are not responsible for advising or guiding small businesses on the most appropriate sampling procedures. It is the responsibility of the food business to determine the most appropriate sampling procedure based on the risk profile of each product.

As mentioned in the above paragraph, small businesses currently do not have an understanding of the complexity between survival of *L.monocytogenes* and safety of the food product throughout its shelf-life. This gap in understanding between small food businesses and the proposed amendment to the Code highlights the importance of having a document that provides a simple, yet comprehensive outlook on risk management of *L.monocytogenes* in small food businesses.

Thank you for considering the above comments. Should you wish to discuss any of these comments please do not hesitate to contact [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Yours sincerely

[REDACTED]
MANAGER
FOOD UNIT
ENVIRONMENTAL HEALTH DIRECTORATE