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**SANCO/1489/2007 Rev 3**

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.12..2007

Draft

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

**of [...]**

**amending Commission Regulation (EC) No 2074/2005 as regards the requirements applicable to frozen products of animal origin intended for human consumption**

**(Text with EEA relevance)**

**WORKING DOCUMENT**

**DOES NOT NECESSARILY REPRESENT THE OPINION OF THE COMMISSION SERVICES**

Draft

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

**of [...]**

**amending Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards the requirements applicable to frozen products of animal origin intended for human consumption**

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 origin<sup>1</sup>, and in particular Article 10(1) thereof,

Whereas:

- (1) Experience with implementation of Regulation (EC) No 853/2004 has exposed certain difficulties as regards the storage of food of animal origin. By indicating the date of initial freezing of such food the food business operators will be better able to judge the suitability of the food for human consumption and to estimate its durability.
- (2) Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs<sup>2</sup> concerns the labelling of foodstuffs to be delivered as such to the final consumer and certain aspects relating to the presentation and advertising thereof.
- (3) Enforcement of Regulation (EC) No 853/2004 by the competent authorities has revealed that more detailed requirements regarding the production, freezing, and durability of food of animal origin prior to its delivery as such to the final consumer are necessary.
- (4) It is, therefore, appropriate to specify certain additional rules to ensure food safety and to amend Regulation (EC) No 853/2004 accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the [...] Committee,

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<sup>1</sup> OJ L 139, 30.4.2004, p.55, corrected by OJ L 226, 25.6.2004, p. 22

<sup>2</sup> OJ L 109, 6.5.2000, p. 29

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

*Entry into force*

This Regulation shall enter into force on the [...] day following that of its publication in the *Official Journal of the European Union*.

[It shall apply from 1 xxx 2008]

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*

## ANNEX

### **The following Section IV is added to Annex II to Regulation (EC) No 853/2004:**

"Section IV. Requirements applicable to frozen products of animal origin

Food business operators must ensure that frozen foods of animal origin intended for human consumption meet the following requirements.

1. Relevant information must be made available to the competent authority and receiving food business operators upon request until the food is labelled in accordance with Directive 2000/13/EC or used for further processing.

[2. The relevant information referred to in point 1 must be borne on pallet loads of food or large packages of food or directly on the food in the case of carcasses, half carcasses, half carcasses cut into no more than three wholesale cuts, and quarters, as appropriate].

3. The relevant information referred to in point 1 must comprise:

- a) The date of production of the food or, in the case of meat, the date of slaughter,
- b) The date on which it was initially frozen, and
- c) The date of minimum durability.

4. The date[s] referred to in point[s] 3(b) and (c) shall not be changed or removed from the food until the food is labelled in accordance with Directive 2000/13/EC or used for further processing."