

To: Interested Parties

From: Kathryn Callaghan  
12 March 2012

Dear Sir/Madam,

## **DRAFT COMMISSION REGULATION CONCERNING THE USE OF LACTIC ACID TO REDUCE MICROBIOLOGICAL SURFACE CONTAMINATION ON BOVINE CARCASSES**

The European Commission has presented a proposal to authorise the use of lactic acid to reduce microbiological surface contamination on beef carcasses and there is likely to be a vote in Standing Committee in the near future, perhaps as soon as April 2012. This letter explains the background to the proposed Regulation, how it is developing, and sets out questions for your consideration in relation to the potential impact authorising the use of lactic acid on beef carcasses in Europe may have on English businesses.

### **Background**

Regulation (EC) No 853/2004 provides that substances other than potable water (or clean water, where permitted) cannot be used to remove surface contamination from foods of animal origin unless the use of the substance has been approved. At present no approvals have been granted. In the USA, on the other hand, a range of substances are permitted to be used to reduce surface contamination. Meat produced using these substances is not allowed to be imported into the EU.

### **US Department of Agriculture Dossier and EFSA Scientific Opinion**

The US Department of Agriculture (USDA) submitted a dossier for the evaluation and approval of the use of lactic acid for the decontamination of beef carcasses, cuts and trimmings, in December 2010. The USDA dossier was assessed by an EFSA panel of independent scientists who considered the proposal in terms of safety and efficacy. The Scientific Opinion is favourable, concluding that the treatment would be of no safety concern provided that the substance used complies with EU specifications for food additives. The Commission subsequently presented a proposal which is currently being discussed at EU level. Discussions are ongoing and the draft proposal is subject to change.

## **View of the FSA Board**

The FSA Board, at its meeting on 24 January 2012, considered a report on the draft proposal to use lactic acid on beef carcasses, which detailed the potential benefits for public health, the risks, the possible impacts and views of stakeholders. The report to the FSA Board is at <http://www.food.gov.uk/multimedia/pdfs/board/fsa120106.pdf>.

The FSA Board agreed to advise Ministers that the UK should support the Commission proposal in principle as an intervention of public health benefit, subject to safeguards to ensure that the use of lactic acid in raw beef production “should be integrated into good hygienic practices and HACCP-based systems”, as worded in the draft proposal. The FSA Board agreed that the use of lactic acid in raw beef production will be another possible intervention for FBOs to reduce foodborne pathogens and as such should be integrated into the FBO’s food safety management system based on HACCP principles. The FSA Chair, Jeff Rooker, has written to the Health Minister outlining this advice.

## **Current Position with the Draft Regulation**

The latest version of the draft regulation was presented for discussion at the Standing Committee meeting held 22 February 2012. The indications are that the proposal may be voted on in April 2012.

## **Impact on UK Business**

The FSA has consulted widely to inform the UK voting position on this proposal and would like to consult further in order to assess the likely impact this EU regulation may have on UK business. As it is a regulation authorising permissive use of lactic acid rather than mandatory use, and uptake by UK businesses may not have a significant impact, it is not our intention to produce a formal Impact Assessment. However, we will review this position if the responses to this letter indicate the need to produce an Impact Assessment. We are aware that the Commission does not intend to carry out a formal Impact Assessment for this proposal.

I would welcome responses from English businesses on the following, and separate letters will request responses from Scottish, Welsh and Northern Irish businesses:

- If lactic acid use on beef carcass was authorised in Europe, is it your intention to use lactic acid in your processing plant?
- Can you provide an estimate of the potential cost per carcass associated with using lactic acid in your processing plant?

- Would your staff require training to familiarise themselves with the process? If yes, can you give an estimate of the cost/ time associated with providing training to your staff?
- What impact do you think the additional cost associated with lactic acid would have on the prices (pence per kg) you currently charge to:
  - a) Retail
  - b) Food Service
  - c) Wholesale
  - d) Export
  - e) Direct to Customer
- Approximately what proportion of this cost would be:
  - a) Absorbed by your business?
  - b) Passed up the chain to producers/ farmers?
  - c) Passed down the chain to consumers?
- What do you see as the benefits to your business of using lactic acid (e.g. reduction in microbiological surface contamination, shelf-life extension, potential long-run savings, help facilitate additional trade, etc.)?
- Do you foresee and can you quantify any other impact (e.g. in relation to the environment, trade, consumer reaction, etc.) that the use of lactic acid may have in relation to your business?

In order to collate responses from English businesses ahead of the European vote on this regulation, I would welcome responses by 30 March 2012.

Yours faithfully,

*Kathryn Callaghan*

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