

To : Interested Parties

31 August 2005

Reference: ECO 114

Further consultation on the draft EU Commission implementing measures and transitional arrangements to facilitate application of the new EU food hygiene and official feed and food controls legislation.

Responses are required by 13th September 2005. An explanation for the short consultation period is provided in paragraph 3 below. When responding, please state whether you are responding as a private individual or on behalf of an organisation/company

All comments and views should be sent to:

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Background

1. A formal FSA consultation was carried out on an early draft of a possible Commission Regulation laying down implementing measures and transitional arrangements for certain products of animal origin, and the organisation of official controls on those products, to facilitate application of the new EU food hygiene legislation. The consultation concluded in May this year and a summary of the consultation responses and an FSA response will be published shortly. The

consultation also enclosed a RIA analysing the costs and benefits of the proposals. Further details can be found on the FSA website at the attached link :

http://www.food.gov.uk/foodindustry/Consultations/completed_consultations/completed/educ/implemented

2. This letter is to update you on recent developments regarding the above legislation. At a meeting of the Standing Committee on Food Chain and Animal Health (SCoFAH) on 19 and 20 July 2005, the Commission announced its intention to split the above measures into three separate proposals. The three proposals are intended to cover permanent measures (amendments, implementing and traditional measures), Trichinella and transitional arrangements respectively. We have just received the three draft proposals from the Commission. Copies of the proposals and further background can be found at the following weblink :

<http://www.food.gov.uk/foodindustry/regulation/europeleg/eufoodhygieneleg/scofcahs/standingjuly>

Timing

3. The Commission's intention is to discuss these proposals on 14th September and put them to indicative vote at SCoFAH on 23 September. The consultation period has had to be shortened to less than the normal 12 weeks because of the timetable to which the Commission is working. Stakeholders have therefore been asked to comment by 13 September. The FSA will continue to ask stakeholders for their views and input during the remainder of the negotiation period and will post updates on its website.

Specific provisions where stakeholder comments are sought

4. We would welcome comments on all the provisions contained within the new proposals. However, stakeholders are particularly asked to comment on provisions concerning MSM with regard to Annex IV (calcium content of mechanically separated meat) of document r2535. Two options are proposed and will be discussed at SCoFAH on 14th September after which, the Commission will formulate a proposal for vote on 23 September.

Option 1

Retain the current version of Annex IV as in the attached draft Regulation independent of the animal species used for preparing the MSM.

Option 2

Change Annex IV point 1 to:

1a – shall not exceed 0.1% (= 100mg/100g or 1000 ppm) of fresh product when the raw material is derived from porcine carcasses (or carcasses from other animal species);

1b – shall not exceed 0.05% (= 50mg/100g or 500 ppm) of fresh product when the raw material is derived from poultry (or lagomorph) carcasses;

5. Document SANCO/2179/2005 concerning standardisation of lists of approved establishments (also attached to the *scofcahstandingjuly* weblink above) will be discussed on 14th September but will not be submitted for a vote on 23 September, only published on the SANCO website. The FSA welcomes comments from stakeholders however.

6. Please feel free to alert any other parties to this document who may have an interest in the subject matter herein. Further updates will be posted on the FSA website. A list of interested parties to whom this is being sent is attached at Annex A.

Yours faithfully

Andrew E. Spencer

Food Hygiene Implementation Division
Food Standards Agency