



C/2024/2397

8.4.2024

Judgment of the Court (Seventh Chamber) of 22 February 2024 (request for a preliminary ruling from the Symvoulío tis Epikrateias — Greece) — Micros Food Safety BV v Eniaios Foreas Elenchou Trofimón (EFET)

(Case C-745/22, ⁽¹⁾ Micros Food Safety)

*(Reference for a preliminary ruling — Food safety — Specific hygiene rules for food of animal origin — Regulation (EC) No 853/2004 — Article 3(2) — Substance intended to remove surface contamination from products of animal origin — Definition — Contamination by the pathogenic bacterium *Listeria monocytogenes* — Substance intended to prevent surface contamination from products of animal origin and applied outside of slaughterhouses during the final stages of the production process — Placing on the market — Prior approval by the European Commission)*

(C/2024/2397)

Language of the case: Greek

Referring court

Symvoulío tis Epikrateias

Parties to the main proceedings

Applicant: Micros Food Safety BV

Defendant: Eniaios Foreas Elenchou Trofimón (EFET)

Operative part of the judgment

Article 3(2) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin, as amended by Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019,

must be interpreted as requiring the European Commission to approve the use of a product, such as Listex™ P100, intended to prevent the presence of the pathogenic bacterium *Listeria monocytogenes* in ready-to-eat food of animal origin.

⁽¹⁾ OJ C 104, 20.3.2023.