SUMMARY OF THE CONSULTATION OF THE SAFETY AND SHELF LIFE OF VACUUM AND MODIFIED ATMOSPHERE PACKED CHILLED FOODS WITH RESPECT TO NON-PROTEOLYTIC CLOSTRIDIUM BOTULINUM

Respondent	Comment	FSS Response
Local Authority	There are a number of typos in the document as well as Scottish reference omissions. It states "the shelf life will begin as soon as the controlling factor(s) have been first applied" - could this be clarified In question 11 (page 22) it states that "A food business operator should be able to provide the local authority with evidence to demonstrate.....". Should this not be "is required to" or "must"? The guidance refers to use of HIN's, where there is no evidence of validation. Should it also refer to the fact that consideration should be given to removing product from the market?	Noted. The typos noted have been corrected from the draft version and Scottish references added. Point noted. The start of the shelf life normally applies to the point at which the product is packed and sealed. Noted, Whilst the wording in the guidance has not changed stylistically, the obligation is clearly set out in legislation The guidance should be considered in tandem with other guidance, including the Food Law Code of practice in terms of enforcement options available regarding non compliance

SUMMARY OF THE CONSULTATION OF THE SAFETY AND SHELF LIFE OF VACUUM AND MODIFIED ATMOSPHERE PACKED CHILLED FOODS WITH RESPECT TO NON-PROTEOLYTIC CLOSTRIDIUM BOTULINUM

Trade Association	We have reviewed the new guidance and do not see any huge concern over the ability to comply with what is being asked. Where scientific evidence is required to support shelf life claims it would be helpful if some guidance with regard to typical shelf life of salamis and continental charcuterie which are very often delivered with an 8 week shelf life. Does the same scientific evidence requirement apply when such products are vacuum packed? To a certain extent the same question relates to meats with a concentration of 3.5% sodium chloride in the aqueous phase of a food stored at temperatures less than or equal to 8°C. Could these not be afforded longer shelf lives before testing is required? The main question is the level of product information and specification supplied, particularly in the case of products supplied by distributors, and what would be expected by enforcement officers. Supplier audits by small operators are simply not financially viable and requirements might cause some to cease this trade.	Comments noted. The guidance gives broad advice covering many products and is not intended to go into detail for specific product categories. However, it is the responsibility of the FBO to ensure that that they have HACCP based procedures in place to meet the requirements relating to products with a longer shelf life.

SUMMARY OF THE CONSULTATION OF THE SAFETY AND SHELF LIFE OF VACUUM AND MODIFIED ATMOSPHERE PACKED CHILLED FOODS WITH RESPECT TO NON-PROTEOLYTIC CLOSTRIDIUM BOTULINUM

Trade Association	Our members produce packaged raw meat. What evidence is there that botulism has been found in vacuum packed beef, lamb or pork produced in Scotland? The guidance recommends a maximum shelf life of 10 days for foods stored at 3-8 degrees C. For shelf life of more than 10 days other controls are suggested. These additional controls are largely impractical for companies marketing raw red meat. The guidance admits that these controls can be difficult to achieve and recommends that expert guidance from a food research institute should be sought The UK meat industry has, carried out such research and the industry standard, emphasised by appropriate labelling, is storage between 0 and 4 degrees C with a shelf life of up to 28 days. It is important that there is a level playing field across the UK (and across the EU) as failure to achieve this would financially disadvantage our members. Will your policy achieve this?	The controls described in the guidance are intended to ensure food safety and compliance with food hygiene legislation. Food safety and public health must always be given priority. FBOs can extend the shelf life of their products if they are able to provide sufficient evidence that demonstrates through other methods they can control growth of any relevant pathogens.

SUMMARY OF THE CONSULTATION OF THE SAFETY AND SHELF LIFE OF VACUUM AND MODIFIED ATMOSPHERE PACKED CHILLED FOODS WITH RESPECT TO NON-PROTEOLYTIC CLOSTRIDIUM BOTULINUM

Local Authority	Welcomes clarification that the scope of the guidance covers all chilled VP/MAP foods, and on heat treatment and other pathogens	Positive comments noted and welcomed.
	The guidance appears to lack references to end use instructions.	Obligations for end use instructions are set out in relevant labelling legislation and existing guidance covers this issue.
	Industry is generally unable to monitor the controlling factors directly at the time of production. Assay of aW and salt in the aqueous phase for example are typically undertaken off-site by specialist laboratories. '*Just-in-time'* production techniques for high-added-value short -shelf- life products entails that products have undergone wide distribution before the results of assays are known. Moreover, the assays are relatively expensive and are never undertaken in relation to every batch. As such assay of controlling factors constitutes verification and not a monitoring activity.	Comments noted. It is for businesses to verify that their food safety management system continues to deliver safe food, within a validated system, and to monitor the appropriate parameters within that system. The validation process is addressed in the Q&A and gives greater clarity.
	Industry typically attempts to monitor the controlling factors indirectly. There is a critical need for the indirect monitoring techniques to be founded upon scientifically robust validation studies.	
	It is further recommended that the guidance makes reference to the *WHO-Codex 'Guidelines for The Validation of Food Safety Control Measures CAC/GI 69 – 2008'and* that further guidance and training is provided for enforcement officers relating the Official Controls verification techniques and practices.	Businesses should consider all relevant guidance. FSS is currently updating our website with a view to providing relevant information quickly and easily. Useful links such as this will be considered in this exercise and local authorities will be consulted.
FBO	It would be a good idea to incorporate the <3C storage in the decision tree	Products being stored <3C are outside the scope of this guidance.
	Query regarding process steps taken in relation to work in progress items such as sauces.	The guidance is intended to assist food businesses in determining shelf life and product safety for food sold in modified atmosphere or vacuum packing. Validation that the system applied is appropriate is for businesses to determine. The validation process is addressed in the Q&A and gives greater clarity.