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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23.5.2008

Draft

COMMISSION REGULATION (EC) No .../..

of [...]

laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council

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laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004 and (EC) No 854/2004 of the European Parliament and of the Council

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 origin¹, and in particular Articles 9 thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption², and in particular Article 16 thereof,

Whereas:

(1) [Initial capital...].

(2) The measures provided for in this Regulation are in accordance with the opinion of the **Standing** Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

**CHAPTER I
GENERAL PROVISION**

*Article 1
Transitional period*

For the purposes of this Regulation, a transitional period of three years ending on 31 December 2012 (hereinafter referred to as ‘the transitional period’) is established.

¹ OJ L 226, 25.6.2004, p. 22.

² OJ L 226, 25.6.2004, p. 83.

CHAPTER II

TRANSITIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF REGULATION (EC) No 853/2004

Article 2

Direct supply of small quantities of meat from poultry and lagomorphs

By way of derogation from Article 1(3)(d) and without prejudice to Article 1(4) of Regulation (EC) No 853/2004, the provisions laid down in that Regulation shall not apply to the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer.

Article 3

Health import conditions

1. Article 6(1) of Regulation (EC) No 853/2004 shall not apply to imports of food of animal origin for which no harmonised health import conditions have been established, including lists of third countries and parts of third countries and of establishments from which imports are permitted.

Pending future harmonisation of Community legislation concerning imports of such products, such imports shall comply with the health import conditions of the Member State concerned.

2. By way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing both products of plant origin and processed products of animal origin shall be exempt from the obligation provided for in that Article.

Pending the development of a risk-based approach for the implementation of harmonised health import conditions and checks of such food products, imports shall comply with the harmonised Community rules in force before 1 January 2006 where applicable, and with the national rules implemented by the Member States before that date in other cases.

Article 4

Composition criteria and labelling requirements for minced meat

1. By way of derogation from the requirements laid down in Chapter II (1) of Section V of Annex III of Regulation (EC) No 853/2004, the food business operator must check the raw materials entering the establishment to ensure compliance with the name of the product in the table below in respect of the final product.

Table: Composition criteria checked on the basis of a daily average

	Fat content	Connective tissue:meat protein ratio
– lean minced meat	≤ 7%	≤ 12
– minced pure beef	≤ 20%	≤ 15
– minced meat containing pigmeat	≤ 30%	≤ 18
– minced meat of other species	≤ 25%	≤ 15

2. By way of derogation from the requirements laid down in Chapter IV of Section V of Annex III of Regulation (EC) No 853/2004, the labelling must also display the following words:
 - ‘percentage of fat under...’,
 - ‘connective tissue:meat protein ratio under...’.
3. The Member States may allow the placing on their national market of minced meat which does not comply with these criteria under a national mark that cannot be confused with the marks provided for in Article 5(1) of Regulation (EC) No 853/2004.

CHAPTER III

TRANSITIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF REGULATION (EC) No 854/2004

Article 5

Health import conditions

Chapter III of Regulation (EC) No 854/2004 shall not apply to imports of food of animal origin for which no harmonised health import conditions have been established, including lists of third countries and parts of third countries and of establishments from which imports are permitted.

Pending future harmonisation of Community legislation concerning imports of such products, such imports shall comply with the health import conditions of the Member State concerned.

Article 6

This Regulation shall enter into force on 1 January 2010.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission