COUNCIL DIRECTIVE 95/68/EC

of 22 December 1995

amending Directive 77/99/EEC on health problems affecting the production and marketing of meat products and certain other products of animal origin

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 77/99/EEC [1] and in particular Article 19 thereof,

Having regard to the proposal from the Commission,

Whereas certain aspects of the Annexes to Directive 77/99/EEC should be adapted in order to take account of technological progress in the meat processing sector and in order to bring technical requirements into line with current practice;

Whereas it is therefore necessary to amend the requirements relating to the general conditions for approval of establishments, the general conditions of hygiene applicable to premises, equipment and tools, the special conditions of hygiene for establishments preparing meat products, the requirements for the wrapping, packaging, labelling, health marking, storage and transport of meat products and those relating to the special conditions for prepared meat meals and for rendered fats;

Whereas, until such time as measures have been taken to simplify existing texts, it is necessary to adopt provisional measures to avoid the application of several health marks to meat products containing other products of animal origin;

Whereas the amendments made by the Council to Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat [2] including small cold stores and Council Directive 88/657/EEC of 14 December 1988 lying 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 64/533/EEC, 71/118/EEC and 72/462/EEC [3] require subsequent adjustments to Directive 77/99/EEC; whereas, pending such proposals, measures should be adopted to adjust the Annexes to Directive 77/99/EEC to technological progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 77/99/EEC are hereby amended as follows:

1. in Annex A, Chapter I, point 2 (e) shall be replaced by the following:

   '(e) adequate ventilation and, where necessary, good steam and water-vapour extraction facilities in order to eliminate as far as possible condensation on surfaces such as walls and ceilings or roof linings;'

2. in Annex A, Chapter I, the following shall be added to point 8:

   'for disinfecting equipment and utensils, water of a temperature of not less than 82° C, or other disinfection methods approved by the competent authority, must be used;'

3. in Annex A, Chapter I, the following shall be added to point 12:

   'where the competent authority is not required to be present at all times, a lockable device of sufficient capacity for storage of equipment and materials is sufficient;';

4. in Annex A, Chapter I, point 15 shall be replaced by the following:

   '15. adequate facilities for cleaning and desinfecting means of transport; unless, with the agreement of the competent authority, facilities not situated in the establishment may be used;'

5. in Annex A, Chapter I, the following point 16 shall be added:

[1] OJ No L 26, 31. 1. 1977, p. 85. Directive as last amended by the 1994 Act of Accession.

[2] OJ No 121, 29. 7. 1964, p. 2012/64. Directive as last amended by Directive 95/23/EC (OJ No L 243, 11. 10. 1995, p. 7).

[3] OJ No L 382, 31. 12. 1988, p. 3. Directive as last amended by the 1994 Act of Accession.

'16. where the treatment applied requires the absence of water for manufacture of the products, certain requirements of this Chapter, in particular those laid down in points 2 (a) and (g), may be adjusted. Should recourse be had to such a derogation, cleaning and disinfecting processes which do not make use of water may, with the authorization of the competent authority, be applied in the parts of the establishment concerned.';

6. in Annex A, Chapter II A, the last sentence of point 1 shall be replaced by the following:

'Cleaning and disinfecting must be performed with a frequency and by means of processes which are in line with the principles set out in Article 7 of the Directive.';

7. in Annex A, Chapter II A, point 5 shall be replaced by the following:

'5. Detergents, disinfectants and similar substances must be used in accordance with the manufacturers' instructions in such a way that they do not have adverse effects on the machinery, equipment, raw materials and products. Their use must be followed by thorough rinsing of such instruments and working equipment with potable water except where the directions for use of such substances render such rinsing unnecessary.

Products for maintenance and cleaning must be kept in the room or facility provided for in Chapter I (14) of this Annex.';

8. (concerns only the German text) in Annex A, Chapter II B, the second subparagraph of point 2 shall read:

'... bearbeitet und behandelt';

9. in Annex B, Chapter III, point 3 shall be replaced by the following:

'3. The presence of products of animal origin, other than meat as defined in Article 2 (d) of the Directive contained in the meat products, is authorized only if these products comply with the requirements laid down in the relevant Community legislation.';

10. in Annex B, Chapter V, the third indent of point 4 shall be replaced by the following:

'— for packaging not intended for the final consumer, the date of preparation or a code which can be interpreted by the recipient and by the competent authority allowing the identification of that date.';

11. in Annex B, Chapter VI shall be replaced by the following:

'CHAPTER VI

HEALTH MARK

1. Meat products must carry a health mark. Marking must be carried out during or immediately after manufacture in the establishment or wrapping centre, in an easily visible place in legible and indelible characters which are easy to distinguish. The health mark may be applied directly to the product or to its wrapping if the meat product is individually wrapped, or to a label affixed to the wrapping, in accordance with point 4 (b). However, where a meat product is wrapped and packaged individually, a health mark applied to the packaging is sufficient.

2. Where meat products carrying a health mark in accordance with point 1 are then packaged, the health mark must also be applied to the packaging.

3. By way of derogation from points 1 and 2, the health marking of meat products is not necessary:

(a) where the health mark, in compliance with point 4, is applied to the external surface of each sales unit containing them;

(b) where, for meat products in consignments intended for further processing or wrapping in an approved establishment:

— the said consignments bear the health mark of the approved establishment consigning them in a visible place on the external surface, together with a clear indication of the intended destination,

— the recipient establishment maintains a record of the quantities, type and origin of meat products received in accordance with this point and stores that record for the period laid down in the fourth indent of the second subparagraph of Article 7 (1) of the Directive. However, meat products in large packagings which are intended for immediate sale without