

Proposal for a Council Regulation (EEC) laying down health rules for the production and placing on the market of fresh poultrymeat

COM(89) 668 final

(Submitted by the Commission on 12 February 1990)

(90/C 84/06)

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 poultrymeat is included in the list of products in Annex II to the Treaty; whereas production of and trade in poultrymeat constitutes an important source of income for part of the farming population;

Whereas in order to ensure the rational development of this sector and to increase the productivity, public health rules affecting production and placing on the internal market 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 leads to protection of public health and completion of the market;

Whereas the official veterinarians in a slaughterhouse should be in charge of controlling the welfare of slaughter poultry;

Whereas, to achieve this purpose, it is necessary to modify the rules laid down in Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in poultrymeat ⁽¹⁾, as last amended by Directive 88/657/EEC ⁽²⁾, in order to put it in line with the new approach at Community level;

Whereas it seems necessary to exclude certain types of direct sale from the scope of this Regulation;

Whereas this Regulation should not apply to certain products sold directly by the producer to the consumer;

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 by this Regulation; whereas the question of whether limited and temporary derogations may be granted to such establishments within the general framework laid down in Council Decision . . . / . . . /EEC of . . . (on the granting of limited and temporary derogations from specific Community health rules on the production and marketing of products of animal origin) ⁽³⁾ should be resolved;

Whereas it should be stressed that the exclusion of certain operations from the scope of application of this Regulation and the granting of derogations from the health rules laid down in this Regulation are without prejudice to the submission of all operations of production and placing on the market of fresh poultrymeat to 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 origin and specific health rules for certain products of animal origin) ⁽⁴⁾;

Whereas the Commission should be entrusted with the task of adopting certain measures for implementing this Regulation; whereas, to that end, procedures should be laid down establishing close and effective 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 fresh poultrymeat intended for human consumption from:

- (a) domestic animals of the following species: hens, turkeys, guinea-fowls, ducks, geese and pigeons;
- (b) farmed pheasants, quails and partridges.

2. This Regulation shall not apply:

- (a) to the cutting and storage of fresh meat performed in retail shops or in premises adjacent to sale points, where the cutting and storage are performed solely for the purpose of supplying the final consumer directly;

⁽¹⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽²⁾ OJ No L 382, 31. 12. 1988, p. 3.

⁽³⁾ OJ No L . . .

⁽⁴⁾ OJ No L . . .

(b) to fresh poultrymeat supplied in isolated cases directly by the producer to the final consumer for his own consumption, in the holding of production or on a market near to the holding of production, excluding itinerant sale or sale by mail order.

3. If necessary, the Commission shall adopt, according to the procedure referred to in Article 15, appropriate rules for a uniform application of paragraph 2.

4. This Regulation shall apply without prejudice to specific Community rules on minced meat or similarly comminuted meat.

Article 2

For the purposes of this Regulation:

1. *'poultrymeat'* means all parts suitable for human consumption from:
 - (a) domestic animals of the following species: hens, turkeys, guinea-fowl, ducks, geese and pigeons;
 - (b) farmed pheasants, quails and partridges;
2. *'fresh poultrymeat'* means poultrymeat, including meat which is vacuum-wrapped or wrapped in a controlled atmosphere, which has not undergone any treatment other than cold treatment to ensure preservation;
3. *'carcase'* means the whole body of a fowl after bleeding, plucking and evisceration; however removal of the kidneys, legs at the tarsus or the head shall be optional;
4. *'offal'* means fresh poultrymeat other than that of the carcase as defined in paragraph 3, even if it remains naturally connected to the carcase, as well as the head and feet where these are presented separately from the carcase;
5. *'viscera'* means offal from the thoracic, abdominal and pelvic cavities, including the trachea and oesophagus and, where appropriate, the crop;
6. *'official veterinarian'* means the veterinarian designated by the competent central authority of the Member State;
7. *'assistant'* means a person officially designated by the competent central authority of the Member State under Article 4 (2) to assist the official veterinarian;
8. *'ante-mortem health inspection'* means inspection of live poultry in accordance with the requirements of Chapter V of Annex I;
9. *'post-mortem health inspection'* means inspection of the slaughtered poultry in a slaughterhouse, immediately after slaughter, in accordance with the requirements of Chapter VII of Annex I;
10. *'consignment'* means a quantity of meat transported by the same means of transport;
11. *'means of transport'* means the freight-carrying parts of motor vehicles, rail vehicles and aircraft and the holds of ships or containers for transport by land, sea or air;

12. *'establishment'* means an approved slaughterhouse, an approved cutting plant or an approved cold store;

13. *'wrapping'* means the protection of fresh meat by the use of an initial wrapping or initial container in direct contact with the fresh meat concerned as well as the initial wrapper or initial container itself;

14. *'packaging'* means the placing of wrapped fresh meat in a second container as well as the latter container itself.

Article 3

Fresh poultrymeat must meet the following conditions:

A. Carcasses and offal must:

- (a) have been obtained from a slaughterhouse approved and supervised in accordance with Article 8;
- (b) come from an animal inspected ante-mortem by an official veterinarian, or by assistants acting under supervision of the official veterinarian, in accordance with Article 4 and be considered following such inspection suitable for slaughter for trade in fresh poultrymeat;
- (c) have been treated under satisfactory hygiene conditions in accordance with Chapter V of Annex I;
- (d) have been inspected post-mortem by an official veterinarian or by assistants acting under supervision of the official veterinarian in accordance with Article 4 and found to be fit for human consumption in accordance with Chapter VII of Annex I;
- (e) bear a health marking conforming to the requirements of Chapter XI of Annex I; where appropriate a decision may be taken to amend or supplement the provisions of that Chapter in accordance with the procedure laid down in Article 15 to take account, in particular, of various forms of presentation used in the trade, provided such forms comply with the rules of hygiene; in particular, and notwithstanding the provisions of Chapter XI, the conditions under which the marketing in large packagings of carcasses, parts of carcasses or offal, which have not been marked in accordance with 60.3 (a) of Chapter XI is authorized shall be laid down in accordance with Commission Directive 80/879/EEC ⁽¹⁾;
- (f) have been stored, in accordance with Chapter XII of Annex I, after post-mortem inspection under satisfactory hygiene conditions in the establishments or stores approved and supervised in accordance with Article 8;
- (g) have been suitably packed in accordance with Chapter XIII of Annex I; where a protective cover is used, it must satisfy the requirements of the same Chapter; where appropriate a decision may be taken to amend or supplement the provisions of

⁽¹⁾ OJ No L 251, 24. 9. 1980, p. 10.

that Chapter in accordance with the procedure laid down in Article 16 to take account, in particular, of various forms of presentation used in the trade, provided such forms comply with the rules of hygiene; however, provisions adopted under this procedure relating to the degree of transparency and colouring of the protective wrappings should not result in marks or written information required or allowed by Community rules being prevented from appearing on such wrappings;

(h) have been transported in accordance with Chapter XIV of Annex I.

B. 1. Parts of carcasses or boned meat must:

(a) have been cut in cutting premises approved and supervised in accordance with Article 8;

(b) have been cut and obtained in accordance with the requirements of Chapter IX of Annex I and come from:

— fresh poultrymeat coming from animals slaughtered in the Community and complying with the requirements set out in section A or

— fresh poultrymeat imported from third countries in accordance with Community provisions relating to the importation of fresh poultrymeat from third countries;

(c) have been stored under conditions complying with Chapter XII of Annex I;

(d) have been subject to control by an official veterinarian in accordance with Chapter X of Annex I;

(e) satisfy the requirements of Section A (c), (e), (g) and (h).

2. When the cutting premises use fresh meat other than poultrymeat, it must conform to the relevant Community standards.

C. Fresh meat which has been stored in accordance with this Regulation in a cold store approved by a Member State and which has not thereafter undergone any handling, except in connection with storage, must meet the requirements of Sections A (c), (e), (f), (g) and (h) and B or be fresh poultrymeat imported from third countries, in accordance with Community regulations.

Article 4

1. When carrying out ante-mortem and post-mortem inspections, effecting the health control of cut meat provided for in Chapter X of Annex I, and supervising the hygiene conditions to be satisfied by establishment pursuant to Chapters IV and VI of Annex I, the official veterinarian may be helped by assistants working under his supervision and responsibility.

2. Only those persons who satisfy the requirements of Annex II may act as assistants following a test organized by the competent central authority of the Member State or by the authority appointed by that central authority.

3. Assistants shall help the official veterinarian in carrying out the following operations only:

— supervising application of the hygiene rules laid down in Chapters IV and VI of Annex I,

— checking that at the time of the ante-mortem health inspection none of the symptoms mentioned in Point 28 of Chapter V of Annex I is present,

— checking that at the time of the post-mortem health inspection the conditions listed in Point 48 of Chapter VIII of Annex I are not present,

— the health control of cut meat and stored meat as provided for in Chapter X of Annex I,

— the supervision of transport vehicles or containers and loading conditions as provided for in Point 69 of Chapter XIV.

Article 5

Without prejudice to Council Directive 86/469/EEC ⁽¹⁾, in addition to the requirements laid down in Article 3, fresh poultrymeat or animals must have undergone a sampling examination for residues, where the official veterinarian suspects their presence on the basis of the findings of the health inspection.

This examination shall be carried out to check for both residues of substances having a pharmacological action and of the conversion product thereof and other substances transmitted to poultrymeat which are likely to be dangerous to human health.

If the poultrymeat examined shows traces of residues in quantities which exceed the permitted tolerances, it must be declared unfit for human consumption.

These examinations for residues must be carried out in accordance with proven methods which are scientifically recognized, in particular those laid down in Community rules or other international standards.

It must be possible to assess the examination for residues using reference methods laid down in accordance with the procedure set out in Article 15.

In accordance with the procedure referred to in Article 16, at least one reference laboratory must be designated in each Member State to carry out the examination for residues.

Acting on a proposal from the Commission the Council shall adopt the tolerances for the substances transmitted to meat which are likely to be dangerous to human health, other than those established in Council Directive 86/363/EEC ⁽²⁾ and Directive . . . /EEC ⁽³⁾ (laying down a Community procedure for the establishment of tolerances for residues of veterinary medicinal products).

⁽¹⁾ OJ No L 275, 26. 9. 1986, p. 36.

⁽²⁾ OJ No L 221, 7. 8. 1986, p. 43.

⁽³⁾ OJ No L . . .

Article 6

Without prejudice to Council Directives 81/602/EEC ⁽¹⁾ and 88/146/EEC ⁽²⁾, fresh poultrymeat cannot be placed on the market if

1. showing traces of residues in quantities which exceed the permitted tolerances;
2. treated with ionizing or ultraviolet radiations in conditions other than those specified in Council Directive . . . /EEC ⁽³⁾ (on the approximation of the laws of Member States concerning foods and food ingredients treated with ionizing radiations);
3. treated with antibiotics, preservatives or tenderizers;
4. originating from animals found to have one of the faults listed in Chapter VIII of Annex I.

Article 7

1. Member States shall entrust to a central service or body the task of collecting and using the results of the ante-mortem and post-mortem inspections carried out by the official veterinarian, in cases of diagnosis of diseases transmissible to humans.

Where such a disease is diagnosed, the results of the specific case shall be communicated as soon as possible to the competent veterinary authorities responsible for supervision of the herd from which the animals originated.

2. Member States shall submit to the Commission information on certain diseases and particularly cases where diseases transmissible to humans have been diagnosed.
3. The Commission shall, in accordance with the procedure laid down in Article 16, adopt detailed rules for implementing this Article and in particular with regard to:
 - the regularity with which information has to be submitted to the Commission,
 - the type of information,
 - the diseases to which the collection of information should apply,
 - procedures for collecting and using information.

Article 8

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

⁽¹⁾ OJ No L 222, 7. 8. 1981, p. 32.

⁽²⁾ OJ No L 70, 16. 3. 1988, p. 16.

⁽³⁾ OJ No L . . .

A Member State shall not approve an establishment unless compliance with this Regulation is assured. The Member States shall withdraw approval if the conditions for approval cease to be fulfilled.

If a check has been made in accordance with Article 9 the Member State concerned shall take account of the conclusions thereof. The other Member States and the Commission shall be informed of the withdrawal of approval.

2. Inspection and supervision of establishments shall be carried out under the responsibility of the official veterinarian who may be assisted in purely practical tasks by staff specially trained for the purpose. The official veterinarian must at all times have free access to all parts of the establishments in order to ensure that this regulation is being complied with.

The detailed rules governing this assistance shall be determined in accordance with the procedure laid down in Article 16.

3. The production of the health mark and sealing material referred to in Chapter XI of Annex I must be authorized by the authorities of the Member State which supervise their use.

Article 9

Veterinary experts from the Commission may, in so far as is necessary to ensure uniform application of this Regulation, make on-the-spot checks; they may verify whether establishments are actually complying with this Regulation. The Commission shall inform the Member States of the results of the investigation.

A Member State in whose territory a check is being carried out shall give all the necessary assistance to the experts in carrying out their duties.

The general provisions for implementing this article shall be determined in accordance with the procedure laid down in Article 16. In accordance with the same procedure, a code shall be established containing the rules to be followed for the purpose of the checks provided for in this Article.

Article 10

By way of derogation from the requirements of Point A (a) of Article 3, birds intended for the production of 'foie gras' may be stunned, bled and plucked on the fattening farm, provided that these operations are carried out in a separate room which complies with the requirements of Point 13 (c) of Chapter I, of Annex I, and that, in accordance with Chapter XIV, of Annex I, the uneviscerated carcasses are transported immediately to an approved cutting plant which is equipped with a special room as defined in Point (14) (b) (ii) of Chapter II of Annex I, where the carcasses must be eviscerated within 24 hours.

Article 11

1. The Commission, on the basis of scientific studies, shall review, in accordance with the procedure referred to in Article 15, the rules for ante- and post-mortem health inspection and the conditions on which partially eviscerated (or non-eviscerated) poultry may be placed on the market.

2. Until the adoption of the special conditions for partially eviscerated (or non-eviscerated) poultry referred to in the first paragraph, the Member States may, within the framework of the general rules of the Treaty, authorize the placing on the market of such poultry.

Article 12

The rules laid down in Council Regulation (EEC) No . . . (1) (concerning veterinary checks on intra-Community trade in view of completing the internal market), shall apply in particular with respect to the organization of and the action to be taken following the checks carried out by the country of destination and the safeguard measures to be applied in relation to health problems affecting production and distribution of fresh meat in the territory of the Community.

Article 13

The Annexes shall be amended, in particular to adapt them to advances in science and technology, by the Commission in accordance with the procedure referred to in Article 15.

Article 14

Until the implementation of Community rules concerning importation of poultrymeat from third countries, Member States apply to those importations conditions at least equivalent to those laid down in this Regulation.

Article 15

1. The Commission shall be assisted by the Standing Veterinary Committee, set up by the Council Decision 68/351/EEC (2), 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.

3. 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. 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.

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

5. If 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 used, the following rules shall apply.

The representative of the Commission shall submit to the Committee referred to in Article 9 (1) 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

1. According to the procedure referred to in Article 15 derogations from the rules referred to in points 1 to 16 of Annex I may be granted in favour of establishments which have small production.

2. When examining the derogations referred to in paragraph 1, the Commission shall take into account the information and the criteria referred to in Articles 2 and 3 of Council Decision . . ./EEC (on the granting of derogations from specific Community health rules on the production and marketing of products of animal origin).

3. When granting the derogations referred to in paragraph 1, the Commission shall establish, in accordance with procedure referred to in Article 15, the general and

(1) OJ No L . . .

(2) OJ No L 255, 18. 10. 1968, p. 23.

particular conditions applicable to the enforcement of each derogation.

Article 18

The Commission may, in accordance with the procedure referred to in Article 16, issue recommendations containing guidelines concerning good manufacturing practices applicable to different stages of production and placing on the market.

Article 19

1. Directive 71/118/EEC is hereby repealed with effect from 1 January 1993.

2. However, implementing measures adopted under Directive 71/118/EEC are valid in respect of the present Regulation.

Article 20

This Regulation shall enter into force 30 days after its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1993.

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

ANNEX I

GENERAL CONDITIONS FOR THE APPROVAL OF ESTABLISHMENTS

Establishments must have at least:

1. in rooms where fresh meat is produced, 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 traps to prevent odours. However, these establishments must have:
 - in the case of rooms referred to in paragraph 13 (f) of Chapter 1, paragraph 14 (a) of Chapter II and paragraph 15 (a) of Chapter III, waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water or, in the case of premises referred to in paragraph 15 (a), fitted with a device with which water may easily be removed,
 - in the case of rooms referred to in paragraph 16 (a) of Chapter III, waterproof and rotproof flooring;
 - (b) smooth, durable, impermeable walls, with a light coloured, washable coating up to a height of at least two metres, and of at least three metres in slaughter-rooms; 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 referred to in Chapter III, paragraph 16 (a).

However, the use of wooden walls in the rooms referred to in paragraph 16 of Chapter III does not constitute grounds for withdrawing approval provided they were built before 1 January 1983;
 - (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) a clean and easily cleaned ceiling; failing that, a roof covering with an interior surface which fulfils these conditions;
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 hygienic means of drying hands;
- (b) facilities for disinfecting tools, with hot 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 easy to clean and disinfect. The use of wood is forbidden except in rooms where the only fresh poultrymeat stored is hygienically packaged fresh poultrymeat;
- (b) corrosion-resistant fittings and equipment meeting hygiene requirements for:
 - poultrymeat handling,
 - storing meat containers, in such a way that neither the meat nor the containers come into direct contact with the floor or walls;
- (c) facilities for the hygienic handling and protecting of poultrymeat 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 not intended for human consumption, or a lockable room for such meat and offal if the quantities are large enough to necessitate this or if the meat and offal is not removed or destroyed at the end of each working day; where such meat is removed through conduits, these should be so constructed and installed so as to avoid any risk of contamination of the fresh meat;
5. refrigeration equipment to keep the internal temperature of the meat at the levels required by this Regulation. This equipment must include a system for draining off water of condensation without any possibility of contamination of the meat;
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 fresh meat. Non-potable water pipes must be clearly 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 veterinary service; or, in the case of stores referred to in paragraph 16 of Chapter III, suitable facilities;
10. facilities enabling the veterinary inspections provided for in this Regulation 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 onto 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 hygienic means of drying hands; the wash basin taps must not be hand-operable or arm-operable: There must be a sufficient number of such wash basins near the lavatories;
12. a place and adequate facilities for cleaning and disinfecting cages and 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 poultry slaughterhouses

13. Beyond the general requirements poultry slaughterhouses must have at least:
 - (a) a room or covered space which is sufficiently large and easy to cleanse and disinfect, for the ante-mortem inspection of poultry;
 - (b) a special room or covered space which is easy to cleanse and disinfect, exclusively for poultry suffering from or suspected to be suffering from disease;

- (c) a slaughter room large enough for stunning and bleeding on the one hand, and plucking and any scalding on the other, to be carried out in separate places. Any communication between the slaughter room and the room or space referred to in (a) other than the narrow opening through which only slaughter poultry may pass must have an automatically closing door;
- (d) an evisceration and preparation room which is large enough for evisceration to be carried out in a place sufficiently far from the other work stations, or separated from them by a partition, so as to prevent contamination. Any communication between the evisceration and preparation room and the slaughter poultry may pass must have an automatically closing door;
- (e) if necessary, a dispatching room;
- (f) one or more sufficiently large chilling or refrigerating rooms;
- (g) a room or space for collecting feathers unless these are treated as waste.

CHAPTER II

Special conditions for the approval of poultry cutting plants

14. Beyond the general requirements, poultry cutting plants must have at least:
- (a) chilling or refrigerating rooms large enough for meat preservation, and, where packaged meat is stored in the establishment, a separate such room for packaged meat;
 - (b) (i) a room for cutting and boning and wrapping equipped with a recording thermometer or recording telethermometer;
(ii) if evisceration is carried out there, a room for the evisceration of ducks and geese reared for the production of 'foie gras' which have been stunned, bled and plucked on the fattening farm;
 - (c) a room for packaging, where such operations are carried out in the cutting plant; unless the conditions laid down in point 62 of Chapter XI of Annex I to Regulation (EEC) No . . . / . . . (laying down the health rules for production and placing on the market of fresh meat and repealing Directive 64/433/EEC) are fulfilled;
 - (d) a room for the storage of packaging and wrapping materials where such operations are carried out in the cutting plant;
 - (e) cooling equipment in the rooms provided for under (e) to keep meat at an internal temperature of not more than +4 °C.

CHAPTER III

Special conditions for the approval of stores

15. In addition to the general requirements, stores in which fresh poultrymeat is stored in accordance with the first indent of paragraph 61 of Chapter XIII must have at least:
- (a) sufficiently large chilling and refrigeration rooms, which are easy to clean and in which fresh meat can be stored at the temperatures provided for under the first indent of paragraph 61;
 - (b) a recording thermometer or recording telethermometer in each storage area.
16. In addition to the general requirements, stores in which fresh meat is stored in accordance with the second indent of paragraph 61 of Chapter XIII must have at least:
- (a) sufficiently large rooms, which are easy to clean and in which fresh meat can be stored at the temperatures provided for in the second indent of paragraph 61;
 - (b) a recording thermometer or recording telethermometer in each storage area.

CHAPTER IV

Hygiene of the staff, premises and equipment in the establishments

17. 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 slaughtering animals or working on or handling meat 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 sick animals or 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 except, in the case of slaughterhouses, animals for slaughter. Rodents, insects and other vermin must be systematically destroyed;
 - (c) equipment and instruments used for working on meat 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;
 - (d) cages for delivering poultry must be made of non-corrodible material, to be easy to clean and disinfect. They must be cleaned and disinfected each time they are emptied.
18. Premises, instruments and working equipment must not be used for purposes other than working on fresh poultrymeat or rabbit or game meat in accordance with Regulation (EEC) No . . . / . . . (Game meat and rabbit meat). This requirement shall not apply to transport equipment used in the rooms referred to in paragraph 16 (a) of Chapter III when the meat is packaged. Meat cutting instruments must be used solely for cutting poultrymeat.
- (a) The operator or proprietor of the establishment or his representative must conduct a regular check on the general hygiene of conditions of production in his establishment, including by microbiological controls in accordance with the fourth subparagraph.
These controls should cover utensils, fittings and machinery at all stages of production and, if necessary, products.
He must be in a position, upon request from the official service, to inform the official veterinarian or the Commission's veterinary experts of the nature, frequency and results of the controls conducted to this end, together with the name of the investigating laboratory if need be.
The nature of these controls, their frequency, as well as the sampling methods and the methods for bacteriological examination will be determined in accordance with the procedure referred to in Article 15.
 - (b) The official veterinarian will regularly analyze the results of the controls provided for in (a). He may, on the basis of this analysis, conduct further microbiological examinations at all stages of production or on the products.
The results of these analyses will be written up in a report, the conclusions and recommendations of which will be notified to the operator, who will rectify the shortcomings noted with a view to improving hygiene.
19. Poultrymeat and containers thereof must not come into direct contact with the floor. Feathers and slaughter by-products must be taken away immediately from the slaughter floor.
20. 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 poultrymeat. 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.
21. The spreading of sawdust or any other similar substance on the floor of the workrooms and fresh meat storage rooms is prohibited.
22. Detergents, disinfectants and similar substances must be used in such a way that instruments, working equipment and fresh poultrymeat are not adversely affected. Their use must be followed by thorough rinsing of such instruments and working equipment with potable water.
23. Persons likely to contaminate meat are prohibited from working on it and handling it.

24. Any person employed to work with or handle fresh meat 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 15.

CHAPTER V

'Ante-mortem' health inspection

25. Poultry for slaughter must undergo ante-mortem inspection within 24 hours of arrival at the slaughterhouse. The inspection must be repeated immediately before slaughter if more than 24 hours have elapsed since ante-mortem inspection.

The identity of the poultry must be proved on arrival in the slaughterhouse.

The operator of the slaughterhouse or his agent must facilitate operations for performing ante-mortem health inspections and in particular any handling which is considered necessary.

However, in the case of ducks and geese reared for the production of 'foie gras' and stunned, bled and plucked on the fattening farm, the ante-mortem inspection may be carried out in the last week of fattening.

26. Ante-mortem inspection may be restricted to detecting injuries received in transport if the poultry has been inspected at the farm of origin within the last 24 hours and found to be healthy. If the ante-mortem inspection at the farm of origin and at the slaughterhouse is not carried out by the same official veterinarian, a health attestation stating the particulars required under Annex III must accompany the animals.

In the case of ducks and geese reared for the production of 'foie gras' and stunned, bled and plucked on the fattening farm, the attestation referred to in Annex IV must accompany the uneviscerated carcasses on arrival at the cutting plant equipped with the separate room for evisceration.

27. (a) the ante-mortem inspection must be carried out under suitable lighting;
(b) the official veterinarian shall, in respect of animals delivered to the slaughterhouse, check on compliance with Community rules on animal welfare.

28. The inspection must determine:

- (a) whether the poultry is suffering from a disease which can be transmitted to humans or animals, whether it shows symptoms or whether its general condition is such as to indicate that the disease may occur;
(b) whether it shows symptoms of a disease or of a disorder affecting its general condition which may make the meat unfit for human consumption.

29. Poultry suffering from fowl plague, Newcastle disease, rabies, salmonellosis, cholera or ornithosis shall be declared unfit for human consumption.

30. Animals may not be slaughtered for human consumption as fresh meat where it is established:

- from the presence of sick poultry in the slaughterhouse,
- from health information relating to their origin,

that they have been in contact with birds suffering from fowl plague, Newcastle disease, rabies, salmonellosis, cholera or ornithosis in such circumstances that the disease might have been transmitted to them.

31. The poultry referred to in Nos 28, 29 or 30 must be slaughtered separately and after slaughter of all other poultry.

CHAPTER VI

Slaughter and hygiene requirements

32. Poultry brought into slaughter premises must be slaughtered immediately after stunning. However, stunning may be omitted if it is forbidden by a religious rite.

33. Bleeding must be completed and carried out in such a way that the blood cannot cause contamination outside the place of slaughter.
34. Slaughtered poultry must be plucked immediately and completely.
35. Evisceration must be carried out immediately. The carcase must be opened in such a way that the cavities and all the viscera can be inspected. For this purpose the liver, spleen and digestive tract must be removed from the carcase in such a way that it is not contaminated and that the natural connections of those viscera remain until the inspection.
- However, ducks and geese reared and slaughtered for the production of 'foie gras' may be eviscerated within 24 hours, provided that uneviscerated carcasses are as soon as possible reduced to and then kept at the temperature laid down in Chapter XII, point 61, first indent and transported in accordance with the rules of hygiene.
36. After inspection the viscera which have been removed must be separated immediately from the carcase, and the parts unfit for human consumption removed at once.
- Viscera or parts of viscera remaining in the carcase must, with the exception of the kidneys, be removed entirely, if possible under satisfactory hygiene conditions.
37. It is forbidden to inflate poultrymeat, cleanse it with cloth or fill the carcase with anything other than edible offal from poultry slaughtered in the slaughterhouse.
38. It is forbidden to cut the carcase or remove or treat the poultrymeat before the inspection has been completed. The official veterinarian may prescribe any other handling required by the inspection.
39. Detained meat declared unfit for human consumption in accordance with No 48 or not allowed for human consumption in accordance with No 49, feathers and waste must be removed as soon as possible to the rooms, spaces or containers provided for in No 4 (d) and must be so handled that contamination is kept to a minimum.
40. After inspection and evisceration fresh poultrymeat must be cleaned immediately and chilled in accordance with the hygiene requirements.
41. Carcasses to be subjected to an immersion chilling process in accordance with the process described in 42 must, immediately after evisceration, be thoroughly washed by spraying and immersed without delay. The spraying must be carried out by means of equipment which washes both the internal and external surfaces of the carcasses efficiently.

For carcasses weighing:

- not more than 2,5 kilograms, at least 1,5 litres of water must be used per carcase,
 - between 2,5 kilograms and 5 kilograms, at least 2,5 litres of water must be used per carcase,
 - 5 kilograms or more, at least 3,5 litres of water must be used per carcase.
42. The immersion chilling process shall meet the following requirements:
- (a) the carcasses must pass through one or more tanks of water or of ice and water, the contents of which are continuously renewed. Only the system whereby the carcasses are constantly propelled by mechanical means through a counterflow of water is acceptable;
 - (b) the temperature of the water in the tank or tanks measured at the points of entry and exit of the carcasses must not be more than +16 °C and +4 °C respectively;
 - (c) it must be carried out in such a way that the temperature specified in Chapter XII is reached in the shortest possible time;
 - (d) the minimum flow of water throughout the whole chilling process referred to in paragraph (a) must be:
 - 2,5 litres per carcase weighing 2,5 kilograms or less,
 - 4 litres per carcase weighing between 2,5 kilograms and 5 kilograms,
 - 6 litres per carcase weighing 5 kilograms or more.

If there are several tanks, the inflow of fresh water and the outflow of used water in each tank must be regulated in such a way as to progressively decrease in the direction of movement of the carcasses, the

fresh water being divided between the tanks in such a way that the flow of water through the last tank is not less than:

- 1 litre per carcass weighing 2,5 kilograms or less,
- 1,5 litres per carcass weighing between 2,5 kilograms and 5 kilograms,
- 2 litres per carcass weighing 5 kilograms or more.

The water used for first filling the tanks must not be included in the calculation of these quantities;

- (e) the carcasses must not remain in the first part of the apparatus or the first tank for more than half an hour or in the rest of the apparatus or the other tank(s) for longer than strictly necessary.

All necessary precautions must be taken to ensure that, in the event of interruptions of the process, the transit time laid down in the first subparagraph is complied with.

Whenever the equipment stops, the official veterinarian must satisfy himself that prior to the re-setting in motion the carcasses still conform to the requirements of the Regulation and are fit for human consumption or, if such is not the case, ensure that they are transported as soon as possible to the premises provided for in point 4 (d);

- (f) each piece of equipment must be entirely emptied, cleaned and disinfected whenever this is necessary at the end of the period of work and at least once a day;
- (g) it must be provided with calibrated control equipment to permit adequate and continued supervision of the measuring and recording of:
- the water consumption during spray-washing before immersion,
 - the temperature of the water in the tank or tanks at the points of entrance and exit of the carcasses,
 - the water consumption during immersion,
 - the number of carcasses in each of the weight-ranges listed in (d) above and in point 41;
- (h) the results of the various checks carried out by the producer must be kept and submitted on request to the official veterinarian;
- (i) the correct functioning of the chilling plant and its effect on the hygiene level shall be evaluated — pending adoption, in accordance with Article 15, of Community microbiological methods — by scientific microbiological methods recognized by the Member States, the contamination of the carcasses with total and enterobacteriaceae bacteria being compared before and after immersion. Such comparison must be carried out when the plant is first brought into use and after that periodically and in any case each time any alterations are made to the plant. The functioning of the various parts must be regulated so as to ensure a satisfactory standard of hygiene.

CHAPTER VII

'Post-mortem' health inspection

43. All parts of the animal must be inspected immediately after slaughter.
44. The post-mortem inspection must be carried out under suitable lighting.
45. The post-mortem inspection must include:
- (a) visual inspection of the slaughtered animal,
 - (b) where necessary, palpation and incision of the slaughtered animal,
 - (c) investigation of anomalies in consistency, colour, smell and, where appropriate, taste.
46. Where a disease is suspected on the basis of the ante-mortem and post-mortem health inspection the official veterinarian shall request the necessary laboratory tests in order to make a diagnosis and in order to detect residues of substances with pharmacological action likely to be given in the pathological condition observed.
47. The obligation to perform the research of residues of substances with pharmacological action referred to in point 46 shall not apply to poultry from farms under official veterinary control where the control of those residues is performed on the farm.

CHAPTER VIII

Decision of the official veterinarian at the 'post-mortem' inspection

48. (1) Poultry shall be declared totally unfit for human consumption where the post-mortem inspection reveals the following:
- death resulting from a cause other than slaughter,
 - general contamination,
 - major lesions and ecchymosis,
 - abnormal smell, colour, taste,
 - putrefaction,
 - abnormal consistency,
 - cachexia,
 - oedema,
 - ascites,
 - jaundice,
 - infectious disease,
 - aspergillosis,
 - toxoplasmosis,
 - extensive subcutaneous or muscular parasitism,
 - malignant or multiple tumours,
 - leucosis,
 - poisoning.
- (2) Parts of a slaughtered animal which show localized lesions or contaminations not affecting the health of the rest of the meat shall be declared unfit for human consumption.
49. The head separated from the carcass with the exception of the tongue, and the following viscera, are excluded from use for human consumption: trachea, lungs separated from the carcass in accordance with No 36, oesophagus, crop, intestine and gall bladder.

CHAPTER IX

Provisions concerning meat intended for cutting

50. The carcass shall be cut up into parts and boned only in cutting rooms.
51. The owner of the plant or his agent shall facilitate operations for supervising the plant, in particular any handling which is considered necessary, and shall place the necessary facilities at the disposal of the supervisory service; in particular, he must be able on request to indicate to the official veterinarian responsible for supervision the origin of meat brought into his establishment.
52. Meat which does not fulfil the conditions of Article 3 (1) B (1) (b) may be placed in approved cutting rooms only on condition that it is stored there in special places; it must be cut up in other places or at other times than fresh meat which fulfils those conditions. The official veterinarian must at all times have free access to cold stores and all work rooms in order to ensure strict observance of the abovementioned provisions.
53. Fresh meat intended for cutting must, as soon as it is brought in, be placed in the cutting room and, until used, in the room provided for in No 14 (a); the meat must be maintained at a constant internal temperature of not more than +4 °C.

However, notwithstanding No 40, meat may be transported directly from the slaughter room to the cutting room.

In such cases the slaughter room and the cutting room must be sufficiently near to each other and located in the same group of buildings, since the meat to be cut must be transferred in one operation from one room to the other by means of an extension of the mechanical handling system from the slaughter room, and cutting must be carried out immediately. As soon as the prescribed cutting and packaging are completed, the meat must be transported to the chilling room provided for in No 14 (a).

54. Meat must be brought into the rooms referred to in No 14 (b) as required. As soon as the prescribed cutting and packaging are completed, the meat must be transported to the chilling room provided for in No 14 (a).
55. Except in the case of meat cut while warm, cutting may take place only if the meat has reached a temperature not exceeding + 4 °C.
56. Cleaning of fresh meat by wiping with a cloth is prohibited.

CHAPTER X

Health control of cut meat and stored meat

57. Approved cutting rooms and approved cold stores shall be subject to supervision by an official veterinarian.
58. Supervision by the official veterinarian must include the following tasks:
 - supervision of the entry and exit of fresh meat,
 - health inspection of fresh meat held in the establishments,
 - health inspection of fresh meat prior to cutting and when it leaves the establishments referred to in point 57,
 - supervision of the cleanliness of the premises, facilities and instruments provided for in Chapter IV, and of staff hygiene, including their clothing,
 - all sampling necessary for laboratory tests, for example those to detect the presence of harmful germs, additives or other unauthorized chemical substances. The results of such tests must be recorded in a register,
 - any other supervision which the veterinarian considers necessary for ensuring compliance with this Regulation.

CHAPTER XI

Health marking

59. The health marking must be made under the responsibility of the official veterinarian, who shall keep and maintain for that purpose:
 - (a) instruments for making the health marking on meat, to be handed over to the assistant staff only at the actual time of marking and for the length of time necessary for this purpose;
 - (b) labels and wrappers where these already bear one of the marks provided for in No 60 and the seals referred to in No 60. These labels, wrappers and seals shall be handed over in the required number to the assistant staff at the time when they must be used.
60. (1) The health marking shall consist of the following:
 - (a) — on the upper part, the initial letter or letters in capitals of the name of the country of dispatch:
B — DK — D — EL — ESP — F — IRL — I — L — NL — P — UK,
 - in the centre, the veterinary approval number of the slaughterhouse or, where appropriate, the cutting premises,
 - on the lower part, one of the following sets of initials: CEE, EEG, EWG, EØF, EEC or EOK.The letters and figures must be 0,2 cm high;

- (b) an oval 6,5 × 4,5 cm containing the information listed in (a); the letters must be 0,8 cm high and the figures 1,1 cm high.
- (2) The material used for marking must meet all hygiene requirements and the information referred to in paragraph 1 shall appear on it in perfectly legible form.
- (3) (a) The health marking referred to in paragraph 1 (a) must be made:
 - on or visibly beneath wrappers or other packaging of individually packed carcasses,
 - on non-individually packed carcasses by apposition of a seal or any other mark approved in accordance with the procedure laid down in Article 15,
 - on or visibly beneath wrappers or other packaging of parts of carcasses or offal packed in small quantities;
- (b) The health marking referred to in paragraph 1 (b) must be made on large packages containing carcasses, parts of carcasses or offal marked in accordance with subparagraph (a).
- (4) Where a health marking appears on the wrapper or packaging in accordance with paragraph 3,
 - it must be applied in such a way that it is destroyed when the wrapper or packaging is opened, or
 - the wrapper or packaging must be sealed in such a way that it cannot be re-used after opening.

CHAPTER XII

Storage

- 61. — after the chilling provided for in No 40, fresh poultrymeat must be kept at a temperature which may not at any time exceed + 4 °C;
- frozen poultrymeat must be kept at a temperature which may not at any time exceed -12°C.

CHAPTER XIII

Wrapping and packaging of fresh poultrymeat

- 62. (a) Without prejudice to Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come in contact with foodstuffs ⁽¹⁾, wrapping and packaging (for example, packing cases or paperboard boxes) must meet all hygiene requirements and must be strong enough to protect the meat adequately during transport and handling;
- (b) Wrapping and packaging must not be re-used for meat unless it is made of non-corrodible material which is easy to cleanse and has first been cleansed and disinfected.
- 63. When fresh poultrymeat is wrapped which is in direct contact with it, this must be done in accordance with hygiene requirements.

Such wrapping must be transparent and colourless and meet the requirements of No 62 (a); they may not be re-used for packing meat.

Parts of poultry or offal separated from the carcass must always be wrapped in a firmly sealed protective cover satisfying the above criteria.
- 64. However, when wrapping fulfils all the protective conditions of packaging it need not be transparent and colourless and placing in a second container is not necessary provided the other conditions of paragraph 62 are fulfilled.

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 38.

CHAPTER XIV

Transport

65. Fresh poultrymeat must be transported in vehicles or containers designed and equipped in such manner that the temperature specified in Chapter XII is maintained throughout transportation.
66. The means of transport for fresh poultrymeat may not be used for conveying live animals or any product which may be detrimental to or contaminate the meat.
67. Fresh poultrymeat may be transported at the same time as substances likely to affect it or give it a smell only if appropriate precautions are taken.
68. Fresh meat may not be transported in vehicles or containers which are not clean and disinfected.
69. The official veterinarian shall ensure before loading that transport vehicles or containers and loading conditions meet the hygiene requirements of this Chapter.

ANNEX II

REQUIREMENTS RELATING TO ASSISTANTS

1. Only candidates who prove that they have followed a theoretical course, including laboratory demonstrations, authorized by the competent authorities of the Member States on the subjects referred to at point 3 (a) for at least 400 hours and have had practical training under the supervision of an official veterinarian for a period of at least 200 hours shall be eligible for the test referred to in Article 4 paragraph 2. The practical training takes place in poultry slaughterhouses, poultrymeat cutting plants, stores and inspection posts for fresh poultrymeat.
2. However, auxiliaries fulfilling the requirements of Annex II to Regulation (EEC) No . . . (laying down the health rules for production and placing on the market of fresh meat and repealing Directive 64/433/EEC) ⁽¹⁾ can follow a training course where the theoretical part is reduced to 200 hours.
3. The test referred to in Article 4 (2) shall consist of a theoretical part and a practical part and shall cover the following subjects:
 - (a) theoretical part:
 - basic knowledge of anatomy and physiology of poultry,
 - basic knowledge or pathology of poultry,
 - basic knowledge of anatomical pathology of poultry,
 - basic knowledge of hygiene and in particular industrial hygiene, poultry slaughter, cutting and storage hygiene and hygiene of work,
 - knowledge of methods and procedure for the slaughter, inspection, preparation, packaging and transport of fresh poultrymeat,
 - knowledge of the laws, regulations and administrative provisions relating to the carrying out of their work,
 - sampling procedures.
 - (b) practical part:
 - inspection and assessment of slaughter poultry,
 - inspection and assessment of slaughtered poultry,
 - determination of animal species through examination of typical parts of the animal,
 - determination of a number of parts of slaughtered poultry in which changes have occurred and comments thereon,
 - experience of production line post-mortem inspection,
 - experience in the field of hygiene control,
 - experience in sampling practices.

⁽¹⁾ OJ No L . . .

ANNEX III

MODEL

HEALTH ATTESTATION

for poultry transported from the holding to the slaughterhouse

Competent service No ⁽¹⁾

I. Identification of animals

Animal species:

Number of animals:

Identification mark:

II. Origin of animals

Address of holding of origin:

.....

III. Destination of animals

The animals will be transported to the following slaughterhouse:

.....

by the following means of transport:

IV. Attestation

I, the undersigned, official veterinarian, attest that the animals described above were examined ante-mortem on the above-mentioned holding at: on and found to be healthy.

Done at, on

.....
(Signature of official veterinarian)

⁽¹⁾ Optional.

ANNEX IV

MODEL

HEALTH ATTESTATION

for the carcasses of ducks and geese reared for the production of 'foie gras', stunned, bled and plucked on the fattening farm and transported to a cutting plant which is equipped with a separate room for evisceration

Competent service No ⁽¹⁾

I. Identification of uneviscerated carcasses

Species:

Number of uneviscerated carcasses:

II. Origin of uneviscerated carcasses

Address of fattening farm:
.....

III. Destination of uneviscerated carcasses

The uneviscerated carcasses will be transported to the following cutting plant:
.....

by the following means of transport:

IV. Attestation

I, the undersigned, official veterinarian, attest that the uneviscerated carcasses described above are of birds which were examined ante-mortem on the above-mentioned fattening farm at (time) on (date) and found to be healthy.

Done at, on

.....
(Signature of official veterinarian)

(¹) Optional.