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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.6.2009

Draft

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

**of [...]**

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

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

**of [...]**

**amending Regulation (EC) No 853/2004 of the European Parliament and of 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 of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin<sup>1</sup>, and in particular Articles 9 thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific requirements concerning hygiene rules for food of animal origin. In particular, it requires the slaughterhouse operator to request, receive, check and act upon the food chain information for all animals, other than wild game, sent or intended to be sent to the slaughterhouse.
- (2) The food chain information assists the slaughterhouse operator to organise slaughter operations. The slaughterhouse operator should make sure the food chain information provides all the details required under Regulation (EC) No 853/2004.
- (3) Regulation (EC) No 854/2004 lays down specific rules for the organisation of official controls on products of animal origin intended for human consumption. In particular, it requires the official veterinarian to verify that the slaughterhouse operator has been provided with relevant food chain information before meat is declared fit for human consumption.
- (4) The food chain information assists the official veterinarian to determine the required inspection procedures. The food chain information should be analysed by the official veterinarian and used as an integral part of the inspection procedures.
- (5) The provision of food chain information is a new requirement for food business operators. A transitional period was provided by Regulation (EC) No 2076/2005 for the full implementation of food chain information requirements.

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<sup>1</sup> OJ L 226, 25.6.2004, p. 22.

- (6) The smooth flow of information from the farm to the slaughterhouse was, in particular, facilitated by a transitional arrangement relaxing the requirement to supply the information 24 hours in advance of the animals' arrival at the slaughterhouse, if the competent authority so permits and if this does not jeopardise the objectives of Regulation (EC) No 853/2004.
- (7) Since experience showed that enabling the competent authorities to broaden on a case-by-case basis the situations where food chain information may be supplied together with the animals to which it refers, rather than arriving 24 hours in advance, has led to a smooth implementation of the food chain information requirements, it is appropriate to make that transitional arrangement permanent.
- (8) Point 2 of Article 8 of Regulation (EC) No 2076/2005 should therefore be deleted and Section III of Annex II to Regulation (EC) No 853/2004 should be amended accordingly.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the [...] Committee,

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*

In Regulation (EC) No 2076/2005, Article 8(2) is deleted.

*Article 3*

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.

Done at Brussels, [...]

*For the Commission*

[...]

*Member of the Commission*

## ANNEX

Point 7 of Section III of Annex II to Regulation (EC) No 853/2004 is replaced by the following:

- 7 If the competent authority so permits and if this does not jeopardise the objectives of Regulation (EC) No 853/2004, food chain information may arrive less than 24 hours in advance or accompany the animals of all species to which it relates to the slaughterhouse.

However, any item of food chain information, knowledge of which may result in serious disruption of the slaughterhouse activity, is to be made available to the slaughterhouse operator in sufficient time before the animal arrives at the slaughterhouse, in order for the slaughterhouse operator to plan the slaughter activity accordingly.

Slaughterhouse operators must evaluate the relevant information and must give the food chain information received to the official veterinarian. Slaughter or dressing of the animals may not take place until the official veterinarian so permits.'