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## COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	D095011/03 ANNEX
Subject:	ANNEX to the COMMISSION REGULATION (EU) .../... amending Regulation (EC) No 2073/2005 as regards <i>Listeria monocytogenes</i>

Delegations will find attached document D095011/03 ANNEX.

Encl.: D095011/03 ANNEX



EUROPEAN  
COMMISSION

Brussels, XXX  
SANTE/10580/2021 ANNEX  
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ANNEX

**ANNEX**

**to the**

**COMMISSION REGULATION (EU) .../...**

**amending Regulation (EC) No 2073/2005 as regards *Listeria monocytogenes***

## ANNEX

In Annex I to Regulation (EC) No 2073/2005, Chapter 1 (Food safety criteria) is amended as follows:

(1) entry 1.2 is replaced by the following:

Food category	Micro-organisms/their toxins, metabolites	Sampling plan		Limits		Analytical reference method	Stage where the criterion applies
		n	c	m	M		
1.2 Ready-to-eat foods able to support the growth of <i>L. monocytogenes</i> , other than those intended for infants and for special medical purposes	<i>Listeria monocytogenes</i>	5	0	100 cfu/g (*)		EN/ISO 11290-2 (**)	Products placed on the market during their shelf-life
		5	0	Not detected in 25 g (***)		EN/ISO 11290-1	Products placed on the market during their shelf-life

\* This criterion shall apply if the producing food business operator has been able to demonstrate, to the satisfaction of the competent authority, that the level of *L. monocytogenes* will not exceed the limit 100 cfu/g throughout the shelf-life of the food. The operator may fix intermediate limits during the process that must be low enough to guarantee that the limit of 100 cfu/g is not exceeded at the end of shelf-life of the food.

\*\* 1 ml of inoculum is plated on a Petri dish of 140 mm diameter or on three Petri dishes of 90 mm diameter.

\*\*\* This criterion shall apply where the producing food business operator has not been able to demonstrate, to the satisfaction of the competent authority, that the level of *L. monocytogenes* will not exceed the limit of 100 cfu/g throughout the shelf-life of the food.'

(2) in the notes on the interpretation of the test results, the entry '*L. monocytogenes* in ready-to-eat foods able to support the growth of *L. monocytogenes* before the food has left the immediate control of the producing food business operator when he is not able to demonstrate that the product will not exceed the limit of 100 cfu/g throughout the shelf-life:

- satisfactory, if all the values observed indicate the absence of the bacterium,
- unsatisfactory, if the presence of the bacterium is detected in any of the sample units.'

is replaced by the following:

“*L. monocytogenes* in ready-to-eat foods able to support the growth of *L. monocytogenes* if the producing food business operator has not been able to demonstrate, to the satisfaction of the competent authority, that the level of *L. monocytogenes* will not exceed the limit of 100 cfu/g throughout the shelf-life of the foods:

- satisfactory, if all the values observed indicate the bacterium is not detected in any of the sample units,
- unsatisfactory, if the presence of the bacterium is detected in any of the sample units.”