Commission Regulation (EC) No 1244/2007 of 24 October 2007 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and laying down specific rules on official controls for the inspection of meat (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1244/2007

of 24 October 2007

amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and laying down specific rules on official controls for the inspection of meat

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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[(1)], and in particular Article 16 and Article 18(3), (7) and (12) thereof,

Whereas:

(1) 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[(2)], Regulation (EC) No 854/2004, and Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules[(3)] lay down the health rules and requirements regarding food of animal origin and the official controls required.

(2) Implementing rules for those Regulations are laid down in Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004[(4)].

(3) In accordance with Regulation (EC) No 854/2004, the competent authority may decide that the official veterinarian need not be present at all times during post-mortem inspections in certain slaughterhouses or game handling establishments identified on the basis of a risk analysis. In such cases, an official auxiliary is to perform the post-mortem inspection, which might contribute to reducing the financial burden for establishments with a low throughput.

(4) The criteria for such derogations should be determined on the basis of a risk analysis. In particular, establishments carrying out discontinuous slaughter or game handling activities fulfil a social and economic function in rural communities. It should therefore be possible for those establishments to benefit from such derogations provided that they comply with the legal and hygiene requirements.

(5) In accordance with Regulation (EC) No 854/2004 the competent authority may decide that fattening pigs housed under controlled housing conditions in integrated production systems since weaning need only undergo visual inspection. More specific requirements should be laid down for the conditions under which such reduced, but risk-based meat inspection procedures should be allowed.

(6) On 24 February 2000, the Scientific Committee on Veterinary Measures relating to Public Health adopted an opinion on 'Revision of meat inspection procedures', which deals with the general principles relating to meat inspections. It concludes that current meat inspection systems can be improved when supplemented with information from the complete production chain, use of the Hazard Analysis, Critical Control Point (HACCP) principles in the slaughter plant and microbiological monitoring of faecal indicator organisms.

(7) On 20 and 21 June 2001, the Scientific Committee on Veterinary Measures relating to Public Health adopted an opinion on 'Identification of species/categories of meat-producing animals in integrated production systems where meat inspection may be revised'. It concludes that there are already a number of production systems in Member States where the criteria for application of a simplified meat inspection system are fulfilled.

(8) On 14 and 15 April 2003, the Scientific Committee on Veterinary Measures relating to Public Health adopted an opinion on 'Revision of meat inspection in veal calves', which states that visual inspection of veal calves reared in integrated systems is sufficient for routine inspection, but that as long as bovine tuberculosis has not been eradicated, surveillance for bovine tuberculosis should be maintained in bovine animals at both holding and abattoir levels.

(9) On 26 November 2003, the European Food Safety Authority (EFSA) adopted an opinion on 'Tuberculosis in bovine animals: risks for human health and control strategies', which concludes that efficient post-mortem examination of specified lymph nodes and of the lungs represents an important element of national bovine tuberculosis eradication programmes, as well as being an integral part of veterinary meat inspection programmes aimed at the protection of human health.

(10) On 1 December 2004, the EFSA adopted an opinion on 'Revision of meat inspection for beef raised in integrated production systems', which states that the incision of lymph nodes should continue as part of a revised post-mortem meat inspection system in order to be able to detect tuberculous lesions.

(11) On 18 May 2006, the EFSA adopted an opinion on 'An assessment of the public and animal health risks associated with the adoption of a visual inspection system in veal calves raised in a Member State (or part of a Member State) considered free of

bovine tuberculosis'. It states that in case of veal calves reared in integrated production units and in officially bovine tuberculosis-free herds, post-mortem inspection can be restricted to observation and palpation of lymph nodes.

(12) On 22 April 2004, the EFSA adopted an opinion on 'Meat inspection procedures for lambs and goats'. It states that the important pathological conditions seen at meat inspection of lambs and goat kids can be diagnosed by visual inspection, thus preventing cross-contamination by less manipulation.

(13) On 27 and 28 September 2000, the Scientific Committee on Veterinary Measures relating to Public Health adopted an opinion on 'The control of taeniosis/cysticercosis in man and animals'. It specifies the prerequisites necessary to ensure cysticercosis-free conditions.

(14) On 26 and 27 January 2005, the EFSA adopted an opinion on 'The risk assessment of a revised inspection of slaughter animals in areas with low prevalence of *Cysticercus*'. It emphasises the need for risk profiling of the different calf production systems. Simplified post-mortem inspection can be applied for calves coming from integrated production systems previously assessed as of low-risk profile.

(15) Based on those scientific opinions the conditions for a reduced, but risk-based meat inspection procedure of ruminants of a young age should be laid down.

(16) The availability of food chain information 24 hours in advance of slaughter should be a prerequisite for a risk-based meat inspection without incision procedures. Consequently, whenever such a simplified meat inspection procedure is applied, the food business operator should not be able to benefit from the transitional arrangements laid down in Commission Regulation (EC) No 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No 853/2004, (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004[(5)].

(17) Regulation (EC) No 2074/2005 establishes the analytical methods for the detection of the amnesic shellfish poison (ASP) content of edible parts of molluscs. The 2006.02 ASP ELISA Method, as published in the AOAC Journal of June 2006, should be considered as an alternative screening method to the high-performance liquid chromatography (HPLC) method for the detection of ASP in bivalve molluscs. The ELISA method has the advantage of being able to screen a large number of samples in a relatively cheap way.

(18) Part D of Chapter IX of Section IV of Annex I to Regulation (EC) No 854/2004 provides for that, where appropriate, solipeds are to be examined for glanders. A detailed post-mortem examination for glanders should be mandatory for those solipeds or meat thereof that originates from countries that are not free of the disease.

(19) Regulation (EC) No 2074/2005 should therefore be amended accordingly.

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

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 1244/2007. (See end of Document for details)*

Article 1

Regulation (EC) No 2074/2005 is amended as follows:

1. the following Article is inserted:

Article 6b

Requirements concerning official controls for the inspection of meat for the purpose of Regulation (EC) No 854/2004

Requirements concerning official controls for the inspection of meat are laid down in Annex VIb.;

2. Chapter II of Annex III is amended in accordance with Annex I to this Regulation;

3. the text in Annex II to this Regulation is inserted as Annex VIb.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 24 October 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 1244/2007. (See end of Document for details)*

ANNEX I

In Annex III to Regulation (EC) No 2074/2005, Chapter II is replaced by the following:

CHAPTER II

AMNESIC SHELLFISH POISON (ASP) DETECTION METHOD

The total content of amnesic shellfish poison (ASP) of edible parts of molluscs (the entire body or any part edible separately) must be detected using the high-performance liquid chromatography (HPLC) method or any other internationally recognised method.

However, for screening purposes, the 2006.02 ASP ELISA method as published in the AOAC Journal of June 2006 may also be used to detect the total content of ASP of edible parts of molluscs.

If the results are challenged, the reference method shall be the HPLC method.

ANNEX II

ANNEX VIb

REQUIREMENTS APPLICABLE TO THE OFFICIAL CONTROLS FOR THE INSPECTION OF MEAT

1. For the purpose of this Annex, the following definitions shall apply:

(a) "controlled housing conditions and integrated production systems" means a type of animal husbandry where animals are kept under conditions in compliance with criteria set out in the Appendix;

(b) "young bovine animal" means a bovine animal of either gender, which is not older than eight months;

(c) "young ovine animal" means an ovine animal of either gender, not having any permanent incisor erupted and not older than 12 months;

(d) "young caprine animal" means a caprine animal of either gender, not older than six months of age;

(e) "herd" means an animal or group of animals kept on a holding as an epidemiological unit; if more than one herd is kept on a holding, each of these herds shall form a distinct epidemiological unit;

(f) "holding" means any establishment, construction or, in the case of an openair farm, any place situated within the territory of the same Member State, in which animals are held, kept or handled;

(g) "establishment carrying out discontinuous slaughter or game handling activities" means a slaughterhouse or game handling establishment designated by the competent authority on the basis of a risk analysis, in which, in particular, the slaughter or game