The case of France

Flexibility measures specifically define for “small dairies” and their application

Conference “EU food hygiene Regulations and 'slow' cheese production principle and practice”
Bra, Italy - Sunday, 22/09/2013
• **Farmhouse cheese**: definition in the French Law (Décret fromage, 1988, actualized in 2007):
  - Only the milk from the farm concerned can be transformed
  - By the producer
  - On the farm
  - According to « traditional methods »

The farmhouse cheesemaker has three professions:
Milk producer + cheesemaker + seller

• **Artisanal dairy**
No official regulation, but an empirical definition in opposition with « big industry »:
~ 1 to 2 millions liters transformed / year
6 247 Farmhouse dairies

2 624 in goat milk (42%)
2 438 in cow milk (39%)
693 in sheep milk (11%)
8% other
(milk representing very small activity)

Source: Agreste recensement agricole 2010 – traitement Institut de l’Elevage
Registration and approval

• European approval (Art. 4, Regulation 853/2004)

• Derogation to the approval for marginal, localised (80 km) and restricted activity:
  – Selling > 30% to retailers = limited to 100 kg /week
  – Selling < 30% to retailers = limited to 250 kg/week

• Simple registration for retail (handling and/or processing of food and its storage at the point of sale or delivery to the final consumer)
Advantages and constraints of farmhouse cheesemaking are recognised by the competent authorities

**Specific advantages**
- very concentrated responsibility
- raw milk production well handled by the producers’ control on breeding
  - process starting quickly after milking
  - cheesemaker know how
- with « direct sale », producers are connected to the consumers: continuous feedback on the quality

**Specific constraints**
- « small scale » enterprises
  - limited turn over
  - limited time availability
**Flexibility** is recognised in the Regulation (CE) n°852/2004 as follows:

- (15): “The HACCP requirements should take account of the principles contained in the Codex Alimentarius. They should provide **sufficient flexibility** to be applicable in all situations, including in small businesses. … the requirement of retaining documents needs to be flexible in order to avoid undue burdens for very small businesses.

**Derogations** are planned in Regulation (CE) n°852/2004:

- Art 13 §3: Member States may, …adopt, … national measures adapting the requirements ….The national measures …shall have the aim of: (i) enabling the continued use of **traditional methods**, at any of the stages of production, processing or distribution of food…
Flexibility measures

Two important references at national level:

• « Instruction to the local inspectors concerning Flexibility »
  (note de service DGAL du 07 novembre 2011)
  • Result of discussions between the professional organisations and the Ministry of Agriculture
  • Gives the list of flexibility measures accepted by the competent authorities, concerning: premises, equipments, staff, materials, processing, health monitoring plan
  • It is not a Law, but it corresponds to the instructions given by the Ministry to the inspectors, so it is a reference

• Arrêté du 7 novembre 2012: Law concerning milk products presenting traditional characteristics
  • All farmhouse dairy products are considered as « traditional products »
  • Gives derogations concerning premises and concerning materials, equipments, and packaging
Flexibility concerns:

• Building, organisation, and equipments

• The concrete realization of the safety plan (HACCP replaced by Guide to Good Practices of Hygiene)

• The dairies which transform less than 2 millions liters of milk / year (most are “farmhouse dairies”, but small artisans can also be concerned)

• These dairies may have different statutes:
  - Direct sale
  - Derogation to European approval
  - European approval
Premises

- No specification in Regulation 852/2004 for the use of rooms but a clear separation between clean area and outdoor is required.

- Flexibility for farms: packaging room or changing room can be regarded as a separation.

- Forward flow principle not always relevant (separation in time can be acceptable)

- Wood accepted

- Must be regularly and well-maintained
Flexibility measures

Example of premises: cleaning room and entrance
Equipments

Can be simple but must ensure a safe handling of the products

Some examples:

– Pest control tools: no specific requirements except avoiding any tools above of unprotected food

– Maintenance: corrosion regarded a minor defect if not in contact with food

– Washbasin not always possible (e.g. milking in mountain pasture or outside): other equipement allowed (wipes, bucket...)

Flexibility measures

Example of equipments
Flexibility measures

Staff

- Medical certificate not required anymore => stress on prevention of contamination by the staff more relevant

- Clothing requirements to be adapted for farmers: clothing used in the barn must be different from the one used in the dairy

- Hygienic rules panels not mandatory in small dairies

- Training on hygiene: GHP guidelines sufficient (national guidelines validated)
Flexibility measures

Analysis

• Raw milk must be analysed

• European requirements to be adapted when milk is not collected:
  – Antibiotics can also be controlled through the registration of vet treatments on animals

  – Count cells not always relevant

  – E.coli more relevant than total germs

• Criteria of 2073/2005 mandatory
  • Frequency determined by the producer but analysis must be done regularly all over the year (at least one / quarter of production)
Functionning

• Moulds in halloir, cave, processing rooms: permitted according to the process

• Milk conservation after milking: derogation possible to refrigeration according to the process (e.g., transformation right away, geographical indications...)

• Rooms temperature: no obligation, can be variable. e.g: temperatures of the ripening rooms have a technological justification and not a sanitary one

• Both own starters and rennet are allowed
Flexibility measures

Functionning
Flexibility measures

Safety plan

National guide to good hygiene practices officially validated by the competent authorities

• No « mandatory » CCP. There can be none ! (raw milk cheese)

• GHP are often sufficient

• Control of this safety plan through analyses :
  – 2073/2005, others to be justified according to the production ;
  – Frequency : decided by the producer, guidelines, information note made by the producers

• Non compliant results => reinforcement, corrective actions

• Surface samples not mandatory
Flexibility measures

Records

• Recording daily cleaning not needed

• For small producers, records can be limited to:
  – For instance: non-compliance for room temperatures, acidity control, milk tank temperature...
  – But it is important that corrective measures are planned

• No flexibility for traceability of products
Consequences of the flexibility for the producers

• The controls of the inspectors concern hygiene practices and safety plan

• The producers must take training courses about GGPH

• The producers have to apply the GGPH

• The controls insist on the capacity of the producer to explain and justify his practices