European Community comments on
CODEX CIRCULAR LETTER CL 2005/13-CAC
THE PROPOSED DRAFT REVISED RECOMMENDED INTERNATIONAL CODE OF PRACTICE FOR THE PROCESSING AND HANDLING OF QUICK FROZEN FOODS (AT STEP 3)

The European Community and its Member States (ECMS) are of the opinion that this new draft Code, improved compared with the previous one (CL 2004/39-CAC) by the United States, which should be thanked, nevertheless calls for a number of comments on the quality aspects (sections 1, 2, 3, 5 and 6 – Quality aspects – and Annexes 2 and 3), the most important of which concern paragraphs 5.1; 5.6; 5.7 and Annex 2.

The European Community and its Member States consider that these comments should not delay the adoption of this document at Step 5, to which the ECMS are favourable.

GENERAL COMMENTS

- The quality of quick frozen foods, in the broad sense of the term (hygienic, organoleptic, etc.), calls for observance of a number of requirements:
  - the use of safe and wholesome raw materials;
  - the preparation and quick freezing of products using appropriate equipment;
  - the control and management of the cold chain, assuring their safety and quality.

- The ECMS are aware that there have been concerns regarding the application of a HACCP type approach using Defect Action Points (DAPs) for the control of quality defects. Whilst the ECMS are in support of this type of approach the ECMS note that the Code clarifies that the application of DAP analysis is optional and other techniques which achieve the same objective may be applied. Therefore, the ECMS consider that objections to the use of DAP analysis should not prevent adoption of the Code and agree with the decision of the USA to keep DAP’s in the Code.

- The ECMS can also agree with U.S. comments that there should be some discussion of distinctions between quality and safety aspects regarding which steps are considered DAP’s and which are considered CCP’s (see also specific comments on sections 5.5, 5.6 and 5.7).

- The ECMS consider that use of the terms ‘warmer than - x°C’ or ‘colder than - x°C’ should be used in place of ‘higher than/above - x°C’ or ‘lower than/below - x°C’ when referring to negative temperatures as this is less open to mis-interpretation and will avoid confusion. This has been done in some sections of the text e.g. section 5.3 paragraph 2 but not in others e.g. section 5.5 paragraph 1, section 5.6 paragraphs 4 & 6, section 5.7 paragraph 1. All relevant sections should be amended to take this in to account.
2 – SCOPE AND DEFINITIONS

2.1 Scope:
The list of the various links is incomplete. The term ‘transportation’ should be replaced with the term ‘distribution’ as this encompasses both the reception and transport of products. The draft Code deals also with other phases including reception and distribution, which need to be added here therefore. This is consistent with the entirely justified comment by Venezuela.

2.2. Definitions:
- **Cold chain**: it would be advisable to insert the words ‘harvesting, slaughter’ before the word ‘production’ so that the preceding stages will be properly covered by the definition;
- **Cold store**: the term ‘building’ seems inappropriate and could be replaced by ‘premises’. Also, the ECMS suggest the second part of the sentence is qualified as follows: ‘…quick frozen foods under refrigerated / frozen conditions.’ The wording ‘sous des conditions frigorifiques’ in French is not very clear and should be replaced by ‘sous des conditions de températures appropriées’.
- **Azurage**: in French, the translation is ‘glazurage’
- **Temperature abuse**: for further clarification the word ‘adversely’ should be added so the sentence reads ‘…so that it may adversely affect essential quality or safety of the food.’ (See also 5.4 3rd comment).
- **Tolerances**: The definition should be widened with the term ‘safety and quality’ to meet also quality aspects. The definition would read as follows:
  “Short term fluctuations of temperature of the product in the cold chain, within limits permitted in the Code of Practice and which do not affect safety and quality”
- **Traceability/Product Tracing**: the following definition of traceability/product tracing, proposed by the Codex Committee on General Principles, was agreed at the 27th CAC, July 2004:
  “Traceability/Product tracing: the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.” (See Codex Procedural Manual, 14th edition, page 45).

The ECMS are of the opinion that the Codex Procedural Manual definition should be used.

The ECMS also underline that the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) is currently considering a proposal for the application of this definition (“Principles for the Application of Traceability/Product Tracing”; see also para 20, page 3, Alinorm 03/41).

3 – PREREQUISITE PROGRAMME

3.1 Location: It is suggested to reword section 3.1. Location as follows:

“Processing facilities should be located as to minimize quality changes of perishable raw materials for quick frozen foods prior to freezing.”

3.2.3. The first sentence should be re-worded to include the point that equipment used should not chemically alter the raw product. The ECMS would suggest this sentence is re-worded to say “…and constructed and made of materials, such that physical damage and contamination to the raw materials…” This is consistent with a comment by Venezuela.

3.6 Recall procedures and [traceability/product tracing]:

3.6.1. A distinction should be made between the withdrawal of products from the market for which the food industry operator is responsible where a product fails to satisfy the safety requirements, and recall which takes place where a product has reached the consumer and which consists in the operator concerned notifying the consumer and asking him/her, for example, not to consume the product in question.

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1 The observations in italics are comments relating to form in most cases concerning problems of translation into French.
In the title of this paragraph the word ‘recall’ should be replaced by ‘withdrawal’; in the first line the word ‘recall’ should be replaced by ‘withdrawal’.

In addition, the question of including ‘recall’ in this paragraph could be offered for comment.

3.6.2. Same comments as above; the word ‘recall’ in the first line should be replaced by ‘withdrawal’.

4 COLD CHAIN CONTROL: SAFETY ASPECTS

4.1 Raw Materials

In paragraph 2 the word ‘Receiving’ should be replaced by the word ‘Reception’.

(Paragraph 4.3 concerning quick freezing processes, which seems to deal only with air blast freezing, should be updated and broadened to include other existing quick freezing methods).

5 COLD CHAIN CONTROL – QUALITY ASPECTS

5.1. Raw materials

As stated in the introduction, an essential factor for preserving the quality of a product is processing it as early as possible after harvesting, slaughter, fishing, etc. It would be appropriate therefore to replace the first sentence in the second paragraph by:

‘Products for processing and quick freezing must be prepared without delay and temperature control should be applied in order to minimise possible chemical or biochemical changes.’

5.2 Processing Before Freezing

In paragraph 3, the current wording is ambiguous; the ECMS would propose the following changes in order to clarify the text:

“Glazing, to limit dehydration during frozen storage below 18°C should be addressed.”

In paragraph 4, the following should be added to the end of the sentence, ‘and take into account their future use or further processing, as necessary’ or similar text.

5.3 Quick freezing process:

The purpose of the Code is to cover existing quick freezing processes, in particular, air blast freezing; quick freezing using a plate system or on a fluidised bed and IQF.

In the second line therefore reference should be made to the ‘freezing system or process’ rather than the ‘freezing apparatus’.

There is no specification on cooling agents used for the freezing process and which agent may come in contact with raw materials. The ECMS would propose to add the following sentence:

“During quick freezing process raw material may not get in contact with freezers other than air, nitrogen or carbon dioxide.”

5.4 Packaging and labelling

The ECMS suggest the third bullet point be moved up to be first in the list as this is a more fundamental and important purpose of packaging.

If packaging is damaged this may lead to contamination, affecting the safety of the product, The ECMS therefore suggest that the following sentence should be added at the start of the second paragraph: ‘The integrity of the packaging may be considered a CCP’.
In the second paragraph, the following should be added to the second line: ‘…an increase in temperature, within the authorised tolerances, does not adversely affect the quality of the product.’ These changes are consistent with the comments made by Venezuela. In addition, the following sentence could be added:

“An increase in temperature, above the authorised tolerances, should be considered a CCP.” (or similar text such as: “Maintenance and monitoring of the refrigeration equipment during transport and distribution to ensure that it is functioning correctly should be considered a CCP.”).

In the third paragraph, the reference to GSLPF should read ‘Codex General Standard for the Labelling of Prepackaged Foods…’.

It is suggested to include that quick frozen foods should be labelled as such (e.g. ‘quick frozen’, ‘deep frozen’, ‘frozen food’). Quick frozen foods should also be labelled with further advices for the retailer, consumer etc. (e.g. “no to refreeze after defrosting”). To this end, the ECMS would propose to add the following sentence:

“The packed quick frozen foods should be labelled as such (e.g. ‘quick frozen’, ‘deep frozen’, ‘frozen food’). Quick frozen foods should also be labelled with further advices to maintain quality at retail and consumer level (e.g. ‘not to refreeze after defrosting’).”

5.5 Frozen storage:

This paragraph is in accordance with the Community provisions on frozen foods which provide for a temperature of –18 °C or colder. This stage is a strategic one and of prime importance to the quality of the products, bearing in mind the frequently very significant quantities stored, their storage period and the importance of the storage temperature in relation to the quality of the product which will then be transported and distributed. Having in mind the general comments above, regarding consideration of what steps should be DAP’s or CCP’s, small fluctuations in temperature during storage/transport etc. would not be considered CCP’s as these would not significantly affect the safety of the product. However, if the refrigeration equipment breaks down and the temperature becomes significantly warmer this would be considered a CCP as this may affect the safety of the product. The ECMS suggest, therefore, that the final sentence of paragraph 1 should be replaced with the following text:

“Maintenance and monitoring of the refrigeration equipment in the cold store to ensure that it is functioning correctly should be considered a CCP.” (or similar text).

An incident involving a significant temperature rise, which may cause deterioration of the product (development of toxins), is particularly serious at this stage. This is consistent with the comments by Venezuela and Euro Commerce.

5.6. Transport and distribution:

As stated above, it is not possible to overestimate the importance and seriousness of an incident involving a significant temperature rise that may cause deterioration of the product.

In paragraph 1 it should be stated therefore that “Maintenance and monitoring of the refrigeration equipment during transport and distribution to ensure that it is functioning correctly should be considered a CCP.”

In paragraph 2 the words ‘of the freezing process’ should be added following the word ‘efficiency’.

In paragraph 4, the word ‘brief’ has been deleted; it should be maintained as lengthy fluctuations in temperature cannot be permitted during transport. The first line should therefore read: ‘A brief temperature rise’ Overall, paragraph 4 is unclear as currently drafted. Does it mean that a temperature of –15°C can be briefly tolerated but that any temperature warmer than –18°C must be immediately cooled, or should the first –18°C in this paragraph actually be –15°C?
The ECMS would propose to replace paragraph 4 with the following wording:

“However, a brief temperature rise of a maximum of 3°C of the product during transport may be tolerated. In this case, if the temperature of any product is warmer than –18°C, the temperature should be cooled to –18°C as soon as possible either during transport or immediately after delivery”.

In paragraph 6, distribution to retailers only is mentioned whereas increasing quantities of frozen products are distributed to various bodies, such as restaurants, hospitals, canteens, etc. This type of distribution should be included therefore by adopting the words used in the Codex general standard for the labelling of prepackaged foods, and therefore added to the first line:

‘Distribution of quick frozen foods to retailers and catering establishments should be carried out…’.

In paragraph 6, it is stated that any rise in temperature must be kept to a minimum, within the limit set by national legislation, and should not in any case exceed –12°C in the warmest pack.

The wording of the tolerance may create confusion as it refers to a negative temperature; it would be preferable therefore to say: ‘…within the limit set by national legislation, and should not in any case be warmer than –12°C in the warmest pack’.

In paragraph 6 and section 5.7, paragraph 1: the words ‘national legislation’ should be all in lower case.

The ECMS are also of the opinion that the user of the vehicle should also be included in food hygiene training as far as appropriate. The ECMS would propose to add the following sentence:

“Adequate training in food quality aspects of the user of the vehicle or container is fundamental for applying corrective measures to maintain the quality of quick frozen foods during transport and distribution.”

5.7. Retail sale:

The first paragraph provides that any rise in temperature in refrigerated sales cabinets must be kept to a minimum, within the limit set by national legislation, and should not in any case exceed –12°C in the warmest pack.

As above, the wording of the tolerance may create confusion as it refers to a negative temperature; it would be preferable therefore to say: ‘… within the limit set by national legislation, and should not in any case be warmer than –12°C in the warmest pack’.

It is stated that the temperature in a refrigerated sales cabinet may be a DAP. Where an incident involving temperature occurs, it is not possible to overestimate its importance and seriousness which may harm the product.

It should be stated therefore that ‘Maintenance and monitoring of the refrigeration equipment during transport and distribution to ensure that it is functioning correctly should be considered a CCP.’

In the second paragraph, it would be advisable to state: ‘an appropriate temperature measuring device’.

In the third paragraph, the word ‘heaters’ should be replaced by ‘heat source’, which corresponds more closely to the real situation (for example, the presence of a stove close to a refrigerated cabinet).

In the fourth paragraph the words ‘or peak storage periods’ should be added at the end of the sentence.

In the seventh paragraph, two additions should be made: ‘The retail establishment should have an appropriate back-up storage room for quick frozen foods that allows the products to be kept at a temperature of –18°C or colder’. This is because the word ‘appropriate’ covers, for example, the need to have a room of adequate volume in relation to deliveries and in relation to the need to store foods if there is a breakdown.
5.8 Transfer points:

In the third bullet point, the word 'adopte' in French should be replaced by 'suive' or 'applique', in order to be consistent with the English version.

In the fourth bullet point, the expression 'vie d’étagère’ in French should be replaced by ‘durée de vie’ ('shelf life’ in English).

6 – TEMPERATURE MANAGEMENT IN THE COLD CHAIN

6.1 Temperature Monitoring: It is proposed to include that it should not be possible to tamper with systems for temperature monitoring. The ECMS would propose to add the following sentence:

“Operators should ensure that appropriate systems which cannot be tampered with are used to monitor air temperatures during freezing process and along the cold chain in order that…”

In the second paragraph the expression ‘vie d’étagère’ in French should be replaced by ‘durée de vie’ ('shelf life’ in English).

ANNEX 2:

The comments in paragraphs 5.5, 5.6 and 5.7 and the content of paragraph 5.8 must be taken into consideration here in the illustrative example:

− The preparation of orders, casing, palettisation are particularly sensitive transfer points where temperature rises may occur; it is not possible to overestimate the importance and seriousness of an incident involving temperature which may cause the deterioration of the product.

It should be stated therefore that ‘Maintenance and monitoring of the refrigeration equipment during cold storage/transport and distribution/retail sale stages to ensure that it is functioning correctly should be considered a CCP.’ and this should also be reflected in the diagram in Annex 1 and 2.

The illustrative example envisages the operations progressing as follows: packaging, casing, freezing, which is not what happens in the industry. Freezing in boxes is increasingly rare; in most cases freezing takes place either at the retail outlet to the consumer (air blast freezing), or the product is frozen before packaging (freezing on platees, or on a fluidised bed or IQF). These practices, which are used by the majority of manufacturers, need to be shown in the illustrative example, i.e.: freezing before packaging, and freezing after packaging.

ANNEX 3

In paragraph 1.1, second bullet point, the expression ‘l’étendue de mesure’ ('temperature range’ in English) should be used and not ‘l’éventail de mesure’.