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SANCO/1490/2007 Rev 3

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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.12.2007
SANCO/1490/2007

Draft

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

of [...]

laying down implementation measures regarding the application of traceability requirements in respect of food of animal origin under Regulation (EC) No 178/2002 of the European Parliament and of the Council

(Text with EEA relevance)

WORKING DOCUMENT

DOES NOT NECESSARILY REPRESENT THE OPINION OF THE COMMISSION SERVICES

Draft

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

of [...]

laying down implementation measures regarding the application of traceability requirements in respect of food of animal origin under Regulation (EC) No 178/2002 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 178/2002 of the European Parliament and of the Council 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 safety¹, and in particular Article 18(5) thereof,

Whereas:

- (1) Article 18 of Regulation (EC) No 178/2002 establishes the general principles of traceability of food.
- (2) Traceability is indispensable to ensure food safety and the reliability of information provided to consumers. In particular, it is necessary to apply traceability to frozen foodstuffs of animal origin to assist in enabling unsafe food to be removed from the market, thereby providing for the protection of consumers.
- (3) Experience of the application of Regulations (EC) No 178/2002, (EC) No 852/2004², (EC) No 853/2004³ and (EC) No 854/2004⁴ has revealed that food business operators do not regularly have available the information necessary to ensure the adequacy of their systems concerning the identity of the foods they are handling or storing.
- (4) Other specific Community provisions apply to the traceability of certain foods, notably Council Directive 89/396/EEC on indications or marks identifying the lot to which a

¹ OJ L 31, 1.2.2002, p. 1

² OJ L 139, 30.04.2007, p. 1, corrected by OJ L 226, 25.6.2004, p. 3

³ OJ L 139, 30.4.2004, p. 55, as corrected by OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 1662/2006 (OJ L320, 18.11.2006, p. 1

⁴ OJ L 139, 30.4.2004, p.206, as corrected by OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Commission Regulation (EC) No 1664/2006, OJ L 320, 18.11.2006, p. 13

foodstuff belongs⁵, Council Regulation (EEC) No 1960/90 on certain marketing standards for poultry⁶ and Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97⁷.

- (5) It is appropriate to specify certain rules for the specific sector of food of animal origin for the purpose of applying the requirements of Article 18 of Regulation (EC) No 178/2002 while maintaining sufficient flexibility with regard to the format under which the relevant information should be made available.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the [...] Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to other specific Community provisions concerning the traceability of products of animal origin, food business operators shall ensure that the following information accompanies consignments of frozen food of animal origin and is made available to the competent authority and receiving food business operators upon request:

- (a) An accurate description of the foodstuff,
- (b) The quantity of the foodstuff,
- (c) The premises of production,
- (d) The premises of dispatch if different,
- (e) The premises to which the product is being sent,
- (f) The name of the consignor, or owner, if different
- (g) The name of the consignee,
- (h) The lot or batch number, as referred to in Article 1 (2) of Directive 89/396/EEC,
- (i) The date of dispatch

⁵ OJ L 186, 30.6.1989, p. 21. Directive as last amended by Directive 92/11/EEC (OJ L 65, 11.3.1992, p. 32).

⁶ OJ L 173, 6.7.1990, p. 1. Regulation as last amended by Regulation (EC) No 1029/2006 (OJ L 186, 7.7.2006

⁷ OJ L 204, 11.8.2000, p. 1. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

Article 2

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