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SERVICES**

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.2.2008

Draft

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

of [...]

**amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and
the Council laying down specific hygiene rules for food of animal origin**

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

of [...]

amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and the Council laying down specific hygiene rules for food of animal origin

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 the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ¹, and in particular Article 10(1) thereof,

Whereas:

- (1) [\[Initial capital...\]](#).
- (2) The measures provided for in this Regulation are in accordance with the opinion of the [\[...\]](#) Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 853/2004 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the [\[20th\]](#) day following that of its publication in the *Official Journal of the European Union*.

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

¹ OJ L 139, 30.4.2004, p. 55 ; corrected version OJ L 226, 25.6.2004, p. 22. Regulation as [last](#) amended by [Commission Regulation \(EC\) No 1243/2007](#) (OJ L 281, 25.10.2007, p. 8).

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

ANNEX

In Annex III to Regulation (EC) No 853/2004 Section VIII is amended as follows:

- 1 In Chapter III, Part E is hereby deleted;
- 2 Chapter IV is replaced by the following:

'Chapter IV: REQUIREMENTS FOR CERTAIN PROCESSED FISHERY PRODUCTS

Food business operators must ensure compliance with the following requirements, where relevant, in establishments handling certain processed fishery products.

A. REQUIREMENTS FOR COOKING OF CRUSTACEANS AND MOLLUSCS

1. Rapid cooling must follow cooking. Water used for this purpose must be potable water or, on board vessels, clean water. If no other method of preservation is used, cooling must continue until a temperature approaching that of melting ice is reached.
2. Shelling or shucking must be carried out hygienically, avoiding contamination of the product. Where such operations are done by hand, workers must pay particular attention to washing their hands.
3. After shelling or shucking, cooked products must be frozen immediately, or be chilled as soon as possible to the temperature laid down in Chapter VII.

B. REQUIREMENTS FOR FISH OIL INTENDED FOR HUMAN CONSUMPTION

1. Raw materials used in the preparation of fish oil for human consumption must:
 - (a) in the case of fish that are directly used for that purpose:
 - (i) come from vessels registered pursuant to Regulation (EC) No 852/2004;
 - (ii) be transported and stored in hygienic conditions and chilled as soon as possible, unless they are processed within 36 hours after loading.
 - (b) in the case of other raw materials:
 - (i) come from establishments, including vessels, registered or approved pursuant to Regulation (EC) No 852/2004 or in accordance with this Regulation;

- (ii) derive from fish which are fit for human consumption and comply with the provisions laid down in this Section;
- (iii) be transported and stored in hygienic conditions and remain at the temperatures specified in Chapter VII.

2. The production process for fish oil must ensure that:

- (a) all raw material intended to produce crude oil is subject to a treatment including heating, pressing, separation, centrifugation and purification steps, where relevant.
- (b) the crude oil obtained in accordance with point (a) is subject, where appropriate, to further processing, refining and purification steps in order to improve its physico-chemical quality before being placed on the market for the final consumer.

3. A food business operator may produce and store both fish oil for human consumption and fish oil and fish meal not intended for human consumption in the same establishment provided that the raw materials and the production process comply with the requirements applying to fish oil intended for human consumption.

4. Fish oil, depending on the type, must comply with the following requirements:	Crude fish oil for further processing	Fish oil to be placed on the market for the final consumer
Peroxide value (AV)	[10 meq/kg]	[10 meq/kg]
Anisidine value (PV)	[30 meq/kg]	[30 meq/kg]
Totox (AV + 2 x PV)	[]	[]
Free fatty acid	[5 %]	[2 %]
Total insoluble impurities	[0,5 %]	[0,2 %]
Stability test (acceleration test) for oxidation	[]	[]
Water content	[1 %]	[0,3 %]

- 3 The introductory sentence of Chapter V is amended as follows:

'In addition to ensuring compliance with microbiological criteria adopted in accordance with Regulation (EC) No 852/2004, food business operators must ensure, depending on the nature of the product or the species, that fishery products placed on the market for human consumption meet the standards laid down in this Chapter. The requirements of points A, B, C and D are not applicable to fish that are used directly for the preparation of fish oil intended for human consumption.'