

ANNEX G

Semen, ova and embryos

Semen, ova and embryos of equidae, sheep and goats, ova and embryos of swine and bovine ova must:

- (a) have been removed, treated, stored and transported subject to conditions adopted in accordance with the procedure laid down for in Article 10;
- (b) come from animals which satisfy the health requirements adopted in accordance with the procedure laid down in Article 10.

ANNEX H

Apiculture products

Apiculture products must not have originated in an area which is the subject of a prohibition order associated with an occurrence of American foulbrood or acariosis disease. The period of prohibition after the last recorded case must be at least 30 days, within a radius of 5 kilometres. Any derogations from these requirements must be determined in accordance with the procedure laid down in Article 10.

ANNEX I

Milk and milk-based products

Milk and milk-based products must not have originated in a surveillance area as provided for in Directive 85/511/EEC. However, they may be placed on the market if the milk has been pasteurized (72 °C, 15 seconds) under the supervision of the competent authority.

Proposal for a Council Regulation (EEC) laying down the health rules for the production and placing on the market of raw milk, of milk for the manufacture of milk-based products and of milk-based products

COM(89) 667 final

(Submitted by the Commission on 13 February 1990)

(90/C 84/10)

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 raw milk, milk for the manufacture of milk-based products and milk-based products are included in the list of products in Annex II to the Treaty; whereas the production of and trade in raw milk, milk for the manufacture of milk-based products and milk-based products constitute a

source of income for a large part of the agricultural population;

Whereas, in order to ensure the rational development of this sector and to increase productivity, health rules governing the production and placing on the market of raw milk, of milk for the manufacture of milk-based products and of milk-based products should be laid down at Community level;

Whereas the Community must adopt measures to bring about the progressive establishment of the internal market in the period ending on 31 December 1992;

Whereas the introduction of such rules will help to protect public health and to complete the internal market;

Whereas for certain requirements reference should be made to Council Regulation (EEC) No . . . of . . . laying down health rules for the production and placing on the market of heat-treated drinking milk ⁽¹⁾;

Whereas it seems necessary to exclude from the scope of this Regulation certain products sold directly by the producer to the consumer;

Whereas it is possible that, owing to certain special circumstances, certain establishments that were in operation before 1 January 1992 will be unable to comply with all the rules laid down by this Regulation; whereas the question of whether limited and temporary derogations may be granted to such establishments within the general framework of Council Decision . . ./EEC of . . . on the conditions for granting limited and temporary derogations from specific Community health rules on the production and marketing of products of animal origin should be resolved ⁽²⁾;

Whereas it should be stressed that the exclusion of certain operations from the scope of application of this Regulation and the granting of any possible derogations from the health rules laid down by this Regulation are without prejudice to the bringing of all operations relating to the production and placing on the market of raw milk, of milk for the manufacture of milk-based products and of milk-based products under the general health rules laid down by Council Regulation (EEC) No . . . of . . . laying down general health rules for the production and placing on the market of products of animal origins and specific health rules for certain products of animal origin ⁽³⁾;

Whereas 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 ⁽⁴⁾ as last amended by Directive 89/395/EEC ⁽⁵⁾ and Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs ⁽⁶⁾ are applicable;

Whereas health rules should be laid down for the placing on the market of raw milk, of milk for the manufacture of milk-based products and of milk-based products; whereas these rules should cover, in particular, production, storage, packaging and transport;

Whereas certain milk-based products may be manufactured from raw milk; whereas given the nature of these products, it may be necessary to draw up a list of such products as might be marketed;

Whereas account should be taken of certain special cheesemaking techniques;

Whereas the Commission should be entrusted with the adoption of measures for implementing this Regulation; whereas, for this purpose, a procedure should be provided for establishing close and efficient cooperation between the Commission and the Member States within the Standing Veterinary Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down health rules for the production and placing on the market of the following products intended for human consumption: raw milk, milk for the manufacture of milk-based products, and milk-based products.

2. This Regulation shall not apply to the direct sale to the consumer:

- by the producer, of raw milk produced on his farm,
- by the producer, of milk-based products processed on the producer's farm from milk produced on his farm,
- by the manufacturer, of milk-based products at his processing plant, provided his entire production is sold directly to the consumer on the spot.

3. The Commission shall, where necessary, adopt suitable rules for the uniform application of paragraph 2 in accordance with the procedure laid down in Article 15.

4. This Regulation shall apply without prejudice to:

- Council Directive 76/118/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to certain partly or wholly dehydrated preserved milk for human consumption ⁽⁷⁾,
- Council Directive 83/417/EEC of 25 July 1983 on the approximation of the laws of the Member States relating to certain lactoproteins (caseins and caseinates) intended for human consumption ⁽⁸⁾,
- Council Regulation (EEC) No . . . of . . . (heat-treated milk).

⁽¹⁾ OJ No L . . .

⁽²⁾ OJ No L . . .

⁽³⁾ OJ No L . . .

⁽⁴⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽⁵⁾ OJ No L 186, 30. 6. 1989, p. 17.

⁽⁶⁾ OJ No L 186, 30. 6. 1989, p. 21.

⁽⁷⁾ OJ No L 24, 30. 1. 1976, p. 49.

⁽⁸⁾ OJ No L 237, 26. 8. 1983, p. 25.

Article 2

For the purposes of this Regulation:

1. *raw milk* means milk as produced by secretion of the mammary glands of one or more cows, ewes, goats or buffaloes, which has not been heated beyond 40° C or undergone a treatment that has an equivalent effect;
2. *milk for the manufacture of milk-based products* means either raw milk for processing or liquid or frozen milk obtained from raw milk, whether or not it has undergone an authorized physical treatment, such as heat treatment or thermization, or modified in its composition, provided that these modifications are restricted to an addition and/or withdrawal of natural milk constituents;
3. *milk-based products* means milk products, namely products exclusively derived from milk, it being accepted that substances necessary for their manufacture may be added, provided that these substances are not used to replace in part or in whole any milk constituent, and composite milk products, namely products of which no part takes or is intended to take the place of any milk constituent and of which milk or a milk product is an essential part either by quantity or for characterization;
4. *heat treatment* means any treatment involving heating that causes, immediately after it has been applied, a negative reaction to the phosphatase test;
5. *thermization* means the heating of milk under such combined conditions of time and temperature that the reaction to the phosphatase test remains positive;
6. *production holding* means an establishment at which one or more milk-producing cows, ewes, goats or buffaloes are kept;
7. *collection centre* means an establishment where raw milk may be collected and possibly cooled and filtered;
8. *processing establishment* means an establishment where milk for the manufacture of milk-based products and milk-based products are treated, processed and packaged.
9. *competent authority* means the competent public health authority designated by the Member State;
10. the definitions set out in Article 2 of Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾ and of Council Regulation (EEC) No . . . of . . . on animal health conditions governing intra-Community trade on ovine and caprine animals ⁽²⁾ shall apply where necessary.

Article 3

Raw milk for the manufacture of milk-based products must:

1. be checked in accordance with Article 9 (1);

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L . . .

2. meet the standards laid down in Chapter II of the Annex hereto;
3. where appropriate, satisfy the requirements laid down in Article 3 (1) (g) of Regulation (EEC) No . . . (heat-treated drinking milk);
4. in the case of cow's milk, satisfy the requirements laid down in Article 3 (1) (b), (c) and (d) of Regulation (EEC) No . . . (heat-treated drinking milk);
5. in the case of milk of other animals, satisfy the requirements set out in Chapter I of the Annex hereto.

Article 4

Raw milk intended for direct human consumption must:

1. satisfy the requirements laid down in Article 3 and in point 2 of Chapter II of the Annex hereto;
2. where it is not sold to the consumer within 2 hours after the end of milking, be cooled in accordance with Chapter III of Annex A to Regulation (EEC) No . . . (heat-treated drinking milk);
3. where appropriate, satisfy the requirements set out in point 1 of Chapter V of the Annex hereto;
4. where appropriate, satisfy the additional requirements set out in accordance with the procedure laid down in Article 15 of this Regulation.

Article 5

Milk for the manufacture of milk-based products must:

1. be obtained from raw milk that meets the requirements set out in Article 3;
2. meet the standards and specifications laid down in Chapter III of the Annex hereto;
3. where appropriate, be obtained in a processing establishment that meets the requirements set out in Article 3 (2) of Regulation (EEC) No . . . (heat-treated drinking milk);
4. where appropriate, be stored, irrespective of the treatment it undergoes, in accordance with Article 3 (5) of Regulation (EEC) No . . . (heat-treated drinking milk);
5. where appropriate, be transported in accordance with Article 3 (6) of Regulation (EEC) No . . . (heat-treated drinking milk).

Article 6

Milk-based products must:

1. be obtained from milk that meets the requirements of Articles 3 or 5 or from milk-based products that satisfy the requirements of this Article or of Article 7;
2. be prepared in a processing establishment that meets the requirements of Article 3 (2) of Regulation (EEC) No . . . (heat-treated drinking milk);

3. meet the standards laid down in Chapter IV of the Annex hereto;
4. be packaged and wrapped in accordance with Chapter IV of the Annex to Regulation (EEC) No . . . (general health rules) and, if they are in liquid form and intended for sale to the end user, with points 1, 2 and 3 of Chapter VIII of Annex B to Regulation (EEC) No . . . (heat-treated drinking milk);
5. be labelled in accordance with Chapter V of the Annex to Regulation (EEC) No . . . (general health rules) and with Chapter V of the Annex hereto;
6. be stored and transported in accordance with Chapter VI of the Annex to Regulation (EEC) No . . . (general health rules) and with Article 9 of and Chapter IX of the Annex to Regulation (EEC) No . . . (heat-treated drinking milk);
7. be checked in accordance with Article 9 (4) of and Chapter III of the Annex to Regulation (EEC) No . . . (general health rules);
8. where appropriate, contain only substances, other than milk, that are fit for human consumption;
9. involve heat treatment during the manufacturing process or be made from products that have undergone a heat treatment.

Article 7

1. Article 6 (9) shall not apply to products 'made with raw milk'. Where appropriate, a list of products 'made with raw milk' that may be placed on the market shall be drawn up in accordance with the procedure laid down in Article 15.
2. Milk from animals that are not infected or suspected of being infected with tuberculosis or brucellosis and do not comply with the provisions of point 1 (a) of Chapter I of the Annex to Regulation (EEC) No . . . (heat-treated drinking milk) or with points A (1) and (2) of Chapter I (A) of the Annex hereto may, by way of derogation from Article 3 (4) and (5), be used under the supervision of the competent authority to manufacture milk-based products during the period in which the holding is disinfected. In this event, heat treatment of the milk shall be compulsory.
3. The manufacture of milk-based products with traditional characteristics may be exempted from Article 6 (1) to (4) in accordance with the procedure laid down in Article 15. In this event, the general and particular conditions applicable to the manufacture of each specific product shall be determined in accordance with the same procedure.
4. Manufacture of cheese with a long period of ageing or ripening shall not be subject to the provisions of Article 6 (1) to (4). The procedure laid down in Article 15 shall be used to fix general and special requirements applicable to the manufacture of individual products, and if necessary standards for this type of product.
5. The Commission shall, where necessary, adopt suitable rules for the uniform application of paragraphs 1 to 4 in accordance with the procedure laid down in Article 15.

Article 8

1. Derogations from Article 6 (2) may be granted in accordance with the procedure laid down in Article 15 for establishments with limited production.
2. When examining the derogations referred to in paragraph 1, the Commission shall take account of the information and criteria set out in Articles 2 and 3 of Decision . . ./ . . . /EEC of . . . on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of products of animal origin.
3. When granting derogations within the meaning of paragraph 1, the Commission shall determine in accordance with the procedure laid down in Article 15 the general and particular conditions applicable to the implementation of each derogation.

Article 9

1. Article 5 of Regulation (EEC) No . . . (heat-treated drinking milk) shall apply.
2. Article 6 of Regulation (EEC) No . . . (heat-treated drinking milk) shall apply *mutatis mutandis* in respect of collection centres and processing establishments.
3. Article 7 of Regulation (EEC) No . . . (heat-treated drinking milk) shall apply *mutatis mutandis* in respect of raw milk, of milk for the manufacture of milk-based products and of milk-based products, and in respect of processing establishments.
4. Articles 8, 9 and 10 of Regulation (EEC) No . . . (heat-treated drinking milk) shall apply *mutatis mutandis* in respect of raw milk, of milk for the manufacture of milk-based products and of milk-based products.

Article 10

Council Regulation (EEC) No . . . concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾ shall apply, in particular in respect of the organization and monitoring of checks carried out by the Member State of destination and the protective measures to be applied.

Article 11

The Commission in accordance with the procedure laid down in Article 16 may draw up recommendations accompanied by guidelines on good manufacturing practices to be applied at the various stages of production and placing on the market.

Article 12

The Annex to this Regulation shall be amended, in particular so as to adapt it to technological and scientific developments, in accordance with the procedure laid down in Article 15.

⁽¹⁾ OJ No L . . .

Article 13

The reference methods and, where appropriate, the analysis and test methods to be used to check that the standards laid down in Articles 3 (2), 5 (2) and 6 (3) are being complied with shall be adopted in accordance with the procedure laid down in Article 15. Where necessary, rules for the taking of samples shall be laid down in accordance with the same procedure.

However, pending these decisions, the internationally accepted analysis and test methods shall be recognized as reference methods.

Article 14

Until Community arrangements on imports of raw milk, of milk for the manufacture of milk-based products and of milk-based products from third countries have been adopted, Member States shall apply rules in respect of such imports that must be at least equivalent to those laid down by this Regulation.

Article 15

1. The Commission shall be assisted by the Standing Veterinary Committee set up by Council Decision 68/361/EEC ⁽¹⁾, hereinafter referred to as 'the Committee'.

2. Where the procedure laid down in this Article is to be followed, the provisions set out below shall apply.

The representative of the Commission, after consulting the Management Committee for Milk and Milk Products established by Council Regulation (EEC) No 804/68 ⁽²⁾ where matters of chemistry or technology are involved, shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time-limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

Where the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 16

Where the procedure laid down in this Article is to be followed, the following rules shall apply.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time-limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

Article 17

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

It shall apply from 1 January 1993.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ No L 244, 19. 10. 1968, p. 23.

⁽²⁾ OJ No L 148, 28. 9. 1968, p. 13.

ANNEX

CHAPTER I

ANIMAL HEALTH REQUIREMENTS FOR THE PRODUCTION OF RAW MILK OTHER THAN COW'S MILK

A. Conditions governing raw milk

1. Raw milk must come from:

(a) *sheep and goats*

- (i) belonging to a herd officially free or free of brucellosis (*Brucella melitensis*);
- (ii) satisfying the requirements laid down in points 1 (b), (c), (d) and (f) of Chapter I of Annex A to Council Regulation (EEC) No . . . / . . . (heat-treated drinking milk);

(b) *buffaloes*

- (i) belonging to a herd officially free of tuberculosis and officially free or free of brucellosis, as defined in Chapters I and II of Annex A to Directive 64/432/EEC ⁽¹⁾;
- (ii) satisfying the requirements laid down in (a) (ii).

2. Where different animal species are kept together on the holding, each species must satisfy the health conditions which would be required if it were alone.

In addition, if goats are kept together with cows, they must undergo a tuberculosis check.

3. Raw milk must be excluded from treatment and processing if it:

- (a) is obtained from animals to which substances within the meaning of Directives 81/602/EEC ⁽²⁾ and 88/146/EEC ⁽³⁾ have been administered illegally;
- (b) contains residues of substances within the meaning of Article 9 (4) which exceed the permitted level.

B. Hygiene of the holding

The raw milk must come from production holdings which are registered and checked in accordance with Article 9 (1).

The animals must be kept in good conditions of housing, hygiene, cleanliness and health.

There must be good hygienic conditions for milking, handling and storage of milk.

C. Hygiene in milking, the collection of raw milk and its treatment from the production holding to the collection centre or to the processing establishment — staff hygiene

The provisions of Chapter III of Annex A to Regulation (EEC) No . . . / . . . (heat-treated drinking milk) shall apply.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 222, 1. 8. 1981, p. 32.

⁽³⁾ OJ No L 70, 16. 3. 1988, p. 16.

CHAPTER II

STANDARDS FOR RAW MILK

1. Raw cow's milk for the manufacture of fermented, renneted, gelified or flavoured milk, milk desserts, creams and uncured or unripened cheeses must:

(a) satisfy the following standards:

Plate count 30° (per ml)	≤ 100 000 ⁽¹⁾
Somatic cell count (per ml)	≤ 400 000 ⁽²⁾
Antibiotics (per ml)	
— penicillin	< 0,004 µg
— other	undetectable

⁽¹⁾ Geometric average over a period of two months, with at least two samples a month.

⁽²⁾ Geometric average over a period of three months, with at least one sample a month.

Compliance with the standards must be checked by random sampling, either on collection at the production holding or on acceptance of the raw milk at the processing establishment or collection centre;

- (b) unless it is treated within four hours of its arrival at the processing establishment, be cooled to a temperature of not more than 6 °C and kept at that temperature until used.

2. Raw cow's milk intended for direct human consumption and raw cow's milk for the manufacture of products 'made with raw milk' whose manufacturing process does not involve any heat treatment must:

(a) satisfy the requirements of paragraph 1;

(b) in addition satisfy the following standard:

Staphylococcus aureus:

$n = 5$, $m = 100$, $M = 300$, $c = 2$

where:

n — is the number of samples collected

m — is the microorganism threshold value; the result being considered satisfactory if all the samples have a level of microorganisms less than or equal to "m";

M — is the maximum permitted microorganism level; the result being considered unsatisfactory if one or more samples have a level of microorganisms greater than or equal to "M";

c — is the number of samples where the microorganism level may be between "m" and "M", the result still being considered acceptable if the other samples have a microorganism level less than or equal to "m".

3. Raw cow's milk for the manufacture of milk-based products other than those referred to in points 1 and 2:

	From 1 January 1993	From 1 January 1995
Plate count 30 °C (per ml)	≤ 300 000 ⁽¹⁾	≤ 100 000 ⁽¹⁾
Somatic cell count (per ml)	≤ 500 000 ⁽²⁾	≤ 400 000 ⁽²⁾
Antibiotics (per ml)		
— penicillin	< 0,004 µg	< 0,004 µg
— others	undetectable	undetectable

⁽¹⁾ Geometric average over a period of two months, with at least two samples a month.

⁽²⁾ Geometric average over a period of three months, with at least one sample a month.

Compliance with the standards must be checked by random sampling, either on collection at the production holding or on acceptance of the raw milk at the processing establishment or collection centre.

4. Non-bovine raw milk must, on acceptance, satisfy standards to be laid down under the Article 15 procedure.

CHAPTER III

STANDARDS FOR MILK FOR THE MANUFACTURE OF MILK-BASED PRODUCTS

1. The person in charge of the processing establishment must take all necessary steps to ensure that, in the case of products 'made with raw milk', the milk is treated or processed within 36 hours of acceptance.
2. Where necessary, standards may be set in respect of milk for the manufacture of milk-based products in accordance with the procedure laid down in Article 15.

CHAPTER IV

STANDARDS FOR MILK-BASED PRODUCTS

1. Microbiological standards for certain milk-based products on removal from the processing establishment

Type of microorganism	Products	Standard (ml, g)
A. Pathogenic microorganisms		
— <i>Listeria monocytogenes</i>	— all	absent in 25 (ml, g) $n = 5, c = 0$
— <i>Salmonella</i>	— all	absent in 25 (ml, g) $n = 5, c = 0$
— <i>Staphylococcus aureus</i>	— soft cheese	$m = 10^2, M = 10^3, n = 5, c = 2$
	— fresh cheese	$m = 10, M = 10^2, n = 5, c = 2$
	— frozen milk products	$m = 0, M = 10, n = 5, c = 2$
— Other pathogens	— all	absent in 25 (ml, g) $n = 5, c = 0$
B. Index organisms		
— Coliforms (44 °C)	— soft cheese	$m = 10^2, M = 10^3, n = 5, c = 2$
C. Indicator organisms		
— Coliforms (30 °C)	— liquid milk and liquid milk products	$m = 0, M = 5, n = 5, c = 2$
	— butter	$m = 0, M = 10, n = 5, c = 2$
	— soft cheese	$m = 10^4, M = 10^5, n = 5, c = 2$
	— fresh cheese	$m = 10^2, M = 10^3, n = 5, c = 2$
	— powdered milk products	$m = 0, M = 10, n = 5, c = 2$
	— frozen milk products	$m = 0, M = 5, n = 5, c = 2$
D. Other organisms		
— Total plate count	— heat treated unfermented liquid milk and milk products ⁽¹⁾	$m = 5 \times 10^4, M = 10^5, n = 5, c = 1$
	— frozen milk products ⁽²⁾	$m = 10^5, M = 3 \times 10^5, n = 5, c = 2$

⁽¹⁾ After incubation at 6 °C for five days (plate count at 21 °C).

⁽²⁾ Plate count at 30 °C.

where:

n — is the number of samples collected;

m — is the microorganism threshold value; the result being considered satisfactory if all the samples have a level of microorganisms less than or equal to 'm';

M — is the maximum permitted microorganism level; the result being considered unsatisfactory if one or more samples have a level of microorganisms greater than or equal to 'M';

c — is the number of samples where the microorganism level may be between 'm' and 'M', the result still being considered acceptable if the other samples have a microorganism level less than or equal to 'm'.

2. Standards for sterilized or UHT-treated milk-based products

Sterilized or UHT-treated milk-based products that have been heat-treated in accordance with the requirements laid down in points 6 and 7 of Chapter VI of Annex B to Regulation (EEC) No .../... (heat-treated drinking milk) must satisfy the following standards after incubation for 15 days at 30 °C.

(a) plate count at 30 °C (per 0,1 ml): < 10,

(b) organoleptic test: normal.

3. Where necessary, standards other than those set out in points 1 and 2 may be set in respect of milk-based products in accordance with the procedure laid down in Article 15.

Microbiological standards applicable, under conditions managed and controlled by the manufacturer, to the use-by date and, where appropriate, detailed rules of application may be laid down in accordance with the same procedure.

CHAPTER V

CONDITIONS GOVERNING LABELLING

1. For inspection purposes, the words 'raw milk' must appear clearly in the labelling of raw milk intended for direct human consumption.
2. For inspection purposes, the words 'made with raw milk' must appear clearly in the labelling of milk-based products manufactured from raw milk whose manufacturing process does not include heat treatment.
3. For inspection purposes, the labelling of milk-based products must, where appropriate, specify the type of heat treatment applied at the end of the manufacturing process.

The type of heat treatment concerned may be pasteurization, UHT treatment or sterilization within the meaning of Regulation (EEC) No . . . / . . . (heat-treated drinking milk).

Proposal for a Council Regulation (EEC) laying down the health rules for the production and placing on the market of minced meat, meat preparations and comminuted meat for industrial use

COM(89) 671 *final*

(Submitted by the Commission on 16 February 1990)

(90/C 84/11)

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 minced meat, meat preparations and cominuted meat for industrial use are included in the list of products in Annex II to the Treaty; whereas the production of and trade in minced meat, meat preparations and comminuted meat for industrial use constitute an important source of income for part of the farming population;

Whereas in order to ensure the rational development of the industry producing such meat and to increase productivity, public health rules for the production and placing on the market of such meat must be laid down at Community level;

Whereas the Community must adopt the measures intended to progressively establish the internal market over a period expiring on 31 December 1992;

Whereas the laying down of such rules improves the protection of public health and consequently facilitates the completion of the internal market;

Whereas, to achieve this purpose, it is necessary to extend the principal health rules laid down in Council Directive 88/657/EEC of 16 December 1988 laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations and amending Directives 64/433/EEC, 71/118/EEC and 72/462/EEC ⁽¹⁾ to all production and placing on the market of minced meat and meat preparations in the Community;

Whereas it is possible that, due to certain particular circumstances, some establishments operating prior to 1 January 1992 will not be able to comply with all the rules laid down in this regulation; whereas the question of whether

⁽¹⁾ OJ No L 382, 31. 12. 1988, p. 3.