



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 17 May 2002

**Interinstitutional File:
2000/0179 (COD)**

8869/02

**CODEC 592
AGRILEG 99
DENLEG 22**

INFORMATION NOTE

Subject: Proposal for a European Parliament and Council regulation laying down specific hygiene rules for food of animal origin
– Outcome of the European Parliament's first reading
(Strasbourg, 13 to 16 May 2002)

I. INTRODUCTION

On 14 May 2002, Mr SCHNELLHARDT (PPE-DE, D) presented his two reports to the plenary on behalf of the Committee on the Environment, Public Health and Consumer Policy in the context of the joint debate on foodstuffs¹ covering this proposal, the proposal on hygiene of foodstuffs² and the proposal for a Council regulation concerning products of animal origin intended for human consumption (KINDERMANN report). Mr Schnellhardt explained that these measures would help create a better framework for ensuring safe food by replacing existing legislation which lacked coherence and legal certainty.

On behalf of the Commission, Mr BYRNE congratulated the rapporteur on his reports and indicated that the Commission could accept many of the amendments tabled as they sought to improve clarity or ensure alignment with the general food law and the provisions of the European Food and Safety Authority.

¹ For details of the debate, see doc. 8868/02

² COD 2000/0178

Mr BYRNE explained the reasons why the Commission was not in a position to accept the following 13 of the amendments to the proposal on hygiene rules for food of animal origin: 8, 17, 33, 38, 44, 55, 58, 65, 69, 91, 101, 116 and 132. Without prejudice to some redrafting, the rest of the amendments were acceptable wholly or in part by the Commission.

II. VOTE

In the plenary vote on 15 May 2002, the European Parliament adopted a total of 122 amendments to the proposal on hygiene of foodstuffs. The amendments relate to the following points :

Alignment with Regulation 178/2000 on general principles and requirements of food law, establishing the European Food & Safety Authority : Amds 4, 14, 60, 79, 111, 112, 120 & 128.

Simplification, clarification or alignment of the text : Amds 6, 24, 25, 26, 27, 28 & 32.

Scope of the Regulation : Amds 1, 2 & 3.

Comitology (areas of Annex II moved to the articles): Amd 13, amds 7, 57, 77, 110 & 125 (registration & approval of establishments), 8 & 58 (health marking), 9, 31 & 53 (special arrangements/conditions), 10 & 61 (additional guarantees), 11 & 30 (general obligations) .

Imports from 3rd countries : Amd 12.

Date of implementation : Amd 15.

Definitions (Annex I) : Amd 6, amds 16 (meat), 17 (game), 18 (game processing), 19 (conditioning), 20 (clean seawater), 21 (raw milk), 22 (milk production holding).

Traceability : Amd 29.

Annex II - Specific Requirements :

Section I : Identification marking : Amds 33-35, 133, 37, 38, 40-47, 49-52, 54, 55, 56 & 59.

Section II : Meat from poultry and lagomorphs : Amds 62-76.

Section III : Meat of farmed game : Amds 80 & 81.

Section IV : Wild game meat : Amds 82, 129 (2nd part), 83, 84, 85, 132, 86-90, 92-98.

Section V : Minced meat, meat preparations & mechanically separated meat : Amds 100 & 109.

Section VII : Live bivalve molluscs : Amds 113-118.

Section IX : Milk and milk products : Amds 122, 123, 134, 124.

The text of the amendments adopted and the European Parliament's legislative Resolution are set out in Annex hereto.

Hygiene rules for food of animal origin *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation laying down specific hygiene rules for food of animal origin (COM(2000) 438 – C5-0377/2000 – 2000/0179(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 438¹),
 - having regard to Article 251(2) and Article 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0377/2000),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinions of the Committee on Industry, External Trade, Research and Energy, the Committee on Agriculture and Rural Development, and the Committee on Fisheries (A5-0131/2002),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 365 E, 19.12.2000, p. 58.

Amendment 1
Recital 13

(13) The *principle* objective of the recasting of the general and specific hygiene rules is to **ensure** a high level of consumer protection with regard to food safety.

(13) The *principal* objective of the recasting of the general and specific **hygiene** rules is to **secure** a high level of consumer protection with regard to food safety **so as to make food business operators throughout the European Union subject to the same laws**.

Amendment 2
Recital 15

(15) The primary production, the transport of animals, the slaughter and processing facilities up to the point of sale at the retailers level must be considered as interacting entities where animal health, animal welfare and public health are intertwined.

(15) The primary production, **including the animal feedingstuffs sector**, the transport of animals, the slaughter and processing **facilities** up to the point of sale at the retailers level must be considered as interacting entities where animal health, animal welfare and public health are intertwined.

Amendment 3
Recital 16

(16) This requires adequate communication between the different stakeholders along the food chain.

(16) This requires adequate communication between the different stakeholders along the food chain **from primary production to trade**.

¹ OJ C 365, 19.12.2000, p. 58.

Amendment 4
Recital 22

(22) Scientific advice underpins Community legislation on food hygiene; to this end, the *scientific committees in the field of consumer protection and food safety set up by Commission Decision 97/579/EC of 23 July 1997⁽¹⁾ and the Scientific Steering Committee set up by Commission Decision 97/404/EC of 10 June 1997⁽²⁾* should be consulted wherever necessary.

⁽¹⁾ OJ L 237, 28.8.1997, p. 18.

⁽²⁾ OJ L 169, 27.6.1997, p. 85.

(22) Scientific advice underpins Community legislation on food hygiene; to this end, the *European Food Safety Authority set up by European Parliament and Council Regulation (EC) No 178/2002 of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety⁽¹⁾* should be consulted wherever necessary.

⁽¹⁾ OJ L 231, 1.2.2002, p. 1.

Amendment 5
Article 1

This Regulation lays down *the* specific hygiene rules *to ensure the hygiene of* food of animal origin.

1. This Regulation lays down specific hygiene rules *addressed to food business operators for* food of animal origin. *These rules supplement the rules laid down in Regulation (EC) No/.... [on the hygiene of foodstuffs]. They shall apply to unprocessed and processed products of animal origin. They shall also apply to products of animal origin used in the manufacture of composite products made from products of plant origin and processed products of animal origin.*

2. *The rules laid down in Annex II shall not apply to:*

(a) the point of retail trade, unless specified otherwise;

(b) primary production of foodstuffs for the producer's own consumption;

(c) preparation of foodstuffs for the producer's own consumption; or

(d) composite products made from products of plant origin and processed products of animal origin.

3. This Regulation shall apply without prejudice to the relevant animal health and hygiene rules, including more stringent rules laid down for the prevention, control, and eradication of certain transmissible spongiform encephalopathies.

Amendment 6
Article 2

For the purpose of this Regulation, the definitions laid down in Regulation ... (on the hygiene of foodstuffs) shall apply. In addition, the definitions ***laid down in Annex I to the present Regulation*** shall apply.

For the purpose of this Regulation, ***the definitions laid down in Regulation (EC) No 178/2002 and those*** laid down in Regulation (EC) No .../... (on the hygiene of foodstuffs) shall apply. In addition, the ***following*** definitions shall apply⁽¹⁾:

⁽¹⁾ *This paragraph should be followed by the complete list of definitions set out in Annex I, subject to Amendments 15 to 19.*

Amendment 7
Article 3

General obligation

In addition to the requirements laid down in Regulation ... (on the hygiene of foodstuffs), food business operators shall ensure that food of animal origin is obtained and marketed in accordance with Annex II to the present Regulation.

Registration and approval of establishments

1. Food business operators may not market products of animal origin produced in the Community unless they have been processed entirely in establishments which:

(a) fulfil the requirements set out in Annex II and

(b) are registered with the competent authority and, where necessary, have been approved in accordance with paragraph 2.

2. Notwithstanding Article 6(2) of Regulation (EC) No/.... (hygiene of animal feedingstuffs), establishments which process products of animal origin subject to the requirements of Annex II, excluding establishments operating at the primary production or transport stage,

shall be approved by the competent authority in accordance with paragraph 3 before they enter into operation.

3. The competent authority shall not approve establishments unless an inspection prior to the commencement of operations has shown that they satisfy the conditions set out in this Regulation. However, it may provisionally approve an establishment

(a) if the first inspection has demonstrated that the establishment satisfies the relevant structural conditions of this Regulation, pending a second inspection which must in addition serve to determine whether the establishment also satisfies the operating conditions; or

(b) if, pending an inspection, the establishment produces only small quantities of foodstuffs and in general supplies the local market only.

4. European Parliament and Council Regulation (EC) No/.... of ... (laying down detailed rules for the organisation of official controls on products of animal origin intended for human consumption) lays down the specific conditions for registration and approval.

Amendment 8
Article 4

Imports from third countries

Food of animal origin imported from third countries shall comply with the requirements laid down in Annex III to the present Regulation.

Health marking

1. Marking of meat shall be carried out under the responsibility of an official veterinarian who, for this purpose, shall supervise the marking and keep under his control the health stamp to be applied to the meat which shall be handed over to auxiliaries or designated plant employees at the time of marking and for the length of time required for this purpose.

Health marks may not be removed unless the meat is further worked upon in another separate approved establishment where the original mark shall be replaced by that establishment's own number.

2. After completion of the post mortem inspection, carcasses, half carcasses, quarters and carcasses cut into three pieces shall be stamped in ink or hot-branded on their external surface so as to ensure that the slaughterhouse of origin is easily identifiable.

3. Livers shall be hot-branded, unless wrapped or packaged.

4. In the case of cut meat and packaged cut offal obtained in a cutting plant the mark shall be applied to a label fixed to the packaging, or printed on the packaging. However, when cut meat or offal is wrapped, the label may be affixed to the wrapping in such a way that the label is destroyed when the wrapping is opened.

5. The health mark may include an indication of the official veterinarian who carried out the health inspection of the meat.

Amendment 9
Article 5

Amending of Annexes and implementing measures

In accordance with the procedure referred to in Article 6,

1. Provisions in the Annexes to this Regulation may be repealed, amended, adapted or supplemented in order to take account of the development of codes of good practice, the implementation of food safety programmes by food operators, new risk assessments and the possible setting of food safety targets and/or performance standards.

2. Implementing measures to ensure the uniform implementation of the Annexes may be taken.

Special arrangements

1. Member States may adapt the requirements laid down in Chapters I and II with a view to accommodating the needs of establishments situated in regions suffering from special geographical constraints and serving only the local market. Under no circumstances, however, shall hygiene be compromised. Where Member States seek such adaptations from the Commission, the regulatory procedure set out in Article 5 of Decision 1999/468/EC shall apply, having regard to Articles 7(3) and 8 thereof.

"Establishments serving the local market" shall mean slaughterhouses and cutting plants marketing their meat in the

vicinity of the place where such slaughterhouses and cutting plants are situated.

2. Where necessary, special conditions may be granted under the same procedure to take account of such production methods and materials that, on the basis of scientific knowledge, established experience or tradition, are demonstrably part of the production process and can be shown not to have a deleterious effect on the hygiene quality of the food.

Amendment 10
Article 6

Standing Committee procedure

1. The Commission shall be assisted by the Standing Veterinary Committee, instituted by Council Decision 68/361/EEC⁽¹⁾

2. Where reference is made to this paragraph, the Regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) and Article 8 thereof.

3. The period provided for in Article 5(6) of decision 1999/468/EC shall be 3 months.

⁽¹⁾ OJ L 225, 18.10.1968, p. 23.

Additional guarantees

1. In respect of Salmonella, the following rules shall apply to:

- (a) beef and veal and pigmeat,*
- (b) poultrymeat, and*
- (c) eggs*

that are intended for Sweden and Finland.

2.(a) The consignments must have been subjected to a microbiological test by sampling in the establishment of origin.

(b) With regard to poultrymeat, beef and veal and pigmeat, the test provided for in (a) shall not be carried out for consignments intended for an establishment for the purposes of pasteurisation, sterilisation or treatment having a similar effect.

(c) The test provided for in (a) shall not be carried out for meat originating in an establishment which is subject to an operational programme recognised by the Commission, in accordance with the procedure referred to in Article 10, as equivalent to that approved for Sweden and Finland.

Amendment 11
Article 7

General Obligation

This Regulation shall enter into force on the date of its publication in the Official Journal of the European Communities.

In addition to the requirements laid down in Regulation (EC) No .../... (on the hygiene of foodstuffs), food business operators shall ensure that food of animal origin is obtained and marketed in accordance with Annex II to this Regulation.

It shall apply from 1 January 2004.

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

Every substance, excluding potable water, with which products are treated in order to reduce hazards, and the conditions for its use, shall be approved under the procedure set out in Article 7c following consultation of the European Food Safety Authority. The requirements of this paragraph shall apply without prejudice to the proper enforcement of the rules laid down in this Regulation.

Amendment 12
Article 7 a (new)

Article 7a

Imports from third countries

Food of animal origin imported from third countries shall comply with the requirements laid down in Annex III.

Amendment 13
Article 7 b (new)

Article 7b

Amending of Annexes and implementing measures

In accordance with the procedure referred to in Article 7c,

1. Provisions in the Annexes may be repealed, amended, adapted or supplemented in order to take account of the development of codes to good practice,

the implementation of food safety programmes by food operators, new risk assessments and the possible setting of food safety targets and/or performance standards.

2. Implementing measures to ensure uniform implementation of the Annexes shall be taken.

3. The whole corpus of Annexes shall be reviewed at least every five years following the entry into force of this Regulation, in order to ensure its continuing compatibility with technological development and taking into account experience of implementing its provisions in practice.

Amendment 14
Article 7 c (new)

Article 7c

Standing committee procedure

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health set up under Article 58 of Regulation (EC) No 178/2002.

2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, having regard to Article 7(3) and Article 8 thereof.

3. The period provided for in Article 5(6) of Decision 1999/468/EC shall be three months.

Amendment 15
Article 7 d (new)

Article 7d

This Regulation shall enter into force on the date of its publication in the Official Journal of the European Communities. It shall apply as from one year after its entry into force.

Amendment 16
Annex I, point 1.1

1.1. meat: all parts of animals which are fit for human consumption;

1.1. meat: all parts of animals which are fit for human consumption, ***including blood***;

Amendment 17
Annex I, point 1.2

1.2. large wild game: wild mammals of the Orders Artiodactyla, Perissodactyla and Marsupialia, ***as well as*** other mammal species ***classified under national hunting legislation as large game***;

1.2. large wild game: ***the following species, where classified under national hunting legislation as large game***:

- ***ground game***: wild mammals of the Orders Artiodactyla, Perissodactyla and Marsupialia, ***and*** other mammal species;

- ***wing-game: wild bird species***;

Amendment 18
Annex I, point 1.13

1.13. game ***handling*** establishment: an establishment for the ***skinning*** of game ***and the further handling of game meat*** obtained after hunting;

1.13. game ***processing*** establishment: an establishment for the ***processing*** of game obtained after hunting, ***with the aim of obtaining meat from wild game animals for commercial purposes***;

Amendment 19
Annex I, point 2.3

2.3. conditioning: the storage of live bivalve molluscs coming from class A areas in tanks or any other installation containing clean sea water or in natural sites to remove sand, mud or slime ***and*** to improve organoleptic qualities;

2.3. conditioning: the storage of live bivalve molluscs coming from class A areas, ***a purification centre where they have been purified or a dispatch centre***, in tanks or any other installation containing clean sea water or in natural sites to remove sand, mud or slime, to ***preserve or*** improve organoleptic qualities ***and to ensure that they are in a good state of vitality before packaging***;

Amendment 20
Annex I, point 2.12

2.12. clean seawater: sea water, brackish water or seawater preparations made from fresh water, free from microbiological contamination, objectionable substances

2.12. clean seawater: sea water, brackish water or seawater preparations made from fresh water, free from microbiological contamination, objectionable substances

and/or toxic marine plankton in such quantities likely to adversely affect the health quality of bivalve molluscs and fishery products.

and/or toxic marine plankton in such quantities likely to adversely affect the health quality of bivalve molluscs and fishery products. ***Where supply conditions justify it, this water shall be cleaned by means of appropriate treatment.***

Amendment 21
Annex I, point 5.2

5.2. raw milk: ***milk*** which has not been heated beyond 40°C; ***treatments such as homogenisation and standardisation which have an effect on the quality of the milk may be carried out;***

5.2. raw milk: ***the unmodified secretion of the mammary glands of production animals*** which has not been heated beyond 40°C ***or undergone any further treatment;***

Amendment 22
Annex I, point 5.3

5.3. milk production holding: ***a holding*** in which one or more ***cows, ewes, goats, buffaloes or females of other species*** are kept to supply milk;

5.3. milk production holding: ***holdings*** in which one or more ***production animals*** are kept to supply milk;

Amendment 23
Annex I, point 7.1

7.1. processed product: foodstuff resulting from the application to unprocessed products of a treatment such as heating, smoking, curing, maturing, drying, marinating etc or a combination of these processes and/or products; substances necessary for their manufacture or for giving specific characteristics to the products may be added;

Deleted

Amendment 24
Annex II, preface, title

Preface

SECTION -I: MARKING

Amendment 25
Annex II, preface, point 1

1. This Annex applies to unprocessed and processed products of animal origin. Composite products are not subject to the requirements of the present Annex. However, it must be ensured that possible hazards resulting from the use of ingredients of animal origin are identified and controlled, and where necessary eliminated or reduced to acceptable levels.

Deleted

Amendment 26
Annex II, preface, point 2

2. Unless specified otherwise, the requirements laid down in this Annex shall not apply to the point of retail trade.

Deleted

Amendment 27
Annex II, preface, point 3, introduction

3. Where approval of establishments is required under **the present Annex**, the following shall apply:

3. Where approval of establishments is required under **Article 3**, the following shall apply:

Amendment 28
Annex II, preface, point 4, subparagraph (c)

(c) The health mark shall carry the following information:

(c) The health mark shall carry **at least** the following information:

Amendment 29
Annex II, preface, point 4, subparagraph (g)

(g) If products of animal origin are unwrapped and subsequently re-wrapped, handled or further processed in another establishment, the latter establishment must **be approved and** apply its own health mark to the product.

(g) If products of animal origin are unwrapped and subsequently re-wrapped, handled or further processed in another establishment, the latter establishment must apply its own health mark to the product. **The accompanying documents must specify the original establishment of manufacture or the previous supplier establishment.**

Amendment 30
Annex II, preface, point 5

5. Any substance other than potable water applied to products for hazard reduction, as well as their conditions for use, must be approved in accordance with the procedure referred to in Article 6, after the opinion of the Scientific Committee. The implementation of this paragraph shall be without prejudice to the correct implementation of the requirements of the present Regulation ***Deleted***

Amendment 31
Annex II, preface, point 6

6. Where necessary, special conditions may be granted by the competent authority in particular in order to take account of traditional production methods. ***Deleted***

Amendment 32
Annex II, Section I

Section I ***Deleted***

Meat of domestic ungulates

The animals, or where appropriate each batch of animals sent for slaughter must be identified so that its origin can be traced.

Animals may not come from a holding or an area subject to a movement prohibition for reasons of animal health unless permitted by the competent authority.

Amendment 33
Annex II, Section I, Chapter I, point 1, subparagraph 1

1. They must have adequate and hygienic lairage facilities or, climate permitting, waiting pens which are easy to clean and disinfect. These facilities must be equipped for watering the animals and feeding them **if necessary**. The drainage of the wastewater must not compromise food safety.

1. They must have adequate and hygienic lairage facilities or, climate permitting, waiting pens which are easy to clean and disinfect. These facilities must be equipped for watering the animals and **with sufficient means for** feeding them. The drainage of the wastewater must not compromise food safety.

Amendment 34
Annex II, Section I, Chapter I, point 1, subparagraph 2

Where considered necessary by the competent authority, they must also have separate lockable **premises** or climate permitting, pens for sick or suspect animals with separate draining and sited in such a way as to avoid contamination of other animals.

They must also have separate lockable **lairage facilities** or, climate permitting, pens for sick or suspect animals with separate draining and sited in such a way as to avoid contamination of other animals, **except where the competent authorities consider them to be unnecessary**.

Amendment 35
Annex II, Section I, Chapter I, point 2, introduction

2. Have a slaughter room and where appropriate a sufficient number of **rooms** appropriate to the operations being carried out and be constructed in such a way as to avoid contamination of the meat by ensuring that:

2. Have a slaughter room and where appropriate a sufficient number of **areas** appropriate to the operations being carried out and be constructed in such a way as to avoid contamination of the meat to the bare minimum by ensuring that:

Amendment 133
Annex II, Section I, Chapter I, point 2 (d), subparagraph 2 a (new)

in the case of small-scale slaughter and single-place slaughter, the hanging facilities are designed so that operations can, wherever possible, be carried out on the hanging animal and contact with the floor is avoided;

Amendment 37
Annex II, Section I, Chapter I, point 2 (e), indent 1

- emptying stomachs and intestines; *in slaughterhouses with a limited throughput*, the competent authority may allow the cleaning of stomachs in the slaughter room at times *when no slaughtering is taking place*;

- emptying stomachs and intestines, *unless* the competent authority *gives permission on a case-by-case basis for these operations to be carried out* in the slaughter room *at different* times;

Amendment 38
Annex II, Section I, Chapter I, point 4

4. The equipment for washing hands used by the staff engaged in handling exposed meat shall be provided with taps that are non-hand operable.

4. The equipment for washing hands used by the staff engaged in handling exposed meat shall be provided with taps that are non-hand operable. *Other technical equipment must be so designed as to prevent the spread of contamination.*

Amendment 40
Annex II, Section I, Chapter I, point 8 a (new)

8a. They must have suitably equipped lockable facilities or, where necessary, a room for the use of the veterinary service only.

Amendment 41
Annex II, Section I, Chapter I, point 8 b (new)

8b. All operations for the slaughter of reindeer destined for intra-Community trade may be carried out in mobile slaughter units in accordance with the provisions for meat of domestic ungulates. In accordance with the procedure referred to in Article 7c, and once the European Food Safety Authority has given its opinion, the conditions under which mobile slaughterhouses can be used for the slaughter of other species shall be laid down.

Amendment 42
Annex II, Section I, Chapter II, point 1

1. Be constructed so as to allow constant progress of the operations *or ensure separation between the different production batches.*

1. Be constructed so as to allow constant progress of the operations, *and precautions must be taken to avoid mutual contamination of meat.*

Amendment 43
Annex II, Section I, Chapter II, point 3

3. Have cutting rooms equipped to ensure that the cold chain is not interrupted during cutting operations.

3. Have cutting rooms equipped to ensure that the cold chain is not interrupted during cutting operations *and satisfies the requirements set out in Chapter IV of this section.*

Amendment 44
Annex II, Section I, Chapter II, point 4

4. Have equipment for washing hands provided with taps that are non-hand operable to be used by the staff engaged in handling exposed meat.

4. Have equipment for washing hands provided with taps that are non-hand operable to be used by the staff engaged in handling exposed meat. *Technical equipment must be so designed as to prevent the spread of contamination.*

Amendment 45
Annex II, Section I, Chapter III, point 1

1. After arrival in the slaughterhouse, the slaughter of the animals shall not be unduly delayed. However, where required for welfare reasons, animals must be given a resting period before slaughter. Only live animals intended for slaughter may be brought into the slaughter premises, with the exception of animals that have undergone emergency slaughter outside the slaughterhouse, farmed game slaughtered at the place of production and wild game.

1. After arrival in the slaughterhouse, the slaughter of the animals shall not be unduly delayed. However, where required for welfare reasons *and to ensure that the meat keeps sufficiently well and is of the appropriate quality*, animals must be given a resting period before slaughter. Only live animals intended for slaughter may be brought into the slaughter premises, with the exception of animals that have undergone emergency slaughter outside the slaughterhouse, farmed game slaughtered at the place of production and wild game.

Animals which *have died* during transport or *in the lairages* shall not be used for human consumption.

Animals which *die* during transport or *before stunning or bleeding* shall not be used for human consumption.

Amendment 46

Annex II, Section I, Chapter III, point 2

2. *The state of cleanliness of the animals must be such as not to present an unnecessary risk of contaminating the meat during slaughter operations.*

2. The animals must be *clean*.

Amendment 47

Annex II, Section I, Chapter III, point 3

3. Before slaughter, animals must be presented to the competent authority in order to be submitted to an ante-mortem inspection. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the ante-mortem inspection is carried out under suitable conditions.

3. Before slaughter, animals must be presented to *a veterinarian designated by* the competent authority in order to be submitted to an ante-mortem inspection. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the ante-mortem inspection is carried out under suitable conditions.

Amendment 49

Annex II, Section I, Chapter III, point 5, indent 4

- removal of the udder does not result in contamination of the carcass with milk.

- removal of the udder does not result in contamination of the carcass with milk *or colostrum*.

Amendment 50

Annex II, Section I, Chapter III, point 6, introduction

6. Skinning must be complete; however, the skinning of the head is not required

6. Skinning must be complete, *except in the case of pigs*; however, the skinning of the head is not required

Amendment 51
Annex II, Section I, Chapter III, point 10, indent 1

- the tonsils of bovine animals under six weeks **and** pigs must be removed hygienically,

- the tonsils of bovine animals under six weeks, pigs **and solipeds** must be removed hygienically,

Amendment 52
Annex II, Section I, Chapter III, point 10, indent 2

– the parts unfit for human consumption must be removed **at once** from the clean sector of the establishment,

– the parts unfit for human consumption must be removed **as soon as possible** from the clean sector of the establishment,

Amendment 53
Annex II, Section I, Chapter V

Chapter V

Deleted

Special conditions

Member States may adapt the requirements laid down in Chapters I and II with a view to accommodate the needs of establishments situated in regions suffering from special geographical constraints or affected by supply difficulties, or those serving the local market. Hygiene shall not be compromised. The Member States shall inform the Commission of the details of such special conditions.

Establishments serving the local market shall mean slaughterhouses and cutting plants marketing their meat in the vicinity of the place where such slaughterhouses and cutting plants are situated.

Amendment 54
Annex II, Section I, Chapter VI, point 2, indent 3

– the slaughtered and bled animal is transported as quickly as possible after slaughter under satisfactory hygiene conditions to a slaughterhouse approved for that purpose. Where the slaughtered

– the slaughtered and bled animal is transported as quickly as possible after slaughter under satisfactory hygiene conditions to a slaughterhouse approved for that purpose. Where the slaughtered

animal cannot be brought to such a slaughterhouse within **an hour**, it must be transported in a container or means of transport in which the ambient temperature is maintained between 0°C and 4°C. Evisceration must be carried out as soon as possible. If an excessively long period elapses between slaughter and evisceration, the official veterinarian may require that special checks are carried out at post-mortem inspection. If evisceration is carried out on the spot, the viscera must accompany the carcass to the slaughterhouse.

animal cannot be brought to such a slaughterhouse within **two hours**, it must be transported in a container or means of transport in which the ambient temperature is maintained between 0°C and 4°C. Evisceration must be carried out as soon as possible. If an excessively long period elapses between slaughter and evisceration, the official veterinarian may require that special checks are carried out at *the* post-mortem inspection. If evisceration is carried out on the spot, the viscera must accompany the carcass to the slaughterhouse.

Amendment 55

Annex II, Section I, Chapter VI, point 2, indent 5

– the slaughtered animal is declared wholly or partly fit for human consumption after having been submitted to a detailed post mortem examination, **where necessary** supplemented by a bacteriological and residue examination.

– the slaughtered animal is declared wholly or partly fit for human consumption after having been submitted to a detailed post mortem examination, supplemented by a bacteriological and residue examination.

Amendment 56

Annex II, Section I, Chapter VI, point 3

3. Meat from animals that have undergone emergency slaughter following an accident in a slaughterhouse may be marketed if the animals have been submitted to an examination before slaughter, if no other serious lesions than those which occurred immediately before slaughter have been found and if it has been declared wholly or partly fit for human consumption after having been submitted to a detailed post mortem examination.

Deleted

Amendment 57
Annex II, Section I, Chapter VII

Chapter VII

Deleted

Approval and registration of establishments

Slaughterhouses, cutting plants and cold stores must be approved by the competent authority and be given an approval number. However, low capacity establishments distributing their products on the local market only may be registered. Such establishments shall not apply the health mark referred to in Chapter VIII.

Amendment 58
Annex II, Section I, Chapter VIII

Chapter VIII

Deleted

Health marking

1. Marking of meat must be carried out under the responsibility of an official veterinarian, who for this purpose, must supervise the marking and keep under his control the health stamp to be applied to the meat which must be handed over to auxiliaries or designated plant employees at the time of marking and for the length of time required for this purpose.

Health marks may not be removed unless the meat is further worked upon in another separate approved establishment where the original mark must be replaced by that establishment's own number.

2. After completion of the post mortem inspection, carcasses, half carcasses, quarters and carcasses cut into three pieces must be stamped in ink or hot-branded on their external surface so as to ensure that the slaughterhouse of origin is easily identifiable.

3. Livers must be hot-branded, unless wrapped or packaged.

4. In the case of cut meat and packaged cut offal obtained in a cutting plant the mark must be applied to a label fixed to the packaging, or printed on the packaging. However, when cut meat or offal is wrapped, the label may be affixed to the wrapping in such a way that the label is destroyed when the wrapping is opened.

5. The health mark may include an indication of the official veterinarian who carried out the health inspection of the meat.

Amendment 59

Annex II, Section I, Chapter IX, point 1, subparagraph 2

For technical reasons relating to maturation of the meat, a derogation may be granted on a case-by-case basis for the transportation of meat to cutting plants or butcher shops located in the immediate vicinity of a slaughterhouse, provided that such transport takes not more than **one hour**.

For technical reasons relating to maturation of the meat, a derogation may be granted on a case-by-case basis for the transportation of meat to cutting plants or butcher shops located in the immediate vicinity of a slaughterhouse, provided that such transport takes not more than **two hours**.

Amendment 60

Annex II, Section I, Chapter IX, point 4

4. Carcasses, half-carcasses, half-carcasses cut into no more than three wholesale cuts, and quarters may be transported at temperatures higher than those referred to in point 1, under conditions to be set in accordance with the procedure referred to in **Article 6** after consultation of the **Scientific Committee**.

4. Carcasses, half-carcasses, half-carcasses cut into no more than three wholesale cuts, and quarters may be transported at temperatures higher than those referred to in point 1, under conditions to be set in accordance with the procedure referred to in **Article 7c** after consultation of the **European Food Safety Authority**.

CHAPTER X

Deleted

Additional guarantees

In respect of salmonella, the following rules shall apply to beef and veal meat and meat of porcine animals intended for Sweden and Finland:

(a) The consignments must have been subjected to a microbiological test by sampling in the establishment of origin.

(b) With regard to meat of bovine and porcine animals, the test provided for in (a) must not be carried out for consignments intended for an establishment for the purposes of pasteurisation, sterilisation or treatment having a similar effect.

(c) The test provided for in (a) must not be carried out for meat originating in an establishment which is subject to an operational programme recognised by the Commission, in accordance with the procedure referred to in Article 6, as equivalent to that approved for Sweden and Finland.

The operational programmes of the Member States may be amended and updated by the Commission in accordance with the procedure referred to in Article 6.

POULTRYMEAT

**MEAT OF POULTRY AND
LAGOMORPHS**

The requirements of this section apply, by analogy, to meat from lagomorphs.

The requirements of this section apply, by analogy, to meat from lagomorphs.

Ratities must be handled in accordance with the requirements set out below but with appropriate accommodation adapted to the size of the animals to ensure the respect of hygiene.

Amendment 63
Annex II, Section II, Chapter II, point 3

3. Have refrigeration facilities of sufficient capacity in relation to the volume of production.

Deleted

Amendment 64
Annex II, Section II, Chapter II, point 4

4. Have lockable premises for the refrigerated storage of detained meat.

4. Have lockable premises for the refrigerated storage of detained meat ***and products unfit for consumption.***

Amendment 65
Annex II, Section II, Chapter II, point 6

6. Have equipment for washing hands used by the staff engaged in handling exposed meat provided with taps that are non-hand operable.

6. Have equipment for washing hands used by the staff engaged in handling exposed meat provided with taps that are non-hand operable. ***Other technical equipment must be so designed as to prevent the spread of contamination.***

Amendment 66
Annex II, Section II, Chapter II, point 7

7. There must be a separate place with appropriate facilities for the cleaning and disinfection of means of transport and, where appropriate, transport equipment such as crates. These places and facilities are not compulsory if officially authorised places and facilities exist nearby.

7. There must be a separate place with appropriate facilities for the cleaning and disinfection of means of transport and, where appropriate, transport equipment such as crates. These places and facilities are not compulsory if officially authorised places and facilities exist nearby. ***They must have suitably equipped lockable facilities or, where necessary, a room for the use of the veterinary service only.***

Amendment 67
Annex II, Section II, Chapter IV, point 1

1. Crates for delivering live poultry must be cleaned and disinfected each time they are emptied.

Deleted

Amendment 68
Annex II, Section II, Chapter IV, point 3

3. Where provided for in Community legislation, animals must before slaughter be presented to the competent authority in order to be submitted to an ante-mortem inspection. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the ante-mortem inspection is carried out under suitable conditions.

3. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the ante-mortem inspection is carried out under suitable conditions.

Amendment 69
Annex II, Section II, Chapter IV, point 5

5. Animals brought into the slaughter room must be immediately slaughtered after stunning, ***save in case of slaughter according to religious rite.***

5. Animals brought into the slaughter room must be immediately slaughtered after stunning.

Amendment 70
Annex II, Section II, Chapter IV, point 7

7. Slaughtered animals must be submitted to a post-mortem inspection under the supervision of the competent authority. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the post-mortem inspection is carried out under suitable conditions ensuring in particular that slaughtered poultry can be inspected properly.

7. Slaughterhouse operators shall follow the instructions of the competent authority in order to ensure that the post-mortem inspection is carried out under suitable conditions ensuring in particular that slaughtered poultry can be inspected properly.

Amendment 71
Annex II, Section II, Chapter IV, point 8

8. Viscera or parts of viscera which have not been removed from the carcase before post-mortem inspection must, except for the kidneys, be removed entirely, if possible, and as *quick* as possible after inspection has been completed.

8. Viscera or parts of viscera which have not been removed from the carcase before post-mortem inspection must, except for the kidneys, be removed entirely, if possible, and as *quickly* as possible after inspection has been completed, ***unless the competent authority permits some other arrangement.***

Amendment 72
Annex II, Section II, Chapter IV, point 9, paragraph 1

9. After inspection and evisceration, slaughtered birds must be cleaned and chilled to a temperature of not more than 4°C as soon as possible, unless the meat is cut while warm.

9. After inspection and evisceration, slaughtered birds must be cleaned and chilled to a temperature of not more than 4°C as soon as possible, unless the meat is cut while warm. ***The cut meat must immediately be chilled to 4°C.***

Amendment 73
Annex II, Section II, Chapter IV, point 9, paragraph 2

"New York dressed poultry" obtained at the farm of production may be kept for up to 15 days at a temperature which must not exceed 4°C; they must, at the latest at the end of this period, be eviscerated in a slaughterhouse or in a cutting plant. Such poultry must be accompanied by a certificate signed by the competent authority stating that the uneviscerated carcasses are of birds which were examined before slaughter on the farm of origin and were found to be healthy at the time of examination.

Deleted

Amendment 74
Annex II, Section II, Chapter IV, point 10, subparagraph (b)

(b) Equipment must be entirely emptied, cleaned and disinfected whenever this is necessary.

(b) Equipment must be entirely emptied, cleaned and disinfected whenever this is necessary ***but at least once a day.***

Amendment 75
Annex II, Section II, Chapter V, introduction

The work on meat must be organised in such a way as to prevent *the growth of pathogens, micro-organisms or the formation of toxins or other pathogenic substances*, and in particular:

The work on meat must be organised in such a way as to prevent *contamination*, and in particular:

Amendment 76
Annex II, Section II, Chapter V a (new)

CHAPTER Va

SLAUGHTER AT THE FARM

1. Subject to the conditions below, the competent authority may permit the poultry referred to in Chapter IV, point 2, to be slaughtered at the farm:

(a) The farm must undergo regular veterinary inspection and not be placed under any animal or public health restriction.

(b) The competent authority must be informed in advance of the date on which birds are to be slaughtered.

(c) The farm must have a collection point where the group of birds to be slaughtered can undergo an ante-mortem inspection.

(d) The farm must have the premises required to enable birds to be slaughtered hygienically and handled further.

(e) Animal welfare requirements must be observed.

(f) Birds must be accompanied by [the records or documentation referred to in Annex I, Chapter II, point 2, of Regulation (EC) No .../... [on the hygiene of foodstuffs]] [a certificate signed by the competent authority stating that they were examined before slaughter on the farm of origin and found to be healthy at the time of examination.]

2. Where poultry is reared for the production of "foie gras", the uneviscerated carcasses must be transported immediately, while

maintaining a continuous cold chain, to a slaughterhouse or cutting plant. They must be eviscerated within 24 hours of slaughter under the supervision of the competent authority.

3. Poultry carcasses whose evisceration has been deferred and which have been slaughtered at the farm of production may be kept for up to 15 days at a temperature of not more than 4°C. At the end of that period they must be eviscerated in a slaughterhouse or cutting plant.

Amendment 77
Annex II, Section II, Chapter VII

CHAPTER VII

Deleted

APPROVAL AND REGISTRATION OF ESTABLISHMENTS

Slaughterhouses, cutting plants and cold stores must be approved by the competent authority and be given an approval number. However, low capacity establishments referred to in Chapter VI distributing their products on the local market only may be registered.

Amendment 79
Annex II, Section III, Point 2

2. The provisions for poultry meat shall apply to the production and **marketing** of meat from ratites.

2. The provisions for poultry meat shall apply to the production and **placing on the market** of meat from ratites. **Appropriate facilities must be provided to accommodate the size of the animals.**

Amendment 80
Annex II, Section III, Point 3, indent -1 (new)

- the animals cannot be transported, because a risk would otherwise be posed to the handler or the welfare of the animals would be endangered;

Amendment 81
Annex II, Section III, Point 4

4. All operations for the slaughter of reindeer destined for intra-Community trade may be carried out in mobile slaughter units in accordance with the provisions for meat of domestic ungulates. In accordance with the procedure referred to in Article 6, and after the opinion of the Scientific Committee, the conditions under which mobile slaughterhouses can be used for the slaughter of other species shall be laid down.

Deleted

Amendments 82 and 129
Annex II, Section IV, introduction

This Section does not apply to ***trophies or killed wild game transported by travellers, insofar as this involves a small quantity of small wild game or only one whole item of large wild game and where the circumstances indicate that the game is not intended for commercial purposes, and provided that it does not come from an area or region subject to animal health restrictions or restrictions because of the presence of residues.***

This Section does not apply to:

- 1. private use or the preparation of game meat for private use***
- 2. direct supplies of small quantities of wild game and game meat to the final consumer or the local retail trade.***

The above operations shall be subject to national rules.

Amendment 83
Annex II, Section IV, Chapter I, paragraph 1, subparagraph 1

1. Persons ***responsible for hunting wild game and for placing it*** on the market for human consumption must have sufficient knowledge of wild game hygiene and pathology in order to undertake an initial examination of wild game on the spot.

1. Persons ***who place killed wild game*** on the market for human consumption must have sufficient knowledge of wild game hygiene and pathology in order to undertake an initial examination of wild game on the spot.

Amendment 84
Annex II, Section IV, Chapter 1, point 1, paragraph 2

For that purpose, Member States shall ***organise*** training and education schemes for hunters, ***game managers, game keepers, etc.*** which must cover at least the following subjects:

For that purpose, Member States shall ***ensure that there are*** training and education schemes for hunters, which ***should*** cover at least the following subjects:

Amendment 85
Annex II, Section IV, Chapter II, point 2, paragraph 1

2. Hunted animals ***must be examined by the hunter, a qualified person as referred to in Chapter I point 2 or where appropriate a veterinarian*** as soon as possible after killing ***and opening in order to detect characteristics which may indicate that the meat presents a health risk.***

2. Hunted animals ***to be sold or marketed must undergo an inspection laid down by the competent authority*** as soon as possible after killing ***and, in any event, before their meat is placed on the market.***

Amendment 132
Annex II, Section IV, Chapter II, point 2 (a)

(a) Where no such characteristics are found or where there is no suspicion of environmental contamination, the game may be either released for direct private consumption or else be transported as soon as possible to a game collecting centre or game handling establishment. In a game collection centre, any intervention on the game is forbidden. In the game handling establishment, the game shall be presented for inspection to the competent authority. Unless the game carcase is accompanied by a certificate from a qualified hunter or person as referred to in Chapter I point 2, stating that the game did not show abnormal characteristics and that there is no suspicion of environmental contamination, the thoracic viscera of large wild game, even if detached from the carcase, the kidneys and, where appropriate, the liver and the spleen, must accompany the carcase and be identified in such a way that the inspection of the viscera can be carried out together with the rest of the carcase; the head may have been removed as a trophy.

(a) Where no such characteristics are found or where there is no suspicion of environmental contamination, the game may be either released for direct private consumption ***or, in small quantities, direct supply to the final consumer or the local retail trade*** or else be transported as soon as possible to a game collecting centre or game handling establishment. In a game collection centre, any intervention on the game is forbidden. In the game handling establishment, the game shall be presented for inspection to the competent authority. Unless the game carcase is accompanied by a certificate from a qualified hunter or person as referred to in Chapter I point 2, stating that the game did not show abnormal characteristics and that there is no suspicion of environmental contamination, the thoracic viscera of large wild game, even if detached from the carcase, the kidneys and, where appropriate, the liver and the spleen, must accompany the carcase and be identified in such a way that the inspection of the viscera can be carried out together with the rest of the carcase; the head may have been removed as a trophy.

Amendment 86
Annex II, Section IV, Chapter II, point 2 (b)

(b) If any abnormal behaviour before killing or pathological changes are detected during the examination or when environmental contamination is suspected, the carcass together with the viscera must be transported to the game handling establishment to be submitted to a complete post-mortem inspection and the competent authority must ensure that the hunter informs the official veterinarian thereof. The official veterinarian must submit the carcass to the tests necessary in order to make a diagnosis about the nature of the defect. After making a diagnosis, the official veterinarian determines if the carcass is fit for human consumption. Deleted

Amendment 87
Annex II, Section IV, Chapter II, point 2, paragraph 2, first sentence

It must be ensured that species that may be contaminated by trichinella spiralis are submitted in an officially recognised laboratory to an examination to detect the possible presence of that parasite before release for human consumption. Deleted

Amendment 88
Annex II, Section IV, Chapter II, point 2, paragraph 2, second sentence

Hunters or the qualified person referred to in Chapter I point 2 shall be held responsible for any decision taken by them with regard to the examination of wild game for the possible presence of a health risk. Deleted

Amendment 89
Annex II, Section IV, Chapter II, point 2, paragraph 3

Where a hunter is not qualified or when in a hunting team there is no qualified person as referred to in Chapter I point 2, the hunted animal together with its viscera shall be presented for inspection by the competent authority in a game handling establishment.

Deleted

Amendment 90
Annex II, Section IV, Chapter II, point 2 a (new)

2a. If any abnormal behaviour before killing or pathological changes (other than in stomachs and intestines) are detected during the examination or when environmental contamination is suspected, the carcass together with the viscera must be transported to the game handling establishment to be submitted to a complete post-mortem inspection and the competent authority must ensure that the hunter informs the official veterinarian thereof. The official veterinarian must submit the carcass to the necessary tests in order to make a diagnosis about the nature of the defect. After making a diagnosis, the official veterinarian shall determine if the carcass is fit for human consumption.

Amendment 92
Annex II, Section IV, Chapter II, point 5 b (new)

5b. It must be ensured that species that may be contaminated by trichinella spiralis are submitted in an officially recognised laboratory to an examination to detect the possible presence of that parasite before release for human consumption.

Amendment 93
Annex II, Section IV, Chapter II, paragraph 3

3. Carcasses and viscera must be moved within **12 hours** after killing to a game handling establishment or a collection centre, where they must be chilled to the required temperature. If the game is brought to a collection centre first, it must be transported ***within 12 hours after arrival in the collection centre*** to a game handling establishment ***or in remote regions where climatological conditions so permit***, within a period to be fixed by the competent authority. During transport to the game collection centre and the game handling establishment, heaping and stacking shall be prohibited.

3. Carcasses and viscera must be moved within ***a reasonable period of time*** after killing to a game handling establishment or a collection centre, where they must be chilled to the required temperature. If the game is brought to a collection centre first, it must be transported within a period to be fixed by the competent authority to a game handling establishment. During transport to the game collection centre and the game handling establishment, heaping and stacking shall be prohibited. ***Game slaughter establishments belonging to hunting teams in remote regions may, where climatological conditions so permit, be exempt from the requirement to have chilling facilities.***

Amendment 94
Annex II, Section IV, Chapter II, point 4

4. Wild game carcasses must be chilled to a temperature of not more than 7°C for large game and not more than 4°C for small game.

4. Wild game carcasses must be chilled to a temperature of not more than 7°C for large game and not more than 4°C for small game ***and offal.***

Amendment 95
Annex II, Section IV, Chapter II, point 5, final paragraph

Meat from such unskinned wild game cannot bear the health mark unless, after skinning in a game handling establishment, it has undergone post-mortem inspection and has been declared fit for human consumption.

Deleted

CHAPTER IIa
**PROCEDURE FOR SMALL WILD
GAME**

- 1. Game must be examined as soon as possible after killing in order to determine whether it has characteristics from which it might be inferred that the meat could pose a health risk. The examination shall be carried out by the expert or, where appropriate, a veterinarian.***
- 2. Where no unusual characteristics are found in the examination and no abnormal behaviour was observed before killing and, in addition, there is no suspicion of environmental contamination, the game may be released immediately for direct private consumption or, subject to the conditions specified by the competent authority, for retail trade.***
- 3. If small wild game is transported to a game handling establishment, it must be chilled to a temperature of not more than 4°C within 24 hours of being killed. After arrival at the game handling establishment, game carcasses must be totally or partially eviscerated without undue delay.***
- 4. Cutting and boning of small wild game shall comply with the requirements set out in Section II, Chapter V.***

- 1a. This chapter shall not apply to game handling establishments used for the collection or handling of game meat for private consumption.***

CHAPTER IV

Deleted

**REGISTRATION AND APPROVAL OF
ESTABLISHMENTS**

- 1. Game collection centres shall be registered.*
- 2. Game handling establishments shall be approved.*

1. Production rooms must be equipped to ensure that the cold chain is not interrupted during the operations.

1. The following provisions shall apply to establishments producing minced meat, meat preparations, and mechanically separated meat:

(a) Establishments must be so designed as to enable production operations to proceed uninterruptedly and different production batches to be separated.

(b) They must have separate rooms in which to store packed and unwrapped meat, unless the products are stored at different times.

(c) They must have rooms equipped to comply with the temperature requirements laid down in Chapter III.

(d) Hand-washing facilities for staff handling unwrapped meat must be so designed as to prevent the spread of contamination. Other technical equipment must be so designed as to prevent the spread of contamination.

(e) Establishments must have facilities for disinfecting tools using water heated to not less than 82°C or an equivalent alternative system.

Amendment 101
Annex II, Section V, Chapter I, point 2

2. It must be ensured that the products *are microbiologically safe*.

2. It must be ensured that the products *comply with the microbiological criteria laid down by the competent European authorities*.

Amendment 102
Annex II, Section V, Chapter I, point 3

3. Establishments shall be approved by the competent authority.

Deleted

Amendment 103
Annex II, Section V, Chapter II, title and introduction

MINCED MEAT

REQUIREMENTS FOR RAW MATERIALS

1. *Requirements for the raw materials:*

1. Raw materials *used to produce minced meat must satisfy the following requirements:*

Amendment 104
Annex II, Section V, Chapter II, point 1, subparagraph (c)

(c) the competent authority may authorise the boning of meat on the spot immediately before mincing where this operation is carried out in satisfactory conditions of hygiene and quality;

Deleted

Amendment 105
Annex II, Section V, Chapter II, point 1, subparagraph (e)

(e) in all cases, meat with organoleptic deficiencies shall be excluded from the production of minced meat;

(e) meat with organoleptic deficiencies may not be used;

- meat from the following parts of bovine animals, pigs, sheep or goats: meat of the head with the exception of the masseters, the non-muscular part of the linea alba, the region of the carpus and the tarsus, and bone scrapings.

and of the masseters may be used only after being examined for cysticercosis;

- meat containing bone fragments or skin.

Pig meat or horse meat used for minced meat production must have been obtained in accordance with the requirements regarding trichina examination.

Amendment 107
Annex II, Section V, Chapter II, point 1 a (new)

1a. Raw materials used to produce mechanically separated meat must satisfy the following requirements:

(a) They must comply with the requirements for fresh meat.

(b) The following raw materials may not be used to produce mechanically separated meat:

(i) in poultry: feet, neck-skin, neck-bones, and the head;

(ii) raw materials from ruminants;

(iii) in other animals: head bones, feet, tails, the neck of the femur, the tibia, the fibula, the humerus, the radius, and the ulna.

CHAPTER IIa

**HYGIENE DURING AND AFTER
PRODUCTION**

1. Meat must be processed in such a way as to prevent contamination as far as possible. Food business operators must accordingly ensure in particular that:

(a) the temperature of the meat used is not more than 4°C in the case of poultry, not more than 3°C in the case of offal, and not more than 7°C in the case of other meat;

(b) meat is gradually brought into the work rooms, only as and when needed.

2. The following rules shall apply to the production of minced meat:

(a) If frozen or deep-frozen meat is used to produce minced meat, it must be boned before freezing, unless the competent authority allows boning immediately before mincing. The meat may be stored for a limited period only.

(b) Minced meat made from chilled meat must be produced within the following time-limits:

- within not more than six days of the slaughter of the animals or

- in the case of vacuum-packed boned beef and veal, within not more than 15 days of the slaughter of the animals.

(c) Minced meat must be wrapped or packaged immediately after production and

(i) chilled to a core temperature not exceeding 2°C or

(ii) frozen to a core temperature not exceeding -18°C.

The above temperatures must also be maintained during storage and transport.

3. The following requirements shall apply to the production of mechanically separated meat:

(a) Unboned raw materials from an on-site slaughterhouse must be not more than seven days old. Other raw materials must be not more than five days old.

(b) If mechanical separation does not take place immediately after boning, flesh-bearing bones must be stored and transported at a temperature not exceeding 2°C or -18°C in the case of frozen products.

(c) The flesh-bearing bones of frozen carcasses may not be refrozen.

(d) If mechanically separated meat is not used within an hour of production, it must be chilled immediately to a temperature not exceeding 2°C.

(e) After chilling, mechanically separated meat may be processed within 24 hours or must otherwise be frozen within 12 hours of production. The freezing layers must reach a core temperature not exceeding -18°C within six hours.

(f) Frozen mechanically separated meat must be wrapped or packaged before storage or transport and may not be stored for longer than three months; a temperature not exceeding -18°C must be maintained during transport and storage.

(g) Mechanically separated meat may be used only in meat preparations that are heated to +70°C for 30 minutes or according to another time and temperature combination offering the same security.

4. Minced meat, meat preparations, and mechanically separated meat may not be refrozen after thawing.

CHAPTER IV

Deleted

**MECHANICALLY SEPARATED MEAT
(MSM)**

MSM must have been obtained under the following conditions:

1. Raw materials

(a) The raw materials used for the production of MSM must comply with the requirements for fresh meat.

(b) The use of the following is not allowed for the production of MSM:

- for poultry: feet, neckskin, neckbones and head;

- for other animals: the bones of the head, feet, tails (except bovine tails), femur, tibia, fibula, humerus, radius and ulna, the vertebral column of bovine, ovine and caprine animals.

(c) Chilled raw material for deboning from an on-site slaughterhouse must not be older than 7 days.

Chilled raw material for deboning from another slaughterhouse must not be older than 5 days.

Flesh bearing bones from frozen carcasses may be used.

2. Conditions for the production of MSM:

(a) Mechanical separation must take place without undue delay after deboning. Otherwise, the flesh-bearing bones obtained after boning must

- either be chilled at 2°C and stored at a room temperature not exceeding 2°C

- or be frozen after boning so as to reach a temperature of -18°C within 24 hours. Such bones must be used within three months after freezing. However, refreezing of flesh-bearing bones obtained from frozen carcasses is not allowed.

(b) During mechanical separation, the room temperature may not exceed 12°C.

(c) If not used within one hour after it has been obtained, the MSM must be chilled immediately to a temperature of not more than 2°C.

After chilling, it can be processed within 24 hours, or else it must be frozen within 12 hours after production.

If the MSM is frozen, the freezing layers must reach a core temperature of -18°C or less within six hours. Frozen MSM shall not be stored for more than three months. Frozen MSM must be kept below -18°C during transport and storage.

MSM may be transported from the separation unit to a processing establishment. The cold chain may not be interrupted during transport, the product remaining at 2°C or below.

3. Use of MSM

MSM may only be used in heat-treated meat products in which the temperature increases to +70°C during 30 minutes or any other time/temperature combination providing the same security.

Amendment 110
Annex II, Section VI, Chapter II

CHAPTER II

Deleted

APPROVAL OF ESTABLISHMENTS

Establishments for the manufacture of meat products must be approved by the competent authority. However, low capacity establishments distributing their products on the local market only may be registered.

Amendment 111
Annex II, Section VII, Chapter I.A, point 1(c), paragraph 2

The criteria for the classification of class B or C areas will be laid down by the Commission in accordance with the procedure referred to in **Article 6**, after obtaining the opinion of the appropriate **Scientific Committee**.

The criteria for the classification of class B or C areas will be laid down by the Commission in accordance with the procedure referred to in **Article 7c**, after obtaining the opinion of the **European Food Safety Authority**.

Amendment 112
Annex II, Section VII, Chapter I.A, point 1(c), subparagraph 4

However, live bivalve molluscs from such areas which have not been submitted to purification or relaying may be sent to a processing establishment where they must be subjected to a treatment intended to inhibit the development of pathogenic micro-organisms. Such treatment must be approved by the Commission in accordance with the procedure referred to in **Article 6**, after obtaining the opinion of the **appropriate Scientific Committee**.

However, live bivalve molluscs from such areas which have not been submitted to purification or relaying may be sent to a processing establishment where they must be subjected to a treatment intended to inhibit the development of pathogenic micro-organisms. Such treatment must be approved by the Commission in accordance with the procedure referred to in **Article 7c**, after obtaining the opinion of the **European Food Safety Authority**.

Amendment 113
Annex II, Section VII, Chapter I, Part A, point 3

3. The provisions laid down in point 1 apply, with regard to pectinids, only to products of **aquaculture**, or, where data are available permitting the classification of fishing grounds, to wild pectinids. However, if no classification of fishing grounds is possible, the requirements of Chapter IV apply to pectinids harvested from the wild.

3. The provisions laid down in point 1 apply, with regard to pectinids, only to products of **farming**, or, where data are available permitting the classification of fishing grounds, to wild pectinids. However, if no classification of fishing grounds is possible, the requirements of Chapter IV apply to pectinids harvested from the wild.

Amendment 114
Annex II, Section VII, Chapter I, Part C, point 1

1. **Only** areas approved by the competent authority for relaying live bivalve molluscs **may be used**. The boundaries of the sites must be clearly identified by buoys, poles or

1. **Food business operators may only use** areas approved by the competent authority **for the** relaying **of** live bivalve molluscs. The boundaries of the sites must be clearly

other fixed means; there must be a minimum distance between relaying areas, and also between relaying areas and production areas, so as to *ensure that the quality of the waters is not adversely affected*.

identified by buoys, poles or other fixed means; there must be a minimum distance between relaying areas, and also between relaying areas and production areas, so as to *reduce the risk of spread of contamination*.

Amendment 115
Annex II, Section VII, Chapter II, Part A, point 2

2. *When seawater is used*, facilities for the supply of clean sea water ***must be available***.

2. ***All purification or dispatch centres must be equipped with*** facilities for the supply of clean seawater.

Amendment 116
Annex II, Section VII, Chapter III, Part B, point 3 a (new)

3a. Each batch intended for dispatch must undergo a stage of conditioning in a tank of seawater which is clean or has been cleaned, for a sufficiently long period to enable the bivalve molluscs to resume their filter-feeding activity and to attain a state of optimal vitality before being packaged.

Amendment 117
Annex II, Section VII, Chapter V, point 2

2. All wrappings of live molluscs, including vacuum wrapping in sea water, must be closed and remain closed from the dispatch centre until delivery to the consumer or retailer. However, wrappings may be opened ***and the molluscs be re-wrapped in an approved dispatch or purification centre***.

2. All wrappings of live molluscs, including vacuum wrapping in sea water, must be closed and remain closed from the dispatch centre until delivery to the consumer or retailer. However, wrappings may be opened ***at a dispatch centre to re-wrap the molluscs or at a purification centre to purify them***.

Amendment 118
Annex II, Section VII, Chapter VIII, point 2

2. Re-immersion in or spraying with water of live bivalve molluscs must not take place after they have been wrapped and have left the dispatch centre, except in the case of retail sale at the dispatch centre.

2. ***Notwithstanding the provisions of Chapter V, point 2, of this section***, re-immersion in or spraying with water of live bivalve molluscs must not take place after they have been wrapped and have left the dispatch centre, except in the case of

retail sale at the dispatch centre *or under particular conditions laid down by the Commission in accordance with the procedure provided for in Article 7c.*

Amendment 120

Annex II, Section VIII, Chapter IV, point 1, introduction

Organoleptic examinations of fishery products must be carried out so as to ensure their hygienic quality. Where necessary, freshness criteria are to be issued by the Commission in accordance with the procedure referred to in **Article 6**, after obtaining the opinion of the **Scientific Committee**.

Organoleptic examinations of fishery products must be carried out so as to ensure their hygienic quality. Where necessary, freshness criteria are to be issued by the Commission in accordance with the procedure referred to in **Article 7c**, after obtaining the opinion of the **European Food Safety Authority**.

Amendment 122

Annex II, Section IX, title

SECTION IX

MILK AND MILK PRODUCTS

SECTION IX

RAW MILK AND PROCESSED MILK PRODUCTS

Amendment 123

Annex II, Section IX, Chapter I, point I, subparagraph 1(a)(iii)

(iii) in a good general state of health and presenting no obvious signs of disease;

(iii) in a good general state of health and presenting no obvious signs of disease **that might result in contamination of the milk;**

Amendment 134

Annex II, Section IX, Chapter I, point II, part D, point 2

2. Persons performing milking must wash their hands immediately before milking and keep them as clean as possible throughout milking. For this purpose, suitable facilities must be available near the place of milking to enable persons performing milking and handling raw milk to wash their hands and arms.

2. Persons performing milking must wash their hands immediately before milking and keep them as clean as possible throughout milking. For this purpose, suitable facilities must be available near **or adjacent to** the place of milking to enable persons performing milking and handling raw milk to wash their hands and arms.

III. STANDARDS FOR RAW MILK

Awaiting the establishment of standards in the context of a more specific legislation on the quality of milk and milk products, the following standards shall apply and their compliance checked on a representative number of samples taken by random sampling:

Plate count and somatic cell count.

Raw cow's milk must meet the following standards:

<i>Plate count 30 °C (per ml):</i>	<i>100 000 ⁽¹⁾</i>
<i>Somatic cell count (per ml):</i>	<i>400 000 ⁽²⁾</i>

⁽¹⁾ Rolling geometric average over a two-month period, with at least one sample per month.

⁽²⁾ Rolling geometric average over a three-month period, with at least one sample per month. Where production levels vary considerably according to season, a Member State may be authorised by the Commission in accordance with the procedure referred to in Article 6 to apply another method of calculating the results for a low lactation period

Other scientifically validated methods may be used

III. STANDARDS FOR RAW COW'S MILK

1. Food business operators manufacturing processed milk products must ensure that, before processing:

(a) raw cow's milk to be used for the production of processed milk products has a plate count not exceeding 300 000 per ml at a temperature of 30°C, and

(b) processed cow's milk to be used for the production of processed milk products has a plate count not exceeding 100 000 per ml at a temperature of 30°C.

Findings must be calculated as a rolling geometric average based on at least one sample taken every month over a three-month period. The Commission shall grant derogations in accordance with the procedure set out in Article 7c.

CHAPTER VI

Deleted

**APPROVAL AND REGISTRATION OF
ESTABLISHMENTS**

Dairy establishments shall be approved by the competent authority in accordance with the preface to the present Annex.

Dairy establishments serving the local market may be registered.

Amendment 128
Annex III, point II, paragraph 2, subparagraph (b), indent 3

- where written comments are made by at least one Member State, the Commission shall inform the Member States within five working days and include the point on the next meeting of the Standing **Veterinary** Committee for decision in accordance with the procedure referred to in **Article 6**;

- where written comments are made by at least one Member State, the Commission shall inform the Member States within five working days and include the point on the *agenda for the* next meeting of the Standing Committee **on the Food Chain and Animal Health** for decision in accordance with the procedure referred to in **Article 7c**;