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COMMISSION REGULATION (EU) No .../..

of **XXX**

amending Regulation (EC) No 2073/2005 as regards *Campylobacter* in broiler carcasses

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs¹, and in particular Article 4(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2073/2005⁽²⁾ lays down the microbiological criteria for certain micro-organisms and the implementing rules to be complied with by food business operators in respect of the general and specific hygiene requirements referred to in Article 4 of Regulation (EC) No 852/2004.
- (2) In particular, Regulation (EC) No 2073/2005 lays down process hygiene criteria which set indicative contamination values above which corrective actions are required in order to maintain the hygiene of the process in compliance with the food law.
- (3) The "European Union summary report on trends and sources of zoonoses, zoonotic agents and food-borne outbreaks in 2014" published by the European Food Safety Authority (EFSA) and the European Centre for Disease Prevention and Control (ECDC) states that human campylobacteriosis is the most reported human food-borne illness in the European Union with around 230 000 cases reported annually (30% of cases hospitalized).
- (4) In 2010 the EFSA published the analysis of the baseline survey on the prevalence of *Campylobacter* in broiler batches and carcasses ⁽³⁾. The baseline survey was carried out at slaughterhouse level in 2008 to obtain comparable figures on the prevalence and the level of contamination of broilers in the Union. EFSA concluded that broiler carcasses were contaminated at an average of 75.8% with big variations between Member States and slaughterhouses.

¹ OJ L 226, 25.6.2004, p. 3.

² OJ L 338, 22.12.2005, p. 1.

³ EFSA Journal 2010; 8(03):1503).

- (5) According to the EFSA Scientific Opinion on the risk of human campylobacteriosis linked to broiler meat ⁽⁴⁾, published in 2010, handling, preparation and consumption of broiler meat may account for 20% to 30% of human cases of campylobacteriosis, while 50% to 80% may be attributed to the chicken reservoir as a whole.
- (6) The EFSA Scientific Opinion on control options for *Campylobacter* along the poultry meat production chain, published in 2011⁽⁵⁾, suggests a number of control options both on farm and slaughterhouse level and estimates their impacts on the reduction of the number of human cases.
- (7) The EFSA also published in 2012 a Scientific Opinion on the public health hazards to be covered by inspection of poultry meat, which identifies *Campylobacter* as of high public health relevance⁽⁶⁾, and recommends the adaptation of the current inspection methods of poultry carcasses to address *Campylobacter*. In particular EFSA suggests introducing a process hygiene criterion for *Campylobacter* on broiler carcasses. EFSA estimates that a public health risk reduction from the consumption of broiler meat of more than 50% could be achieved if all batches complied with a limit of 1000 cfu/g of neck and breast skin.
- (8) Based on the EFSA opinions of 2010 and 2011, the Commission commissioned an analysis of the costs and benefits of setting certain control measures for reduction of *Campylobacter* in broiler meat at different stages of the food chain⁽⁷⁾. The main conclusion of this cost-benefit analysis is that setting a process hygiene criterion to *Campylobacter* in broiler carcasses would provide one of the best balances between reducing human campylobacteriosis attributed to the consumption of poultry meat and economic consequences from the application of the criterion.
- (9) The process hygiene criterion for *Campylobacter* in poultry carcasses of broilers aims at controlling contamination of carcasses during the slaughtering process.
- (10) In order to reduce administrative burden for food business operators, the sampling plan for the criterion on *Campylobacter* should follow the same testing approach as for the process hygiene criterion set out in Row 2.1.5 of Chapter 2 of the Regulation (EC) No 2073/2005 for *Salmonella* in poultry carcasses. The same samples used for testing the compliance with criterion 2.1.5 may therefore be used for the *Campylobacter* analyses.
- (11) The international standard EN ISO 10272-2 is the horizontal method for the enumeration of *Campylobacter* spp. in food and feed stuffs. It should therefore be laid down as a reference method verifying the compliance with the criterion for *Campylobacter* in poultry carcasses, without prejudice to provisions on the use of alternative methods laid down in Art. 5(5) of Regulation (EC) No 2073/2005.
- (12) In order to give sufficient time to food business operators to adapt their current practices to the new requirements of this Regulation and to laboratories performing

⁴ EFSA Journal 2010; 8(1): 1437.

⁵ EFSA Journal 2011;9(4): 2105.

⁶ EFSA Journal 2012;10(6):2741

⁷ http://ec.europa.eu/food/food/biosafety/salmonella/docs/campylobacter_cost_benefit_analysis_en.pdf

Campylobacter analyses to implement the methods, this Regulation should not apply immediately after its entry into force.

- (13) Regulation (EC) No 2073/2005 should therefore be amended accordingly.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Plants, Animals, Food and Feed Committee and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 2073/2005 is amended as follows:

- (1) In Chapter 2, the following row 2.1.9 is added:

"2.1.9 Poultry carcasses of broilers	<i>Campylobacter</i> spp.	50 (⁵)	c=20(¹¹) From 1.1.2020 c=15(¹¹) From 1.1.2025 c=10(¹¹)	1000 cfu/g	EN ISO 10272-2	Carcases after chilling	Improvements in slaughter hygiene, review of process controls, origin of animals and of the biosecurity measures in the farms of origin
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(11) Member States may use lower c values."

- (2) In Chapter 2, part 2.1, the footnote 2 is replaced by the following:

"(2) For points 2.1.3-2.1.5-2.1.9 m = M."

- (3) In Chapter 2, 2.1 Meat and products thereof, the "Interpretation of the test results", the following is added as follow:

"*Campylobacter* spp. in poultry carcasses of broilers:

—satisfactory, if a maximum of c/n values are > m,

— unsatisfactory, if more than c/n values are > m."

- (4) In Chapter 3, Section 3.2 is replaced by the following:

"3.2 Bacteriological sampling in slaughterhouses and at premises producing minced meat, meat preparations, mechanically separated meat and fresh meat

Sampling rules for carcasses of cattle, pigs, sheep, goats and horses

The destructive and non-destructive sampling methods, the selection of the sampling sites and the rules for storage and transport of samples to be used are set out in standard EN/ISO 17604.

Five carcasses shall be sampled at random during each sampling session. Sample sites must be selected taking into account the slaughter technology used in each plant.

When sampling for analyses of Enterobacteriaceae and aerobic colony counts, four sites of each carcass shall be sampled. Four tissue samples representing a total of 20 cm² shall be obtained by the destructive method. When using the non-destructive method for this purpose, the sampling area shall cover a minimum of 100 cm² (50 cm² for small ruminant carcasses) per sampling site.

When sampling for *Salmonella* analyses, an abrasive sponge sampling method shall be used. Areas most likely to be contaminated shall be selected. The total sampling area shall cover a minimum of 400 cm².

When samples are taken from the different sampling sites on the carcass, they shall be pooled before examination.

Sampling rules for poultry carcasses and fresh poultry meat

Slaughterhouses shall sample whole poultry carcasses with neck skin for *Salmonella* and *Campylobacter* analyses. Cutting and processing establishments other than those adjacent to a slaughterhouse cutting and processing meat received only from this slaughterhouse, shall also take samples for *Salmonella* analysis. When doing so, they shall give priority to whole poultry carcasses with neck skin, if available, but ensuring that also poultry portions with skin and/or poultry portions without skin or with only a small amount of skin are covered, and that choice shall be risk-based.

Slaughterhouses shall include in their sampling plans poultry carcasses from flocks with an unknown *Salmonella* status or with a status known to be positive for *Salmonella* Enteritidis or *Salmonella* Typhimurium.

When testing against the process hygiene criteria set out in Row 2.1.5 and Row 2.1.9 of Chapter 2 for *Salmonella* and *Campylobacter* in poultry carcasses in slaughterhouses and the tests for *Salmonella* and *Campylobacter* are carried out in the same laboratory, neck skins from a minimum of 15 poultry carcasses shall be sampled at random after chilling during each sampling session. A piece consisting of minimum of 10 g of neck skin shall be obtained from each poultry carcass. On each occasion, before examination, the neck skin samples from three poultry carcasses from the same flock of origin shall be pooled. Thus, neck skin samples from these 15 carcasses form 5 x 26 g final samples (26 g are needed to perform analyses for *Salmonella* and *Campylobacter* from one sample in parallel). The samples shall be transported to the laboratory at a temperature not lower than 1°C and not higher than 8°C and the time between the sampling and the testing for *Campylobacter* shall be of less than 48 hours in order to ensure maintenance of sample integrity. [Samples that have reached a temperature of 0 °C](#) shall not be used to verify compliance with the *Campylobacter* criterion. The 5 x 26 g samples shall be used to verify the compliance with process hygiene criteria set out in Row 2.1.5 and Row 2.1.9 of Chapter 2 and the food safety criterion set out in Row

1.28 of Chapter 1. In order to prepare the initial suspension, the 26 g test portion shall be transferred to nine volumes (234 ml) buffered peptone water (BPW), brought to room temperature before adding. The mixture shall be treated in a stomacher or pulsifier for approximately one minute. Foaming shall be avoided by removing the air from the stomacher bag as much as possible. 10 ml (~1g) of this initial suspension shall be transferred to an empty sterile tube and 1 ml of the 10 ml shall be used for the enumeration of *Campylobacter* on selective plates. The rest of the initial suspension (250 ml ~ 25g) shall be used for the detection of *Salmonella* spp. (*this insertion is subject to discussion in the WG*)

When testing against the process hygiene criteria set out in Row 2.1.5 and Row 2.1.9 of Chapter 2 for *Salmonella* and *Campylobacter* in poultry carcasses in slaughterhouses and the tests for *Salmonella* and *Campylobacter* are carried out in two different laboratories, neck skins from a minimum of 20 poultry carcasses shall be sampled at random after chilling during each sampling session. A piece consisting of minimum of 10 g of neck skin shall be obtained from each poultry carcass. On each occasion, before examination, the neck skin samples from four poultry carcasses from the same flock of origin shall be pooled. Thus, neck skin samples from these 20 carcasses form 5 x 35 g samples, which in turn shall be split in order to obtain 5 x 25 g final samples (to be tested for *Salmonella*) and 5 x 10 g final samples (to be tested for *Campylobacter*). The samples shall be transported to the laboratory at a temperature not lower than 1°C and not higher than 8°C and the time between the sampling and the testing for *Campylobacter* shall be of less than 48 hours in order to ensure maintenance of sample integrity. The 5 x 25 g samples shall be used to verify the compliance with process hygiene criteria set out in Row 2.1.5 of Chapter 2 and the food safety criterion set out in Row 1.28 of Chapter 1. The 5 x 10 g final samples shall be used to verify the compliance with the process hygiene criterion set out in Row 2.1.9 of Chapter 2.

For the *Salmonella* analyses for fresh poultry meat other than poultry carcasses, five samples of at least 25 g of the same batch shall be collected. The sample taken from poultry portions with skin shall contain skin and a thin surface muscle slice in case the amount of skin is not sufficient to form a sample unit. The sample taken from poultry portions without skin or with only a small amount of skin shall contain a thin surface muscle slice or slices added to any skin present to make a sufficient sample unit. The slices of meat shall be taken in a way that includes as much as possible of the surface of the meat. '

Guidelines for sampling

More detailed guidelines on the sampling of carcasses, in particular concerning the sampling sites, may be included in the guides to good practice referred to in Article 7 of Regulation (EC) No 853/2004.

Sampling frequencies for carcasses, minced meat, meat preparations, mechanically separated meat and fresh poultry meat

The food business operators of slaughterhouses or establishments producing minced meat, meat preparations, mechanically separated meat or fresh poultry meat shall take samples for microbiological analysis at least once a week. The day of sampling shall be changed each week to ensure that each day of the week is covered.

As regards the sampling of minced meat and meat preparations for *E. coli* and aerobic colony count analyses and the sampling of carcasses for Enterobacteriaceae and aerobic colony count analyses, the frequency may be reduced to fortnightly testing if satisfactory results are obtained for six consecutive weeks.

In the case of sampling for *Salmonella* analyses of minced meat, meat preparations, carcasses and fresh poultry meat, the frequency may be reduced to fortnightly if satisfactory results have been obtained for 30 consecutive weeks. The *Salmonella* sampling frequency may also be reduced if there is a national or regional *Salmonella* control programme in place and if this programme includes testing that replaces the sampling laid down in this paragraph. The sampling frequency may be further reduced if the national or regional *Salmonella* control programme demonstrates that the *Salmonella* prevalence is low in animals purchased by the slaughterhouse.

In the case of sampling for *Campylobacter* analysis of poultry carcasses, the frequency may be reduced to fortnightly if satisfactory results have been obtained for 52 consecutive weeks. The *Campylobacter* sampling frequency may also be reduced, after authorisation by the competent authority, if there is a national or regional *Campylobacter* official or officially recognised control programme in place and if this programme includes sampling and testing equivalent to the sampling and testing required for verifying compliance with the process hygiene criterion set out in Row 2.1.9 of Chapter 2. In case low contamination level of flocks is defined for *Campylobacter* in the control programme, the sampling frequency may be further reduced if this low contamination level of *Campylobacter* is reached in the farms of origin of the broilers purchased by the slaughterhouse. In case the control programme shows satisfactory results during a specific period of the year, frequency of analysis of *Campylobacter* may also be adjusted to seasonal variations after authorisation by the competent authority.

However, when justified on the basis of a risk analysis and consequently authorised by the competent authority, small slaughterhouses and establishments producing minced meat, meat preparations and fresh poultry meat in small quantities may be exempted from these sampling frequencies."

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 September 2017.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Jean-Claude JUNCKER