Commission Implementing Regulation (EU) No 931/2011 of 19 September 2011 on the traceability requirements set by Regulation (EC) No 178/2002 of the European Parliament and of the Council for food of animal origin (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 931/2011

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety[(1)], and in particular Article 18(5) thereof,

Whereas:

(1) Article 18 of Regulation (EC) No 178/2002 establishes the general principles of traceability of food. It provides that the traceability of food must be established at all stages of production, processing and distribution. It also states that food business operators must be able to identify persons from whom they have been supplied with food. Such operators must also be able to identify businesses to which their products have been supplied. This information is to be made available to the competent authorities upon demand.

(2) Traceability is necessary to ensure food safety and the reliability of information provided to consumers. In particular, it is necessary to apply traceability to food of animal origin to assist in the removal of unsafe food from the market, thereby protecting consumers.

(3) To achieve the traceability of food as set out in Article 18 of Regulation (EC) No 178/2002, the names and addresses of both the food business operator supplying the food and the food business operator to whom the food was supplied are needed. The requirement relies on the 'one-step back'-'one-step forward' approach which implies that food business operators have in place a system enabling them to identify their immediate supplier(s) and their immediate customer(s), except when they are final consumers.

(4) Food crises in the past have revealed that documentary records were not always sufficient to allow full traceability of suspect foods. During the implementation of Regulation (EC) No 178/2002, Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs[(2)],

Changes to legislation: Commission Implementing Regulation (EU) No 931/2011 is up to date with all changes known to be in force on or before 27 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin[3] and Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption[4], experience has shown that food business operators do not generally possess the information needed to ensure that their systems identifying the handling or storage of foods is adequate, in particular in the sector of food of animal origin. This has resulted in this sector to unnecessarily high economic losses due to the lack of quick and full traceability of the food.

(5) Therefore, it is appropriate to lay down certain rules for the specific sector of food of animal origin to ensure the correct application of the requirements set out in Article 18 of Regulation (EC) No 178/2002. These rules should allow (some) flexibility concerning the format in which relevant information is made available.

(6) In particular, it is appropriate to provide additional information on the volume or quantity of the food of animal origin, a reference identifying the lot, batch or consignment, as appropriate, a detailed description of the food and the date of dispatch.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation lays down provisions implementing the traceability requirements set by Regulation (EC) No 178/2002 to food business operators in respect of food of animal origin.

Article 2

Scope

1 This Regulation shall apply to food defined as unprocessed and processed products in Article 2(1) of Regulation (EC) No 852/2004.

2 This Regulation shall not apply to food containing both products of plant origin and processed products of animal origin.

Article 3

Traceability requirements

1 Food business operators shall ensure that the following information concerning consignments of food of animal origin is made available to the food business operator to whom the food is supplied and, upon request, to the competent authority:

a an accurate description of the food;