

Proposal for a Council Directive amending Directive 72/464/EEC on taxes other than turnover tax which affect the consumption of manufactured tobacco: sixth extension of the second stage of harmonization

COM (85) 683 final

(Submitted by the Commission to the Council on 12 December 1985)

(85/C 349/08)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, under Council Directive 72/464/EEC ⁽¹⁾, as last amended by Directive 84/217/EEC ⁽²⁾, the transition from one stage of harmonization to the next is to be decided on by the Council on a proposal from the Commission;

Whereas the second stage of harmonization, introduced by Council Directive 77/805/EEC ⁽³⁾, expires on 31 December 1985;

Whereas the special criteria applicable during the third stage are dealt with in a proposal for a Directive presented by the Commission ⁽⁴⁾; whereas the Council has not yet acted on that proposal;

Whereas, in these circumstances, an additional extension of the second stage is necessary; whereas no specific time limit should be placed on this extension,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 10 (a) (1) of Directive 72/464/EEC is hereby replaced by the following text:

'1. The second stage of harmonization of the structures of the excise duty on manufactured tobacco shall run from 1 July 1978.'

Article 2

This Directive is addressed to the Member States.

⁽¹⁾ OJ No L 303, 31. 12. 1972, p. 1.

⁽²⁾ OJ No L 104, 17. 4. 1984, p. 18.

⁽³⁾ OJ No L 338, 20. 12. 1977, p. 22.

⁽⁴⁾ OJ No C 264, 11. 10. 1980, p. 6.

Proposal for a Council Directive amending Directive 77/99/EEC on health problems affecting intra-Community trade in meat products

COM(85) 678 final

(Submitted by the Commission to the Council on 12 December 1985)

(85/C 349/09)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas, as a result of the adoption by the Council of Directive 83/90/EEC of 7 February 1983 amending Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat ⁽¹⁾, Council Directive 77/99/EEC ⁽²⁾, as last amended by Directive 81/476/EEC ⁽³⁾, should be amended in order to harmonize the rules applicable to meat and meat products;

⁽¹⁾ OJ No L 59, 5. 3. 1983, p. 10.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽³⁾ OJ No L 186, 8. 7. 1981, p. 20.

Whereas Directive 77/99/EEC should also be amended to take account of scientific and technical developments;

Whereas health protection rules should be laid down governing certain meat products which do not yet come within the scope of Directive 77/99/EEC;

Whereas meat products which are not the subject of commercial transactions should be excluded from the scope of the Directive;

Whereas certain meat products may be prepared with or from mechanically recovered meat; whereas health protection rules should therefore be laid down governing the manufacture of such products thereby enabling them to be moved freely within the Community;

Whereas products which do not undergo complete treatment should be kept at specific temperatures; whereas, for control purposes, the manufacturer should indicate the necessary particulars on the final packaging;

Whereas meat products may, following their manufacture, be kept in stores operating independently of the production plant; whereas it is essential to lay down the special conditions governing the approval of such stores;

Whereas meat products may be packaged in the production room; whereas packaging must be carried out in such a way as to avoid any risk of contamination of the products in question;

Whereas certain meat products may be consigned in bulk in order to undergo further processing; whereas the requirements as to the marking of these consignments may be simplified;

Whereas meat products intended for direct sale to the consumer must be labelled in accordance with Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer ⁽¹⁾;

Whereas the procedures governing the inspection and approval of and withdrawal of approval from establishments, and the procedure to be followed in event of a dispute between Member States must be amended in order to harmonize them with the rules laid down in other Directives in the veterinary field;

Whereas the rules relating to inspections must take account of the requirements of the internal market;

Whereas Annex A lays down the temperatures to be observed during cutting and wrapping of meat products; whereas the reference to a procedure for establishing those temperatures may be deleted;

Whereas provisions relating to animal health problems have been laid down in Council Directive 80/215/EEC of 22 January 1980 on animal health problems affecting intra-Community trade in meat products ⁽²⁾, as last amended by Directive 85/321/EEC ⁽³⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/99/EEC is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

1. This Directive lays down health requirements for meat products intended for intra-Community trade.
2. This Directive shall not apply to meat products:
 - (a) forming part of travellers' personal luggage, on condition that they are not subsequently used for commercial purposes;
 - (b) sent as small packages to private persons, in so far as no commercial operation is involved;
 - (c) intended for consumption by the crew and passengers on board means of transport operating commercially between Member States.'

2. Article 2 is replaced by the following:

'Article 2

For the purpose of this Directive, the following definitions shall apply:

1. *meat products*: products prepared wholly or partly from meat which has undergone treatment to ensure a certain degree of preservation and products prepared from meat with the addition of other foodstuffs, additives or condiments.

However, meat which has only undergone chilling or freezing shall not be regarded as a meat product.

The following are not considered to be meat products for the purpose of this Directive:

- (a) meat extracts, meat consommé and stock, meat sauces and similar products not containing fragments of meat;
- (b) whole, broken or crushed bones, meat peptone, animal gelatin, meat powder, pork rind powder, blood plasma, dried blood, dried blood plasma, cellular proteins, bone extracts and similar products;

⁽²⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽³⁾ OJ No L 168, 28. 6. 1985, p. 39.

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 1.

- (c) fats melted down from animal tissues;
 - (d) stomachs, bladders and intestines cleaned and bleached, salted or dried;
2. *meat*: meat as defined in:
- Article 1 of Directive 64/433/EEC,
 - Article 1 of Directive 71/118/EEC,
 - Article 1 of Directive 72/461/EEC,
 - Article 2 of Directive 72/462/EEC;
3. *Fresh meat*: fresh meat as defined in:
- Article 1 of Directive 64/433/EEC,
 - Article 1 of Directive 71/118/EEC,
 - Article 1 of Directive 72/461/EEC,
 - Article 2 of Directive 72/462/EEC;
4. *treatment*: the treatment of fresh meat, whether or not combined with other foodstuffs, by heating, salting or drying, or combination of these processes;
5. *complete treatment*: treatment the effects of which are sufficient to guarantee the subsequent wholesomeness of the product at normal ambient temperature;
6. *incomplete treatment*: treatment which does not meet the requirements laid down for complete treatment in Annex A, Chapter V (36);
7. *heating*: use of dry or damp heat;
8. *salting*: use of cooking salt (NaCl);
9. *drying*: natural or artificial reduction of the water content;
10. *exporting country*: the Member State from which meat products are sent to another Member State;
11. *country of destination*: the Member State to which meat products are sent from another Member State;
12. *consignment*: quantity of a meat product covered by the same health certificate;
13. *wrapping*: the protection of meat products by the use of an initial wrapping or initial container in direct contact with the product concerned as well as the initial wrapper or initial container itself;
14. *packaging*: the placing of one or more wrapped meat products in a second container, as well as the container itself;
15. *mechanically recovered meat*: comminuted meat obtained by mechanical means from flesh-bearing bones remaining after boning, apart from the bones of the head, the extremities of the limbs below the carpal and tarsal joints and, in the case of swine, the coccydeal vertebrae;
16. *hermetically sealed container*: wrapping which is designed and used to protect the contents from micro-organisms during and after heating.'
3. Article 3 (1) is replaced by the following:
- '1. Each Member State shall ensure that only meat products complying with the following general conditions are sent from its territory to the territory of another Member State:
- (1) they must have been prepared in an establishment approved and inspected in accordance with Article 6;
 - (2) they must have been prepared, stored and transported in accordance with Annex A;
 - (3) they must have been prepared from:
 - (a) fresh meat as defined in Article 2 (3). This fresh meat may originate:
 - (i) in accordance with Directive 64/433/EEC and 71/118/EEC, in the Member State in which the preparation is carried out or in any other Member State,
 - (ii) in accordance with Article 5a of Directive 72/461/EEC, in the Member State in which the preparation is carried out,
 - (iii) in accordance with Directive 72/462/EEC, in a third country, being imported either directly or by way of another Member State,
 - (iv) in accordance with Article 15 of Directive 71/118/EEC, in a third country, in so far as:
 - products obtained from this meat fulfil the requirements of this Directive,
 - the health marking laid down in Annex A, Chapter VII, is not carried out on these products,
 - intra-Community trade in these products remains subject to the national provisions of each Member State;
 - (b) a meat product, provided that it meets the requirements of this Directive;
 - (c) mechanically recovered meat obtained in accordance with the requirements laid down in Directive;
 - (4) — they must have been prepared by heating, salting or drying, which process may be combined with smoking or maturing, possibly under specific microclimatic conditions, and associated, in particular, with certain curing

agents within the meaning of Article 12. They may also be associated with other foodstuffs and condiments,

- or they must have been prepared from meat with the addition of other foodstuffs, additives or condiments.

- (5) they must have been prepared from fresh meat handled in accordance with Annex A, Chapter III;
- (6) they must, in accordance with Annex A, Chapter IV, have undergone an inspection carried out by the competent authority; such inspections may be carried out, in purely routine tasks and in accordance with rules to be defined where necessary under the procedure provided for in Article 17, with the help of assistants specially trained for the purpose;
- (7) they must meet the standards laid down in Annex A, Chapter V;
- (8) they must have been wrapped and packaged in accordance with Annex A, Chapter VI, where wrapping and packaging are necessary;
- (9) they must bear a health marking in accordance with Annex A, Chapter VII;
- (10) they must, in accordance with Annex A, Chapter VIII, be accompanied by a health certificate during transport to the country of destination;
- (11) they must be stored and transported to the country of destination under satisfactory health conditions in accordance with Annex A, Chapter IX.'

4. Article 4 is replaced by the following:

'Article 4

1. Meat products which have undergone complete treatment in accordance with Annex A, Chapter V (36), may be stored and transported at normal ambient temperatures.

2. For inspection purposes, the producer must ensure that the final packaging of meat products which have not undergone a complete treatment bears a clear and legible indication of the temperature at which the products must be transported and stored, and the period during which preservation may thus be assured.'

5. Article 6 is replaced by the following:

'Article 6

1. Each Member State shall draw up a list of the establishments approved by it, each establishment having a veterinary approval number. The Member States shall send this list to the other Member States and to the Commission.

A Member State shall not approve an establishment unless it complies with this Directive. The Member

State shall withdraw approval if the conditions for approval cease to be fulfilled.

If a check has been made in accordance with Article 7 the Member State concerned shall take account of the conclusions resulting therefrom. The other Member States and the Commission shall be informed of the withdrawal of approval.

2. Inspection and supervision of approved establishments shall be carried out on the responsibility of the competent authority, which may be assisted in purely material tasks by staff specially trained for the purpose. The competent authority must at all times have free access to all parts of establishments in order to ensure that this Directive is being complied with.

Detailed rules governing the abovementioned assistance shall be adopted in accordance with the procedure laid down in Article 17.

3. Where a Member State considers, in particular after carrying out a check or inspection as provided for in Article 11 (1), and (2), that the provisions governing approval are not being, or have ceased to be, observed in an establishment in another Member State, it shall inform the competent central authority of that State accordingly. That authority shall take all necessary measures and notify the competent central authority of the first Member State of the decisions taken and the reasons for such decisions.

If the first Member State fears that such measures have not been taken or are inadequate, the two Member States shall together seek ways and means of remedying the situation; if appropriate, this may involve a visit to the establishment.

The Member States concerned shall inform the Commission of disputes and of the solutions reached.

If the Member States cannot reach agreement, one of them shall put the matter within a reasonable period before the Commission, which shall instruct one or more veterinary experts to give an opinion.

In the light of that opinion or of the opinion expressed in accordance with Article 7, Member States may be authorized, under the procedure laid down in Article 18, to prohibit provisionally the introduction into their territory of meat products coming from that establishment.

Such authorization may be withdrawn in the light of a further opinion delivered by one or more veterinary experts under the procedure laid down in Article 18.

The veterinary experts must be nationals of a Member State other than one of those involved in the dispute.

General rules for the application of this paragraph shall be adopted in accordance with the procedure laid down in Article 17.'

6. Article 7 is replaced by the following:

'Article 7

Commission veterinary experts shall carry out regular inspections of the approved establishments to ensure that the latter in fact apply this Directive, and in particular Annex A, Chapters I and II.

They shall establish a report on the results of the inspections carried out.

The Member State on whose territory an inspection is carried out shall give the experts all the necessary help in performing their task.

General rules for the application of this Article shall be drawn up in accordance with the procedure laid down in Article 17.

A code containing rules to be applied during the inspections provided for in this Article shall be drawn up in accordance with the same procedure.'

7. In Article 9, paragraph 2 is deleted, as is the number '1' preceding paragraph 1.

8. In the first paragraph of Article 10, 'Article 18' is replaced by 'Article 17'.

9. Article 11 is replaced by the following:

'Article 11

1. Without prejudice to Articles 6 and 7, a country of destination may check that all consignments of meat products as defined in Article 2 are accompanied by the prescribed health certificate.

2. If irregularities are seriously suspected, the country of destination may carry out non-discriminatory inspections to check that the requirements of this Directive have been met.

3. As a general rule, checks and inspections shall be carried out at the place of destination of the goods; they may be carried out at another suitable place, provided that the place chosen interferes as little as possible with the movement of the goods.

The checks and inspections referred to in paragraphs 1 and 2 may not be such as to cause a delay in the movement of the goods and their placing on the market which might adversely affect the quality of the meat products.

4. If, during an inspection carried out on the basis of paragraph 2, it is found that the meat products do not

comply with this Directive, the competent authority in the country of destination may give the consignor, the consignee or their representative the choice between the re-consignment of the meat products, their use for other purposes, provided that health considerations permit this, or their destruction. In any event, precautionary measures shall be taken to prevent improper use of such meat products.

Decisions of the competent authority, and the grounds for taking them, must be communicated to the consignor or his representative. Should such person so request, they must be communicated forthwith in writing, together with an indication of the channels of appeal provided for under current legislation, their forms and the time limits within which they are open.

If such decisions are based on the diagnosis of a contagious or infectious disease, or a deterioration dangerous to human health, they shall be communicated forthwith to the competent central authority of the producing Member State and to the Commission.

Following this communication, appropriate measures may be taken in accordance with the procedure laid down in Article 17, in particular for the purpose of coordinating the measures taken in other Member States with regard to the meat products involved.'

10. Article 13 is replaced by the following

'Article 13

Amendments to the Annexes, in particular to adapt them to advances in technology, shall be made in accordance with the procedure laid down in Article 17.'

11. Article 16 is deleted.

12. Articles 17, 18, 19, 20, 22 and 23 become Articles 16, 17, 18, 19, 20 and 21 respectively.

13. The Annexes are replaced by the Annexes to this Directive.

Article 2

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1987. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

ANNEX A

GENERAL CONDITIONS FOR THE APPROVAL OF ESTABLISHMENTS

Establishments must have at least:

1. In rooms where fresh meat and meat products are handled, worked on or stored:
 - (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water; the water must be channelled towards drains fitted with gratings and with traps to prevent odours. However, these establishments must have:
 - in the case of refrigeration rooms, waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water or fitted with a device with which water may easily be removed,
 - in the case of rooms for storage below -12°C , waterproof and rotproof flooring;
 - (b) smooth, durable, impermeable walls, with a light coloured, washable coating up to a height of at least two metres; in chilling or refrigeration rooms and in stores the walls must be coated at least to storage height. Wall to floor junctions must be rounded or similarly finished except in the rooms for storage below -12°C ;
 - (c) doors in hard-wearing, non-corrodible material and, if of wood, with a smooth and impermeable covering on both sides;
 - (d) insulation materials which are rotproof and odourless;
 - (e) adequate ventilation and if necessary good extraction of steam;
 - (f) adequate natural or artificial lighting which does not distort colours;
 - (g) ceilings which are easily cleaned, constructed and finished in such a way as to prevent the accumulation of impurities, the formation of mould, the peeling of paintwork and the condensation of water vapour.
2.
 - (a) As near as possible to the work stations, a sufficient number of facilities for cleaning and disinfecting hands and for cleaning tools with hot water. Taps must not be hand operable. For washing hands, these facilities must have hot and cold running water or water premixed to a suitable temperature, cleaning and disinfecting products and hand towels which can be used once only;
 - (b) facilities for disinfecting tools, with water supplied at not less than 82°C .
3. Appropriate arrangements for protection against pests such as insects, rodents, etc.
4.
 - (a) Instruments and working equipment such as cutting tables, tables with detachable cutting surfaces, containers, conveyor belts and saws, made of corrosion-resistant material, not liable to taint meat and meat products and easy to clean and disinfect. The use of wood is forbidden except in rooms where the only fresh meat and meat products stored are hygienically packaged fresh meat and meat products;
 - (b) corrosion-resistant fittings and equipment meeting hygiene requirements for:
 - meat and meat-products handling,
 - storing meat and meat-product containers, in such a way that neither the meat or the meat products nor the containers come into direct contact with the floor or walls;
 - (c) facilities for the hygienic handling and protection of meat and meat products during loading and unloading;
 - (d) special watertight non-corrodible containers, with lids and fasteners to prevent unauthorized persons from removing things from them, for keeping meat and meat products not intended for human consumption, or a lockable room for such meat and meat products if the quantities are large enough to necessitate this or if they are not removed or destroyed at the end of each working day; where such meat

or meat products are removed through conduits, these should be so constructed and installed as to avoid any risk of contamination of fresh meat or meat products.

5. Refrigeration equipment to keep the internal temperature of the meat and the meat products at the levels required by this Directive. This equipment must include a drainage system linked to the waste water pipes which presents no risk of contamination of the meat or the meat products.
6. A pressurized supply of potable water within the meaning of Directive 80/778/EEC only; however, a non-potable water supply is authorized in exceptional cases for steam production, fire fighting and the cooling of refrigeration equipment, provided that the pipes installed for this purpose preclude the use of this water for other purposes and present no risk of contamination of meat or meat products. Non-potable water pipes must be easily distinguished from those used for potable water.
7. An adequate supply of hot potable water within the meaning of Directive 80/778/EEC.
8. A waste water disposal system which meets hygiene requirements.
9. An adequately equipped lockable room for the exclusive use of the competent authority or, in the case of storage premises located apart from the establishment approved for the preparation of meat products referred to in point 47 of Chapter IX, suitable facilities.
10. Facilities enabling the veterinary inspections provided for in this Directive to be carried out efficiently at any time.
11. An adequate number of changing rooms with smooth, waterproof, washable walls and floors, wash basins, showers and flush lavatories. The latter must not open directly into the work rooms. The wash basins must have hot and cold running water or water premixed to a suitable temperature, materials for cleaning and disinfecting the hands and hand towels which can be used once only; the wash basin taps must not be hand-operable. There must be a sufficient number of such wash basins near the lavatories.
12. A place and adequate facilities for cleaning and disinfecting means of transport. This place and these facilities are not compulsory if provisions exist requiring that means of transport be cleaned and disinfected at officially authorized facilities.

CHAPTER I

Special conditions for the approval of establishments manufacturing meat products

13. Beyond the general requirements, establishments producing meat products must have at least:
 - (a) suitable rooms large enough for the separate storage:
 - (i) under refrigeration:
 - of fresh meat within the meaning of Article 2 (3),
 - of meat other than that referred to in Article 2 (3);
 - (ii) at ambient temperature or, where appropriate, under refrigeration:
 - of meat products fulfilling the requirements of the Directive,
 - of other products prepared wholly or partly from meat;
 - (b) suitable rooms sufficiently large for the preparation of meat products;
 - (c) a lockable room for the storage of certain ingredients such as condiments and additives;
 - (d) a room for packing, unless the conditions laid down in paragraph 41 of Chapter VI are fulfilled;
 - (e) a room for final packaging and for dispatch;

- (f) a room for the storage of wrapping and packaging materials;
- (g) a room for the storage of cleaning and maintenance tools and products and for cleaning of movable equipment such as books, containers, etc.

14. Depending on the type of product involved the establishment must have:

- (a) a room for the removal of packaging;
- (b) a room for thawing of fresh meat;
- (c) a cutting room;
- (d) a room for filling containers prior to heat treatment;
- (e) a room:
 - for cooking, equipment for heat treatment must be fitted with a recording thermometer or telethermometer,
 - for retorting; the retorts must be fitted with a recording thermometer or telethermometer, and a direct-reading control thermometer; retorts must also be equipped with a manometer;
- (f) a room for rendering down of fats;
- (g) a room for facilities for smoking;
- (h) a room for drying and maturing;
- (i) a room for desalting, soaking or otherwise treating natural guts;
- (j) a curing room, if necessary with air-conditioning facilities enabling a temperature not exceeding + 10 °C to be maintained;
- (k) a room, if necessary with air-conditioning facilities, for slicing or cutting and for the wrapping of meat products intended for sale in pre-packed form;
- (l) a device for conveying empty cans hygienically to the work room;
- (m) an apparatus enabling cans to be thoroughly cleaned immediately before filling;
- (n) an apparatus for washing cans in potable water after they are hermetically sealed and before retorting;
- (o) a room or place for the loading and drying of containers after heat treatment;
- (p) facilities for the incubation of samples of meat products in hermetically sealed containers;
- (q) adequate, facilities to check whether containers are hermetically sealed and undamaged

However, provided that the equipment used can have no deleterious effect on the fresh meat and meat products, the same room may be used for the operations to be carried out in the separate rooms referred to in (e), (f), (g), and (h).

The work undertaken in the rooms referred to in (c), (d) and (k) may be carried out in the room referred to in paragraph 13 (b) of this Chapter provided there is no risk of contamination of the fresh meat or meat products.

CHAPTER II

Hygiene of the staff, premises and equipment in the establishments

15. Absolute cleanliness shall be required of staff, premises and equipment.

- (a) Staff must in particular wear clean working clothes and headgear and, where necessary, a neck shield. Staff engaged in working on or handling meat or meat products must wash and disinfect their hands several times during the working day and each time work is resumed. Persons who have been in contact with infected meat must immediately afterwards carefully wash their hands and arms with hot water and then disinfect them. Smoking is forbidden in work rooms and store rooms.

- (b) No animal may enter the establishments. Rodents, insects and other vermin must be systematically destroyed.
- (c) Equipment and implements used for working on meat and meat products shall be kept clean and in a good state of repair. They shall be carefully cleaned and disinfected several times during the working day, at the end of the day's work and before being re-used when they have been soiled.

Continuous production machines should at least be cleaned when work has been finished or in cases where contamination is suspected.

16. Premises, instruments and working equipment must not be used for purposes other than working on fresh meat and meat products.

However, they may be used for the preparation of other foodstuffs either simultaneously or at different times following authorization by the competent authority, provided that all appropriate measures are taken to prevent contamination or adverse changes in the products covered by this Directive.

17. Fresh meat and meat products, their ingredients and containers shall not:

- come into direct contact with the ground,
- be deposited or handled under conditions which might contaminate them.

Care must be taken to ensure that there is no contact between raw materials and finished products.

18. Potable water must be used for all purposes; however, non-potable water may be used in exceptional cases for steam production provided that the pipes installed for this purpose preclude the use of this water for other purposes and present no danger of contamination of fresh meat. In addition, non-potable water may be used in exceptional cases for cooling refrigeration equipment. Non-potable water pipes must be clearly distinguished from pipes used for potable water.

19. The spreading of sawdust or any other similar substance on the floor of the workrooms and storage rooms is prohibited.

20. Detergents, disinfectants and similar substances must be used in such a way that instruments, working equipment, fresh meat and meat products are not adversely affected. Their use must be followed by thorough rinsing of such instruments and working equipment with potable water.

Products for maintenance and cleaning must be kept in rooms provided for this purpose.

21. Any person who is a possible source of contamination, in particular through pathogenic agents, shall be prohibited from working with or handling fresh meat or meat products.

22. Any person employed to work with or handle fresh meat or meat products shall be required to show by a medical certificate that there is no impediment to such employment. The medical certificate shall be renewed every year, unless another staff medical check-up scheme offering equivalent guarantees is recognized in accordance with the procedure laid down in Article 17.

Special hygiene conditions for establishments manufacturing meat products

23. In derogation from point 4 (a) of this Annex, the use of wood is permitted in storage rooms where its application is necessary for technological reasons, in particular for the maturing of certain meat products, provided there is no risk of the latter being contaminated.

24. The temperatures in rooms where work on fresh meat and meat products is undertaken must ensure hygienic production; if necessary, these rooms must be provided with air-conditioning facilities.

Rooms for curing must be kept at a temperature not exceeding 10 °C. Rooms for slicing, cutting and for the wrapping of meat products intended for sale in prepacked form must, in so far as the products have not been submitted to a complete treatment, be kept at a temperature not exceeding 12 °C.

25. In establishments producing meat products in cans or similar containers,

- (a) the latter must be:
 - thoroughly cleaned immediately before filling, by means of the cleaning apparatus referred to in paragraph 14 (m),
 - if necessary, washed in potable water, after they are hermetically sealed and before retorting by means of the apparatus referred to in paragraph 14 (n),
 - handled in such a way before and after heat treatment that any type of damage or contamination is avoided.

- (b) Member States may allow the addition of certain products to the water used in the autoclaves in order to prevent corrosion of cans and to soften and disinfect the water. A list of these products will be drawn up in accordance with the procedure laid down in Article 17.
- (c) Member States may allow the use of recirculated water for the cooling and washing of heat-processed containers. Such water must be filtered and either have been treated with chlorine or else undergone another treatment approved in accordance with the procedure laid down in Article 17. Such treatment is designed to make the recirculated water comply with the microbiological standards laid down in Annex I (E) to Directive 80/778/EEC so that it cannot contaminate the products and does not constitute a hazard to human health. The recirculated water must circulate in closed circuit so that it cannot be used for other purposes.
- (d) Where there is no risk of contamination, Member States may allow that the water used for cooling and washing containers be used at the end of a working period for cleaning floors.

CHAPTER III

Requirements for fresh meat to be used for the manufacture of meat products

- 26. Fresh meat which comes from a slaughterhouse, cutting establishment, cold store or other processing establishment in the same country as the establishment concerned must be transported to it under satisfactory hygiene conditions in accordance with the provisions of the Council Directives referred to in Article 2 (2) except those on sealing.
- 27. Meat which does not comply with the conditions of Article 2 (3) may be held in approved establishments only if stored in separate places; it must be used in other places or at other times than meat which does comply with those conditions. The competent authority must at all times have free access to storerooms and to all work rooms in order to verify strict observance of these provisions.
- 28. As soon as it arrives at the establishment and until it is used, fresh meat intended for processing must be stored in accordance with the provisions of the Directives referred to in Article 2 (2) and (3).
- 29. Meat from animals other than those indicated in the Directives referred to in Article 2 (3) which is used as an ingredient in the meat products must be transported, handled and stored in accordance with the provisions of this Directive.

CHAPTER IV

Supervision of production

- 30. Establishments in which meat products are manufactured must be subject to supervision by a competent authority, which must be given due notice before the work on meat products intended for intra-Community trade is undertaken.
- 31. Supervision by the competent authority must include the following:
 - inspection of the entry and exit register for fresh meat and meat products,
 - sanitary inspection of fresh meat intended for the manufacture of meat products for intra-Community trade and, in the case referred to in point 3 (b) of Article 3 (1), of meat products or, in the case referred to in point 3 (c) and (d) of Article 3 (1), of mechanically recovered meat,
 - inspection of meat products on dispatch from the establishment,
 - filling in and issuing the health certificate provided for in paragraph 46,
 - verification of the cleanliness of the premises, facilities and instruments and of staff hygiene as provided for in Chapter II,
 - taking of any samples required for laboratory tests,
 - any other supervision measures considered necessary by the competent authority to ensure compliance with this Directive.

The results of such supervision must be recorded in a register.

32. In the case of the manufacture of meat products heated in hermetically sealed containers the competent authority must ensure that:
- the producer samples the daily output, at intervals determined in advance, to ensure the efficacy of the sealing,
 - the producer carries out the necessary checks, using in particular control markers to check that the containers have in fact undergone suitable heat treatment,
 - products in hermetically sealed containers are removed from the heating equipment at a sufficiently high temperature to ensure rapid evaporation of humidity and are not touched by hand until completely dry,
 - the producer carries out incubation tests on meat products which have undergone a complete treatment by heat,
 - the producer places a mark on the containers allowing the identification of the meat products produced at the same time and under the same conditions,
 - the producer, in the case of a heat treatment in a hermetically sealed container for which the Fc value exceeds or equals 3,0, proceeds in accordance with a sound heat treatment process defined by important criteria such as heating time, temperature, movement during heating operations, filling, etc., a record of which shall be kept; this process must be set up by qualified staff with the requisite knowledge who have facilities available which make it possible to determine which requirements the product must fulfil in order to attain an Fc value which exceeds or equals 3,0,
 - thermometers of heating equipment are checked against standard thermometers.
33. The results of the various checks carried out by the producer must be kept for presentation on request to the competent authority.

CHAPTER V

Check on the effectiveness of treatments

34. The competent authority must check the effectiveness of the treatment of meat products, if necessary by taking samples, to ensure that:
- the products have undergone treatment as defined in Article 2 (4),
 - the treatment may be considered as complete within the meaning of Article 2 (5) or incomplete in accordance with Article 2 (6).
35. A product has been treated within the meaning of Article 2 (4) when either the a_w value is less than 0,97 or the cut surface shows that the product no longer has the characteristics of fresh meat.
36. A product has undergone complete treatment:
- (a) if it has undergone heat treatment in a hermetically sealed container, when the Fc value exceeds or equals 3,0 or, in Member States in which this value is not customarily applied, when a check on the treatment has been carried out by means of a seven-day incubation test at 37 °C or a 10-day test at 35 °C;
 - (b) if it has undergone a treatment other than that referred to in (a), when:
 - (i) the a_w value does not exceed 0,95 and the pH does not exceed 5,2; or
 - (ii) the a_w value does not exceed 0,91; or
 - (iii) the pH is less than 4,5.

If the conditions referred to in (a) and (b) are not fulfilled in the treatment, the product shall be regarded as having undergone incomplete treatment.

However, products which have been subjected to natural fermentation and to maturing for a long period are to be regarded as having undergone complete treatment. The Commission will determine in accordance with the procedure laid down in Article 17 the limits for the a_w and pH values with which these products must comply.

37. The competent authority must check that a product has been combined with other foodstuffs, additives or condiments by submitting it to an appropriate inspection and assess whether the production criteria laid down by the producer have been met.

CHAPTER VI

Wrapping and packaging of meat products

38. Wrapping and packaging must take place under satisfactory hygiene conditions in rooms intended for this purpose.
39. Wrapping and packaging must comply with all rules of hygiene, including the following:
- it must not be such as to alter the organoleptic characteristics of the meat products,
 - it must not be capable of transmitting to the meat products substances harmful to human health,
 - it must be strong enough to protect the meat products adequately.
40. Wrapping may not be re-used for meat products, with the exception of certain special types of earthenware which may be re-used after cleaning and disinfecting.
41. Preparation of meat products and wrapping and packaging operations may take place in the same room subject to the following conditions:
- (a) the room must be sufficiently large and so laid out that the hygiene of the operations is assured;
 - (b) the material for packaging and wrapping must be enclosed in a sealed protective covering immediately after manufacture; it must be protected from damage during transport to the establishment and stored under hygienic conditions in a separate room of the establishment;
 - (c) the room for storing the packaging material must be dust and vermin-free and no air may enter from other rooms containing substances which might contaminate fresh meat or meat products; packaging must not be stored on the floor;
 - (d) packaging must be got ready under hygienic conditions before being brought into the work room;
 - (e) packaging must be brought into the work room hygienically and used without delay; it must not be touched by staff handling fresh meat and meat products;
 - (f) immediately after packaging, the meat products must be placed in the storage room.

CHAPTER VII

Health marking

42. Meat products must carry a health mark. The health mark must be carried out under the responsibility of the competent authority, during or immediately after manufacture, in an easily visible place. The mark must be legible, indelible and its characters easily distinguishable. The mark may be applied to the product or when individually wrapped to the wrapping or on a label fixed to this wrapping in accordance with paragraph 45 (b).

However, where a meat product is individually wrapped and packaged, it shall suffice for the health mark to be put on the packaging.

43. Where meat products marked in accordance with paragraph 42 are placed in a further wrapping or packaging, the mark must also be put on that further wrapping or packaging.
44. In derogation from paragraphs 42 and 43, the health marking of meat products in large packagings intended for further processing in an approved establishment is not necessary, provided that:
- the large packaging containing the meat products bears on the external surface the health mark in accordance with paragraph 45 (a),

- the establishment of dispatch maintains a special record of the amount, type and destination of consignments dispatched in accordance with this paragraph,
 - the recipient establishment maintains a special record of the amount, type and origin of consignments received in accordance with this paragraph,
 - the health marking of the large packaging is destroyed under the supervision of the competent authority when the large packaging is opened,
 - there is clearly indicated on the external surface of the large packaging the destination and intended use of the consignment.
45. (a) The health mark must give the following particulars within an oval surround:
- above:
the initial letter or letters of the exporting country in capitals, i.e., B – D – DK – F – GR – IRL – I – L – NL – UK, followed by the approval number of the establishment,
 - below:
one of the following sets of initials: CEE – EEG – EWG – EEC – EØF or EOK.
- (b) The health mark may be applied to the product, wrapping or packaging by inking or branding, or it may be printed on or applied to a label. The mark must be destroyed when the package is opened. Non-destruction of this mark may be tolerated only when the package is destroyed on being opened.
- (c) The health mark may also consist of an irremovable disc of resistant material complying fully with hygiene requirements and bearing the information specified in paragraph (a) of this point.

CHAPTER VIII

Health certificate

46. The original copy of the health certificate which must accompany meat products during their transportation to the country of destination must be issued by the competent authority at the time of dispatch.

It must correspond in form and content to the model in Annex B. It must be made out at least in the language(s) of the country of destination and must contain the particulars specified. It must consist of a single sheet of paper.

CHAPTER IX

Storage and transport

47. Meat products intended for intra-Community trade must be stored in the premises referred to in Chapter I, paragraph 13 (a) or in a store approved in accordance with Directive 64/433/EEC.

Meat products in hermetically sealed containers which can be kept at ambient temperatures may be stored in stores situated outside an establishment approved for the production of meat products, where these stores are approved by the competent authorities.

48. Meat products for which certain storage temperatures are indicated in accordance with Article 4 must be maintained at those temperatures.
49. Meat products must be transported in such a way that they are protected during transportation from anything which may be detrimental to them or contaminate them, taking into account the length of the journey, the means of transport and the weather conditions.
50. Meat products must be transported in vehicles equipped to enable them to be transported when necessary under refrigeration, the temperatures indicated in accordance with Article 4 not being exceeded.

ANNEX B

HEALTH CERTIFICATE FOR MEAT PRODUCTS ⁽¹⁾ INTENDED FOR A MEMBER STATE OF THE EECNo ⁽²⁾:

Exporting country:

Ministry:

Department concerned:

Reference ⁽²⁾:

I. Identification of meat products

Products manufactured with meat from:
(Animal species)Nature of products ⁽³⁾:

Nature of packaging:

Number of individual items or of packages:

Storage and transport temperature ⁽⁴⁾:Storage life ⁽⁴⁾:

Net weight:

II. Origin of meat products

Address(es) and veterinary approval number(s) of approved processing establishment(s):
.....
.....Address(es) and veterinary approval number(s) of approved store(s):
.....
.....

III. Destination of meat products

The meat products are to be sent from:
(Place of dispatch)to:
(Country of destination)by the following means of transport ⁽⁵⁾:Name and address of consignor:
.....Name and address of consignee:
.....⁽¹⁾ Within the meaning of Article 2 of Directive 77/99/EEC.⁽²⁾ Optional.⁽³⁾ Mention any ionizing radiation for medical reasons.⁽⁴⁾ Where an indication is given in accordance with Article 4 of Directive 77/99/EEC.⁽⁵⁾ Indicate the number or registration number (railway wagons and lorries), the flight number (aircraft) or the name (ship).

IV. Health attestation

I, the undersigned, certify that:

- (a) the meat products described above were manufactured from fresh meat or meat products under conditions that comply with the requirements of Directive 77/99/EEC ⁽¹⁾;
- (b) the said meat products, their wrappings or packaging, bear a mark proving that they have all come from approved establishments ⁽¹⁾;
- (c) the transport vehicles and equipment and the way in which the consignment was loaded comply with the hygiene requirements laid down in Directive 77/99/EEC;
- (d) the fresh pigmeat used in the manufacture of the meat products has/has not been ⁽¹⁾ subjected to a *trichinae* detection test.

Done at on

(Signature)

(Name in capital letters)

Stamp

⁽¹⁾ Delete as appropriate.

Proposal for a Council Regulation (EEC) concerning the implementation of the special programme to combat hunger in the world

COM(85) 699 final

(Submitted by the Commission to the Council on 16 December 1985)

(85/C 349/10)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas accordingly on 11 July 1983 the Council adopted Regulation (EEC) No 1993/83 ⁽¹⁾, concerning the implementation of a special programme to combat hunger in the world over a two-year period (1983 to 1984);

Whereas it is necessary to continue the programme and to this end appropriations have been entered in the budget of the European Communities;

Whereas the Treaty does not provide specific powers for this purpose,

HAS ADOPTED THIS REGULATION:

Article 1

The Community shall, on an experimental basis, implement special measures to combat hunger in the world.

⁽¹⁾ OJ No L 196, 20. 7. 1983, p. 6.

Aid shall be granted to the developing countries, and especially the least developed of them. The purpose of the aid shall be to support or stimulate the recipient countries' own efforts. It shall help towards improving the living conditions of the most needy sections of the population of the countries concerned.

Article 3

1. Community aid shall take the form both of support measures for recipient countries which have undertaken to increase their level of self-reliance in food and of support measures designed to protect their natural resources and improve the way in which these resources are utilized.

2. Community aid to increase the level of self-reliance in food shall be aimed at supporting consistent measures undertaken in the rural sector by the recipient countries at the stages relating to the production, marketing, storage and transport of agricultural products.

3. Measures to protect natural resources shall be implemented in the following fields particularly: more efficient use of fuel wood, reafforestation and the combating of desertification, better use of water resources at village level and efficient management of domestic and wild livestock.