This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

►B

COUNCIL DIRECTIVE

of 21 December 1976

►M12 on health problems affecting the production and marketing of meat products and certain other products of animal origin ◄

(77/99/EEC)

(OJ L 26, 31.1.1977, p. 85)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Directive 80/214/EEC of 22 January 1980	L 47	3	21.2.1980
►M2	Council Directive 81/476/EEC of 24 June 1981	L 186	20	8.7.1981
►M3	Council Directive 85/327/EEC of 12 June 1985	L 168	49	28.6.1985
►M4	Council Directive 85/328/EEC of 20 June 1985	L 168	50	28.6.1985
►M5	Council Directive 85/586/EEC of 20 December 1985	L 372	44	31.12.1985
►M6	Council Regulation (EEC) No 3768/85 of 20 December 1985	L 362	8	31.12.1985
►M7	Council Regulation (EEC) No 3805/87 of 15 December 1987	L 357	1	19.12.1987
►M8	Council Directive 88/658/EEC of 14 December 1988	L 382	15	31.12.1988
►M9	Council Directive 89/227/EEC of 21 March 1989	L 93	25	6.4.1989
►M10	Council Directive 89/662/EEC of 11 December 1989	L 395	13	30.12.1989
►M11	Council Directive 92/45/EEC of 16 June 1992	L 268	35	14.9.1992
►M12	Council Directive 92/5/EEC of 10 February 1992	L 57	1	2.3.1992
►M13	Council Directive 92/116/EEC of 17 December 1992	L 62	1	15.3.1993
►M14	Council Directive 92/118/EEC of 17 December 1992	L 62	49	15.3.1993
►M15	Council Directive 95/68/EC of 22 December 1995	L 332	10	30.12.1995
►M16	Council Directive 97/76/EC of 16 December 1997	L 10	25	16.1.1998
►M17	Council Regulation (EC) No 807/2003 of 14 April 2003	L 122	36	16.5.2003

Amended by:

►A1	Act of Accession of Greece	L 291	17	19.11.1979
►A2	Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
	(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995
►A3	Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003

Corrected by:

►**C1** Corrigendum, OJ L 68, 15.3.1977, p. 35 (77/99/EEC)

►**C2** Corrigendum, OJ L 76, 24.3.1977, p. 26 (77/99/EEC)

►**C3** Corrigendum, OJ L 44, 20.2.1990, p. 34 (88/658/EEC)

▼B

COUNCIL DIRECTIVE

of 21 December 1976

►M12 on health problems affecting the production and marketing of meat products and certain other products of animal origin ◄

(77/99/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ([1]),

Whereas, since the establishment of the common organization of the markets, meat products may move freely within the Community; whereas, however, intra-Community trade in these products is curbed by the existence of different health requirements in this sector in the various Member States; whereas, in order to remove such disparities, it is necessary to substitute common provisions for these national requirements;

Whereas, in order to guarantee the quality of the products in question from the health point of view, it is necessary to use, in their manufacture, only that fresh meat obtained in accordance with the Community standards laid down in Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ([2]), as last amended by Directive 75/379/EEC ([3]), Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat ([4]), as last amended by Directive 75/379/EEC, and also Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ([5]), as last amended by Directive 75/379/EEC; whereas meat products must be manufactured, stored and trasnported in conditions offering every guarantee as regards health; whereas the need for manufacturing and processing establishments to obtain approval is likely to facilitate supervision of compliance with these conditions; whereas provision should be made for a procedure intended to settle any disputes which may arise between Member States as to the justification of the approval of a manufacturing establishment;

Whereas, moreover, Community control arrangements should be introduced to ensure that the standards laid down in this Directive are applied uniformly in all Member States; whereas provision should be made for the procedure for such controls to be determined according to a Community procedure within the Standing Veterinary Committee set up by the Council Decision of 15 October 1968 ([6]);

Whereas provision should be made for the possibility of derogating from certain provisions of this Directive in respect of certain meat products which contain other foodstuffs and which contain a minimal percentage of meat; whereas these derogations should be made according to a Community procedure within the Standing Veterinary Committee;

Whereas, as regards intra-Community trade, the issue of a health certificate drafted by the competent authority is considered to be the best way of assuring the competent authorities of the country of destination that a consignment of meat products complies with this Directive;

([1]) OJ No C 114, 11. 11. 1971, p. 40.
([2]) OJ No 121, 29. 7. 1964, p. 2012/64.
([3]) OJ No L 172, 3. 7. 1975, p. 17.
([4]) OJ No L 55, 8. 3. 1971, p. 23.
([5]) OJ No L 302, 31. 12. 1972, p. 28.
([6]) OJ No L 255, 18. 10. 1968, p. 23.

▼B

whereas this certificate must accompany the consignment of these products to the place of destination;

Whereas Member States must have the right to prohibit the introduction into their territory of meat products from another Member State which prove unfit for human consumption or do not comply with Community health provisions;

Whereas, in such cases, the consignor should, at his own request or upon request of his representative, be allowed to have the meat products returned to him unless there are health reasons to the contrary;

Whereas, in case of prohibition or restriction, the reasons therefor should be made known to the consignor or his representative and also, in certain cases, to the competent authorities of the exporting country;

Whereas, in the event of a dispute between himself and the authorities of the Member State of destination as to the justification for prohibition or restriction, the consignor should be enabled to obtain the opinion of an expert;

Whereas, in order to facilitate the implementation of the proposed measures, a procedure should be provided for close cooperation betwen the Member States and the Commission in the Standing Veterinary Committee,

HAS ADOPTED THIS DIRECTIVE:

▼M12

Article 1

1. This Directive lays down health rules for the production and placing on the market of meat products and other products of animal origin intended, after treatment, for human consumption or for the preparation of other foodstuffs.

2. This Directive shall not apply to the preparation and storage, in retail shops or in premises adjacent to sales points, of meat products and other products of animal origin intended for human consumption, where the preparation and storage are performed solely for the purpose of supplying the consumer directly.

Article 2

For the purposes of this Directive the following definitions shall apply:

(a) meat products: products prepared from or with meat which has undergone treatment such that the cut surface shows that the product no longer has the characteristics of fresh meat.

However, the following shall not be regarded as meat products:

(i) meat which has undergone only cold treatment; such meat shall remain subject to the rules in the Directives referred to in (d);

(ii) products subject to Council Directive ►**M16** 94/65/EC ◄ of 14 December 1994 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]);

(b) other products of animal origin:

(i) meat extracts;

(ii) rendered animal fat: fat derived from rendering meat, including bones, and intended for human consumption;

(iii) greaves: the protein-containing residue of rendering, after partial separation of fat and water;

([1]) OJ No L 382, 31. 12. 1988, p. 3.

▼**M14**

▼**M12**

►**M14** (iv) ◄ meat powder, powdered rind, salted or dried blood, salted or dried blood plasma;

►**M14** (v) ◄ stomachs, bladders and intestines, cleaned, salted or dried, and/or heated;

(c) prepared meat meals; wrapped meat products corresponding to culinary preparations, cooked or pre-cooked and preserved by cold;

(d) meat: meat as defined in:

— Article 2 (a) of Directive 64/433/EEC,

— Article 2 of Directive 71/118/EEC,

— Article 2 of Directive 72/461/EEC,

— Article 2 of Directive 72/462/EEC,

— Article 2 of Directive ►**M16** 94/65/EC ◄,

— Article 2 (1) and (2) of Directive 91/495/EEC;

(e) raw material: any animal product used as an ingredient to obtain products referred to in (a) and (b) or used in the preparation of prepared meals;

(f) treatment: chemical or physical process such as heating, smoking, salting, marinating, curing or drying, intended to lengthen the preservation of meat or animal products whether or not associated with other foodstuffs, or a combination of these various processes;

(g) heating: use of dry or damp heat;

(h) salting: use of salt;

(i) curing: distribution of salts throughout the product;

(j) maturing: treatment of salted raw meat, applied under climatic conditions which, in the course of a slow and gradual reduction of humidity, are capable of generating natural fermentation or enzymatic processes, involving changes over a period of time which give the product typical organoleptic characteristics and ensure its preservation and wholesomeness at normal ambient temperature;

(k) drying: natural or artificial reduction of the water content;

(l) batch: a quantity of a meat product which is covered by the same accompanying commercial document or health certificate;

(m) wrapping: the protection of the products referred to in Article 1 (1) by the use of an initial wrapping or initial container in direct contact with the product concerned as well as the initial wrapper or initial container itself;

(n) packaging: the placing of one or more wrapped or unwrapped products as referred to in Article 1 (1) in a container, as well as the container itself;

(o) hermetically sealed container: container intended to protect the contents against the entry of microorganisms during and after heat treatment and which is impermeable to air;

(p) establishment: any undertaking manufacturing the products referred to in (a), (b) and (c);

(q) rewrapping centre: a workshop or depot where batches intended for placing on the market are reassembled and/or rewrapped;

(r) placing on the market: the stocking or display with a view to sale, offering for sale, sale, delivery or any other manner of disposal in the Community, with the exception of retail sale;

(s) competent authority: the central authority of a Member State competent to carry out veterinary checks or any authority to which it has delegated that competence.