



27 April 2012

Project Officer Application 1045
Food Standards Australia New Zealand
PO Box 10559
The Terrace
WELLINGTON 6036

Dear Sir/Madam

Application A1045 – Bacteriophage as a Processing Aid – Second Call for Submissions

Thank you for the opportunity to comment on this application. The Ministry of Agriculture and Forestry (MAF) has the following comments to make.

MAF supports Option 1, that is to amend Standard 1.3.3 – Processing Aids, to approve the use of *Listeria* phage P100. We are satisfied that the proposed use of P100 is technologically justified to reduce levels of *Listeria monocytogenes*, and that no significant public health or safety concerns were identified including any known allergenicity or toxicity.

However, MAF notes that there is a potential issue concerning the interest consumers may have about the use bacteriophages in food, particularly as its proposed classification as a processing aid means it is not required to be labelled. Lack of information may lead to misinformation and lack of understanding about the nature of bacteriophages and possible benefits of their use.

Comments about the draft variations to the Code.

MAF believes there are wider policy considerations arising from the inconsistent use of the term ready-to-eat food within a wide range of existing regulatory and guidance materials. Therefore, a proposal for a definition that applies throughout the Code should be part of a wider consideration of how and where the term is used. The proposed change contained in the Second Call for Submissions is a significant change to the Code, for which there has been arguably insufficient notification and opportunity for adequate consultation. Therefore, MAF proposes that the definition or similar wording to this effect be included within Standard 1.3.3 and the existing definition be retained in Standard 3.2.2. This will avoid any further issues or possible wider implications. FSANZ may wish to consider including discussion around the introduction of a definition of a RTE food as part of the review of the micro limits for *Listeria* in Standard 1.6.1?

Furthermore the term ‘anti-listerial’ or ‘antilisterial’ is used, as this is used by EFSA and MAF suggests that the term ‘listericidal’ is used, when describing such treatments.



Furthermore, we suggest that the action of P100 is clarified in the draft wording by adding the words ‘treatment for the reduction or elimination of *L. monocytogenes*’.

MAF therefore suggests that the middle box is reworded to read:

Listericidal treatment for the reduction or elimination of *L. monocytogenes* on the surface of the following solid ready-to-eat foods –

- (a) Meat and meat products
- (b) Fish and fish products
- (c) Fruit and fruit products
- (d) Vegetables and vegetable products
- (e) Cheese

Provided the foods are not wholly or partly covered in liquid.

Alternatively the definition of ready-to-eat may be unnecessary in the standard if elements of the definition are included in the wording as follows (the requirement for the food to be solid and not wholly or partly covered in a liquid could also be combined with the first the clause):

Listericidal treatment for the reduction or elimination of *L. monocytogenes* on the surface of the following solid ready-to-eat foods (excluding nuts in the shell and whole, raw fruits and vegetables that are intended for hulling, peeling or washing by the consumer; and solid foods wholly or partly covered in a liquid)–

- (a) meat and meat products;
- (b) fish and fish products;
- (c) fruit and fruit products;
- (d) vegetables and vegetable products;
- (e) cheese;

Other comments;

MAF questions if there is enough evidence to show that P100 will work on fruit and fruit products as it would rely on the P100 being able to access folded and other hidden surfaces, e.g. stomata, to reach any *Listeria* in such places. However, reducing *Listeria* on available surfaces is still beneficial. In these cases it is the processor’s responsibility to demonstrate efficacy as part of their food safety assurances programme. Another point is that the studies showing the effect of P100 were only conducted for short times eg 6 days. Does this mean that P100 is suitable for only short shelf-life foods?

MAF reiterates that the application specifies that prevention of reintroduction to processing plants is a key measure to minimise the likelihood of development of resistance. The practicality of managing/regulating this needs to be considered, including

- in cases where re-processing of product may otherwise be undertaken by industry/ ordered by regulators in response to an identified *Listeria* contamination event (regulators are unlikely to be aware that P100 has been applied to the product)
- when RTE foods are used as ingredients in other products, subsequent parts of the food chain may not be aware that P100 has been applied
- re-entry to a plant may be allowed if the product is processed to inactivate the phage eg a suitable thermal process.

MAF also reiterates earlier comments that if the applicant intends to import or use P100 in New Zealand, they need to contact the New Zealand Environmental Protection Authority (EPA) about whether P100 is a “new organism” and if so, they will need to make an application to the EPA. Similarly there may be biosecurity implications and MAF biosecurity may require consultation.

Yours sincerely