

Supplement to

BULLETIN

of the European Economic Community

N° 2 - 1964

**EXECUTIVE SECRETARIAT OF THE COMMISSION
OF THE EUROPEAN ECONOMIC COMMUNITY**

Contents

	Pages
Proposal for a Council directive on health requirements for trade in fresh poultry meat	2
Proposal for a Council directive concerning health requirements for trade in meat products	14
Proposal for a Council regulation amending Article 3 paragraph 1 of Regulation No. 23	25
Proposal for a Council regulation on the application of quality standards to fruit and vegetables marketed in the producing Member State	27

Proposal for a Council directive on health requirements for trade in fresh poultry meat

(submitted by the Commission to the Council on 19 December 1963)

The Council of the European Community,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof;

Having regard to the proposal of the Commission;

Having regard to the opinion of the European Parliament;

Having regard to the opinion of the Economic and Social Committee;

Whereas Council Regulation No. 22 on the progressive establishment of a common organization of the market in poultry meat ⁽¹⁾ has already come into force;

Whereas Council Regulation No. 22 substitutes for the numerous traditional protective measures at the frontier a uniform system intended in particular to facilitate intra-Community trade;

Whereas the implementation of the regulation referred to above will not produce the desired effects so long as trade is impeded by disparities between the Member States in the matter of health requirements for poultry meat;

Whereas it is necessary, in order to eliminate these disparities, to approximate Member States' health provisions at the same time as the regulations already adopted or in preparation concerning the progressive establishment of common market organizations are applied;

Whereas several Member States are at present drafting detailed regulations on the health inspection of live and slaughtered poultry and it is therefore advisable to work out common arrangements in this field which, after a transition period when they will apply only to trade between member countries, will apply to poultry meat offered for sale on home markets but not to poultry meat supplied direct from producer to consumer;

Whereas the proposed alignment of regulations must aim in particular at standardizing health conditions for poultry meat in slaughtering sheds and warehouses and during transport; and whereas it is advisable for the responsible authorities of the Member States to approve slaughtering sheds which fulfil the

requirements of hygiene laid down by this directive and to watch over the observance of the conditions attached to such approval, and whereas cold stores should also be approved by the Member States;

Whereas for the health inspection of slaughtered poultry it is advisable, in view of the special circumstances of such inspection, to entrust qualified assistants with important tasks under the responsibility and control of the veterinary officer; whereas it is not possible, however, to specify the nature of these tasks until uniform rules have been drawn up for the training of such personnel;

Whereas in intra-Community trade the issue of a certificate of fitness for human consumption drawn up by a veterinary officer of the exporting country is considered the most appropriate means of assuring the responsible authorities of the importing country that a consignment of poultry meat is in conformity with the provisions of this directive; and whereas this certificate must accompany the consignment of poultry meat to its destination;

Whereas the Member States must be able to refuse to allow poultry meat from another Member State deemed to be unfit for human consumption or not conforming to Community health requirements to be placed on the market in their territory;

Whereas in such case the consignor or his agent should be allowed on request to have the meat returned, if this is compatible with health requirements;

Whereas, in order to enable those concerned to appraise the reasons for a prohibition or a restriction, it is important that the consignor or his representative and in certain cases the responsible authorities of the exporting country should be informed of the said reasons;

Whereas in the event of a dispute between the consignor and the authorities of the importing Member State concerning the grounds for a prohibition or restriction the consignor should be able to request the opinion of a veterinary expert chosen from a list drawn up by the Commission;

Whereas it is furthermore advisable to establish a Community procedure for the prompt settlement of any dispute between the Member States concerning the approval of a slaughtering establishment;

(1) Official gazette of the European Communities, No. 30, 20 April 1962, p. 959/62.

Whereas in certain fields where special problems arise the approximation of the Member States' regulations will not be possible until a closer study has been made;

Whereas arrangements for health control in trade in live poultry and fresh poultry meat will be dealt with in further Community directives; and whereas it has been deemed necessary to make forthwith an initial approximation of the national regulations in these fields, to specify certain conditions under which the Member States may for health reasons refuse or restrict the entry into their territory of poultry meat, and to provide for a consultation procedure,

Has adopted the present directive:

PART I

General provisions

Article 1

1. This directive concerns trade in fresh meat of farmyard poultry of the following species: hens and chickens, turkeys, guinea-fowl, ducks and geese.
2. The term meat shall include all edible parts of these birds.
3. All meat which has not undergone any preservative treatment shall be considered as fresh. However, for the purposes of this directive meat treated by refrigeration shall be considered as fresh.

Article 2

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

- a)* Carcass: the whole body of the bird after bleeding, plucking, drawing, and, if desired, cutting off the head and the feet at the tarsus;
- b)* Offal: fresh meat other than that of the carcass as defined in *a)* above.
- c)* Viscera: the organs situated in the body cavities, as well as the windpipe and gullet and, where appropriate, the crop;
- d)* Veterinary officer: the veterinary officer designated by the responsible central authority of the Member State;
- e)* Exporting country: a Member State from which the fresh poultry meat is sent to another Member State;
- f)* Importing country: a Member State to which fresh poultry meat from another Member State is sent.

PART II

Provisions concerning both intra-Community trade in poultry meat and trade within a Member State

Article 3

1. Each Member State shall ensure that in conformity with Article 9 only fresh poultry meat which satisfies the following conditions shall be offered for sale:

a) The meat must have been obtained from a slaughtering establishment approved and supervised in conformity with Article 4(1);

b) It must come from a bird which has been examined while alive, in conformity with the provisions of Chapter III of Annex I, by a veterinary officer, assisted if necessary by specially trained staff working under his supervision and responsibility, and has been found healthy;

c) It must have been handled under satisfactory hygienic conditions in conformity with the provisions of Chapter IV of Annex I;

d) It must have undergone after slaughtering a health inspection by a veterinary officer in conformity with the provisions of Chapters V and VI of Annex I and been pronounced fit for human consumption;

e) It must be stamped, in conformity with the provisions of Chapter VII of Annex I, as having been pronounced fit for human consumption;

f) It must have been stored after inspection under hygienic conditions in conformity with the provisions of Chapter IX of Annex I, in slaughtering establishments approved and supervised in conformity with Article 4 (1) or cold stores approved and supervised in accordance with Article 4 (4);

g) It must be transported under hygienic conditions in conformity with Chapter X of Annex I.

2. When inspecting slaughtered poultry as provided for in para 1 *d)* the veterinary officer may have specially trained assistants working under his supervision and responsibility. After consulting the Member States the Commission shall submit to the Council a proposal for a directive on the training of such assistants and the work to be done by them. This directive shall come into force at the latest at the same time as the present directive.

3. Trade in the following shall be prohibited:

a) Fresh poultry meat treated with hydrogen peroxide or chemical substances which are bleaching agents or natural or artificial colouring agents, with the exception of the colouring agent prescribed in Chapter VII of Annex I for stamping;

b) Fresh poultry meat treated with antibiotics or preserving agents.

Article 4

1. The responsible central authority of the Member State in whose territory the slaughtering establishment is situated shall ensure that the approval provided for in Article 3 (1 a) is only granted if the provisions of Chapters I and II of Annex I are observed. The competent central authority shall see that a veterinary officer at all times supervises the observance of these provisions; it shall also cause approval to be withdrawn if these provisions cease to be observed.

2. All the approved slaughtering establishments shall be entered on a list and given a veterinary approval number. Each Member State shall supply the other Member State and the Commission with a list of its approved slaughtering establishments and their veterinary approval numbers and shall inform them of any withdrawal of approval.

3. Should a Member State consider that in a slaughtering establishment in another Member State the conditions attached to the approval are not observed or have ceased to be observed, it shall inform the responsible central authority of that State. The latter shall take all necessary measures and inform the responsible central authority in the first Member State of the decisions taken and the grounds therefor.

If the first Member State feels that these measures may not be taken or may be inadequate, it shall be entitled to refer the matter to the Commission which shall request the opinion of one or more veterinary experts. Should the Commission find in the light of this opinion that the provisions governing the approval are not observed or have ceased to be observed it shall authorize the Member States provisionally to refuse entry of fresh poultry meat from the slaughtering establishment in question.

Following an application from the Member State responsible for the approval the Commission shall withdraw such authorization after instructing one or more veterinary experts to draw up a new opinion and finding that approval is again justified.

The veterinary experts must be nationals of a Member State other than those which are parties to the dispute.

After consulting the Member States, the Commission shall lay down general procedure for giving effect to this paragraph, particularly as regards the appointment of the veterinary experts and the formulation of their opinions.

4. Cold stores, even if independent of a slaughtering establishment, shall be under the supervision of a veterinary officer as regards the storage of fresh poultry meat.

The responsible central authority of the Member State in whose territory the cold store is situated shall be responsible for the approval thereof and also for the withdrawal for such approval as regards the storage of fresh poultry meat.

PART III

Provisions relating solely to intra-Community trade in poultry meat

Article 5

Without prejudice to the provisions of Article 3 (2) and until such time as other provisions introduced by the European Economic Community come into force, this directive shall not affect Member States' regulations on:

a) Conditions for the approval of the cold stores mentioned in Article 4 (4) and the withdrawal of such approval;

b) The treatment of poultry with substances likely to render the consumption of poultry meat dangerous or harmful to human health, such as antibiotics, oestrogens, thyreostatics, tenderizers or compounds of arsenic or antimony;

c) The addition of foreign substances to fresh poultry meat or treatment thereof by ionizing or ultraviolet radiation.

Article 6

This directive shall not affect the legal remedies available in the Member States against decisions of the responsible authorities taken pursuant to this directive.

Article 7

1. Without prejudice to the powers stemming from the provisions of Article 4 (3) second sub-paragraph, second sentence, a Member State may prohibit the marketing in

its territory of fresh poultry meat from another Member State;

a) If on inspection it is found unfit for human consumption, or

b) If the provisions of Article 3 or Article 8 have not been observed.

2. If a decision is taken by virtue of paragraph 1 to reject a consignment, the return thereof shall be authorized at the request of the consignor or his agent if such a course is not precluded by hygienic considerations.

3. Any such decision shall be communicated to the consignor or his agent and the grounds stated.

If requested the decision and the grounds thereof shall be communicated promptly and in writing to the consignor or his agent with an indication of the legal remedies available and the procedures and time-limits pertaining to such remedies.

4. If such decisions are based on evidence of a contagious disease, a deterioration injurious to human health or a grave breach of the provisions of this directive, they shall also be transmitted without delay to the responsible central authority of the exporting country with a statement of grounds.

Article 8

Each Member State shall ensure that fresh poultry meat consigned to another Member State is accompanied by a certificate of fitness for human consumption in conformity with Chapter VIII of Annex I.

Article 9

In every Member State exporters whose consignments of fresh poultry meat are rejected on the grounds of Article 7 (1) shall be entitled to seek the opinion of a veterinary expert. Each Member State shall ensure that the veterinary experts have the necessary facilities to ascertain whether the requirements of Article 7 (1) have been complied with before the responsible authorities take other measures, such as the destruction of the meat.

The veterinary expert must be a national of a Member State other than the exporting or importing country.

On the basis of nominations submitted by the Member States the Commission shall draw up a list of veterinary experts who can be called on to render such opinions. After consulting the Member States it shall determine the necessary arrangements, particularly as regards the procedure to be followed in rendering such opinions.

Article 10

1. Without prejudice to paragraphs 2 to 4 hereof, Member States' provisions on health control in intra-Community trade in live poultry and fresh poultry meat shall remain valid until the entry into force of any provisions adopted in this matter by the European Economic Community.

2. A Member State may take the following measures if there is a danger of animal diseases being spread through fresh poultry meat imported into its territory from another Member State:

a) In the event of an animal disease breaking out in the other Member State it may temporarily forbid or restrict the entry of fresh poultry meat from those parts of the territory of the said State where the disease has broken out;

b) Should the animal disease become widespread or should a new animal disease of a serious and contagious nature break out, it may temporarily prohibit or restrict imports of fresh poultry meat from any part of the territory of that State.

3. Any measures taken by a Member State in pursuance of paragraph 2 above must be communicated within ten working days to the other Member States and to the Commission with a precise statement of grounds.

4. If the Member State affected by the prohibition or restriction mentioned in paragraph 2 above considers such measures unjustified it may approach the Commission with a view to immediate consultations.

PART IV

Final provisions

Article 11

The Member States shall introduce the necessary laws and regulations to comply with the provisions of this directive and of its annexes:

a) As regards intra-Community trade: on the same date as they are to put into force the Council directive of ... concerning health requirements in intra-Community trade in fresh meat;

b) As regards fresh poultry meat produced and marketed in their territory, with the exception of that supplied by producers direct to consumers through local weekly markets or otherwise: within six years of the date of notification of this directive.

The Member States shall immediately inform the Commission of any laws and regulations adopted in pursuance of this directive.

Article 12

If the Community system for imports of fresh poultry meat from non-member countries is not already applicable at the time when this

directive is put into effect, national regulations concerning imported products should not be less stringent than those governing intra-Community trade.

Article 13

This directive is addressed to the Member States.

ANNEX I

to the Council directive concerning health requirements for trade in fresh poultry meat

CHAPTER I

Hygienic conditions in slaughtering establishments

1. Slaughtering establishments must include:

- a) A shed or covered space sufficiently large and easy to clean and disinfect for the inspection of live poultry;
- b) Special premises easy to clean and disinfect for diseased and suspect poultry;
- c) A slaughtering shed of such dimensions that the stunning and bleeding operations on the one hand and the plucking, if necessary with scalding, on the other, may be carried out in separate places. The slaughtering shed must not communicate directly with the pens except, where necessary, by a small hatch used solely for the passage of the poultry and which can be closed;
- d) Premises for drawing and dressing of such dimensions that the drawing is done at a place sufficiently distant or separated by a partition in such a way as to prevent contamination of the other places used for first chilling, sorting, trussing and packaging. All communication between the packaging premises and the slaughtering shed other than the small hatch for the passage of the poultry must have an automatically closing door;
- e) A dispatching shed;
- f) Adequate cold stores;
- g) Premises for storing feathers, unless these are treated as waste and immediately placed in containers with tight-fitting covers;
- h) Special premises, which can be locked, for storing consignments of meat, waste and meat declared unfit for human consumption

in accordance with point 27 below or parts unsuitable for human consumption (point 28);

- i) Special premises for the treatment of meat declared unfit for human consumption (point 27), parts unsuitable for human consumption (point 28), waste and by-products for industrial uses when such treatment is carried out in the establishment;
- j) Changing rooms, wash-basins, showers and flushed toilets. The latter must not open directly on to the working premises, the wash-basins must have running hot and cold water, facilities for washing and disinfecting the hands and towels which may not be used more than once. Wash-basins must be placed near the toilets;
- k) A place especially fitted to receive poultry manure unless this is removed hygienically in some other manner;
- l) A special place properly fitted for the cleaning and disinfection of crates and vehicles;
- m) Adequately furnished premises, which can be locked, reserved for the use of the inspection staff;
- n) Adequate arrangements in the working areas for cleaning and disinfecting hands and appliances;
- o) The necessary arrangements to enable the inspection stipulated in this directive to be made effectively and at all times;
- p) The necessary arrangements to check all entries into and exits from the slaughtering establishment;
- q) Without prejudice to the provisions of sub-*paras a) and b)* above, adequate separation between the clean sector and the soiled sector;

r) In the premises mentioned from a) to l):

i) A floor of impermeable rot-proof material easy to clean and disinfect, sloping slightly and with appropriate channels for carrying off liquids;

ii) Smooth walls coated up to a height of at least 2 metres with a washable light-coloured covering or paint and with all angles and corners rounded;

s) Adequate ventilation and good evacuation of vapour;

t) Adequate natural lighting, or artificial lighting which has no effect on colours, in premises where birds are handled, whether live or slaughtered;

u) Piped supply of drinking water in adequate quantity;

v) Adequate hot water supply;

w) Waste water disposal conforming to hygienic requirements and including in particular trapped drains with gratings;

x) Arrangements for protection against insects and rodents;

y) Tools, utensils and minor equipment in stainless material easy to clean and disinfect;

z) Special watertight containers with tight-fitting covers and stout closures to collect meat unfit for human consumption.

CHAPTER II

Hygiene of personnel, premises and equipment in slaughtering establishments

2. The highest standard of cleanliness is required of personnel, premises and equipment:

a) In particular, personnel must wear clean working clothes and head-dress. Persons who have been in contact with diseased animals or tainted meat must immediately wash their hands and arms thoroughly with warm water and then disinfect them. Smoking shall be forbidden in the working and storage premises;

b) With the exception of draught animals working there, no dog, cat or animal other than poultry for slaughter shall be allowed in slaughtering sheds.

There must be systematic pest control and destruction of insects and any other vermin;

c) The premises listed in Chapter I, para 1, a), b), c) and d) must be cleaned and disinfected at the end of each days' work;

d) The equipment and instruments used in handling and storing the meat must be kept in a good state of repair and cleanliness. They must be thoroughly cleaned and disinfected several times in the course of each working day and at the end of the day's work and before being used again when they have been soiled, particularly by contact with tainted meat.

3. The premises, tools and equipment used in handling and storing the meat may not be put to any other use.

4. Outside working hours the hatch used exclusively for the passage of the poultry between the pens and the slaughtering shed must be kept closed.

5. The carcasses and offal must not come into contact with the floor.

6. The use of detergents, disinfectants and means of pest control must not affect the wholesomeness of the meat.

7. No person must be employed in slaughtering or in handling meat who may be a source of contamination, in particular persons:

a) Suffering from or suspected to be suffering from abdominal typhus, paratyphus A and B, infectious enteritis (salmonellosis) dysentery infectious hepatitis or scarlet fever, or who are carriers of these diseases;

b) Suffering from or suspected to be suffering from contagious tuberculosis;

c) Suffering from or suspected to be suffering from a contagious skin disease;

d) Having another occupation through which microbes may be transmitted to the meat;

e) Wearing any dressing on the hands, with the exception of a plastic dressing to protect a fresh and uninfected finger injury.

8. All persons handling meat must possess a medical certificate to the effect that there is no objection to their being so employed. This certificate must be renewed annually and whenever requested by the veterinary officer. It must be held at the disposal of that officer.

CHAPTER III

Health inspection of live birds

9. The birds must be inspected on the day they arrive at the slaughtering establishment. This inspection must be repeated immediately before slaughter if the birds have been on the premises more than 24 hours.

10. For birds from farms with 500 head or more the inspection may be confined to checking for injury caused in transport provided that the birds were examined on the farm within the previous 24 hours and found healthy. Their identity must be established on arrival.

Where the examination of the live birds at the farm and at the slaughtering establishment is not carried out by the same veterinary officer, a health certificate containing the information mentioned in Annex II must accompany them.

11. The live inspection must be carried out in suitable lighting conditions.

12. 1. The inspection must show:

a) Whether the birds are suffering from a disease transmissible to human beings or animals and whether they show signs of such disease or are in a general condition suggesting that it may appear;

b) Whether they show symptoms of a disease or a generally disturbed condition likely to render the meat unfit for human consumption;

c) Whether, at the time of inspection at the slaughtering establishment, they are in a state of fatigue caused by transport or in a state of excitement.

2. To this end the veterinary officer will look particularly for the following signs:

a) Disturbance of general condition

b) Faulty growth (rickets, etc.)

c) Rot

d) Oedema of the head

e) Abnormal colouring or discolouration of the comb and wattles (anaemia, icterus, faulty circulation)

f) Respiratory troubles (yawning, sneezing, dyspnoea, etc.)

g) Digestive troubles (diarrhoea and discolouration of the droppings), prolapsus of the

cloaca, inflammation of the cloaca or of the intestine

b) Nervous derangement (depression, excitement, trembling, torticollis, paralysis, ataxia, limping, etc.)

i) Tumours

j) Ascites

k) Other inflammations of the skin, mucous membranes or joints (rashes, subcutaneous oedema, synovitis).

13. The following birds may not be slaughtered for purposes of intra-Community trade:

a) Those which present one or other of the signs or symptoms mentioned under 12 (1, *a)* and *b)* above;

b) Those of which it is established:

aa) by the presence of diseased birds in the slaughtering establishment,

bb) from information concerning their origin, that they have been in contact, in such a way that the disease may be transmitted, with birds suffering from or suspected of suffering from fowl pest, Newcastle disease, rabies, salmonellosis, cholera or ornithosis;

c) Birds which have not been rested for a sufficient time. Tired or excited birds must be left to rest for as long as the veterinary officer considers necessary.

14. Poultry whose health condition is not satisfactory must be slaughtered separately and after the others.

CHAPTER IV

Hygiene in the slaughtering establishment

15. Birds brought into the slaughtering premises must be killed immediately after sunning.

16. Bleeding must be complete. It must be done with the bird suspended by the feet and immobilized.

17. Plucking must be immediate and complete.

18. Drawing must be done without delay. The carcass must be opened in such a way that the cavities and all the viscera can be inspected. To this end the liver, spleen and digestive tract must be taken out in such a way that the carcass is not soiled and that the natural connections of these viscera are maintained until the time of inspection.

19. After inspection the viscera extracted must be immediately severed from the carcass and the inedible parts removed.

Any viscera or parts thereof remaining in the carcass must be immediately removed under satisfactory hygienic conditions.

20. The following shall be prohibited: blowing, cleaning with a cloth, stuffing of carcasses except with edible offal from one of the birds slaughtered in the establishment. Offal may be packaged as set out under point 35 below.

21. It shall be forbidden to cut up the carcass or to remove or treat the meat before the end of the inspection. The veterinary officer may demand any other manipulation required by the inspection.

22. Meat consigned and meat declared unfit for human consumption according to point 27 or unsuitable for human consumption according to point 28, feathers and waste, must be transported as soon as possible to the premises provided for in Chapter I (1) g) and handled in such a way as to reduce to a minimum the risk of contamination or contagion.

23. After the inspection and the removal of the viscera, the meat must, before packaging, be immediately refrigerated under proper hygienic conditions in such a way that its internal temperature shall not be more than + 4°C.

CHAPTER V

Health inspection after slaughtering

24. All parts of the bird must be inspected immediately after slaughtering.

25. The inspection must be carried out in suitable lighting conditions.

26. The inspection must include:

- a) Visual examination;
- b) Palpation of the carcass, neck, wings, legs, liver and spleen;
- c) Incision of organs where necessary;
- d) Examination for anomalies in consistency, colour, smell and, where appropriate, flavour;
- e) Laboratory tests where necessary.

CHAPTER VI

Decision of the veterinary officer at the inspection after slaughter

27. Poultry in which inspection after slaughter reveals any of the following conditions shall be declared totally unfit for human consumption:

Death from any cause other than slaughter

General soiled condition

Generalized traumatic lesion

Abnormal smell, colour or flavour

Putrefaction

Muscular sclerosis

Rot

Hydrohaemia

Ascites

Icterus

Serious or extensive enteritis

Non-localized common inflammations

Pichhaemia

Septicaemia

Fowl pest

Newcastle disease

Tuberculosis

Salmonellosis

Cholera

Malignant anthrax

Ornithosis

Rabies

Tularaemia

Pseudo-tuberculosis

Generalized smallpox

Erysipelas

Listerellosis

Botulism

Infectious synovitis

Generalized pulmonary aspergillosis

Toxoplasmosis

Extensive subcutaneous or muscular parasitism

Malignant or multiple tumours

Leukosis

Poisoning

2. Parts of the carcass or organs presenting any lesions or deteriorations not mentioned in the preceding paragraph shall also be declared unfit for human consumption.

28. The following viscera shall be held unsuitable for human consumption: the windpipe, gullet, crop, intestine and spleen.

CHAPTER VII

Labelling

29. Labelling must be carried out under the responsibility of the veterinary officer.

30. It must consist:

a) For carcasses: in attaching to each carcass a disc 1 cm in diameter of stable material conforming to all hygienic requirements. It must display legibly: a) in the upper part, the two first letters, in capitals, of the name of the exporting country; b) in the middle, the veterinary approval number of the slaughtering establishment; c) in the lower part one of the letter combinations CEE, EEG or EWG.

The letters and figures must be 0.2 cm high.

b) For offal: in applying to a label prominently displayed on the package a stamp in ink, of oval shape, 6.5 cm wide and 4.5 cm high. This must give the following particulars in legible characters;

a) In the upper part, the name of the exporting country in capitals;

b) In the middle, the veterinary approval number of the slaughtering establishment;

c) In the lower part one of the letter combinations CEE, EEG or EWG.

The letters must be 0.8 cm high and the figures 1.1 cm.

The label shall also give the following particulars:

i) Batch number;

ii) Type of offal;

iii) Species of bird from which obtained;

iv) Net weight.

A duplicate of this label must be placed inside each package in such a way that it cannot contaminate the contents.

31. Only methyl violet ink may be used for stamping.

CHAPTER VIII

Certificate of fitness for human consumption

32. The certificate of fitness for human consumption which accompanies fresh poultry meat in transport to the importing country must be issued by a veterinary officer at the time of consignment. It must be drawn up in the language of the importing country and must contain the information set out in the specimen at Annex III.

CHAPTER IX

Storage

33. Fresh poultry meat must be kept at an internal temperature at no time higher than + 4°C.

CHAPTER X

Transport

34. Fresh poultry meat must be transported in packages of material conforming with all the requirements of hygiene, robust and non-injurious to the organoleptic qualities or wholesomeness of the meat. The packages must ensure adequate protection against insects and contamination and be proof against liquids and fats.

35. Offal must be wrapped in a protective sheet of corrosion-resistant material. The protective sheets may be used only once. Protective sheets for offal separated from the carcass must be sealed.

36. Fresh poultry meat may be transported only in vehicles designed and equipped in such a way that the temperature stipulated in Chapter IX is ensured for the whole duration of the journey.

37. Vehicles used to transport fresh poultry meat may not be used to transport living animals or any product likely to spoil or contaminate the meat.

38. Fresh poultry meat may not be transported in the same vehicle as material likely to spoil it or impart any smell to it.

39. The veterinary officer must verify before dispatch that the vehicles and conditions of loading comply with the conditions of hygiene laid down in this chapter.

ANNEX II

to Council directive concerning health requirements for trade in fresh poultry meat

Specimen

Certificate of fitness for human consumption concerning poultry transported from the farm to the slaughtering establishment

Service No.

Department

I. *Particulars of birds:*

Species

Number

Age

Identification mark

II. *Origin*

Address of the farm where raised

.....

III. *Destination*

These animals are in transit to the following slaughtering

establishment:

by (means of transport):

IV. *Certificate*

I, the undersigned, veterinary officer, hereby certify that the birds mentioned above were inspected at the above-mentioned farm on ... at ... hours and found healthy.

Given at on

Signature of the veterinary officer

.....

ANNEX III

to Council directive concerning health requirements for trade in fresh poultry meat

Specimen

*Certificate of fitness for human consumption concerning fresh poultry meat (1)
to be dispatched to an EEC Member State*

Exporting country No.
Ministry
Service
Department
Reference

(optional)

I. *Description of meat*

Meat of

(species)

Nature of cuts

Nature of packaging

Number of cuts or packages

Net weight

II. *Origin of meat*

Address(es) and veterinary approval number(s) of approved slaughtering establishment(s) ...
.....
.....

(1) Fresh meat of farmyard hens and chickens, turkeys, guinea-fowl, ducks and geese.

III. *Destination of meat*

The meat is consigned from
(place of consignment)

to
(place and country of destination)

by (means of transport) ⁽¹⁾

Name and address of consignor
.....

Name and address of consignee
.....

IV. *Certificate of fitness for human consumption*

I, the undersigned veterinary officer, certify that the poultry meat mentioned above (and the packages of meat mentioned above) ⁽²⁾

a) Bear(s) a disc and a label with a stamp showing that the meat comes from birds slaughtered in approved slaughtering establishments;

b) That the meat has been pronounced fit for human consumption after veterinary inspection in conformity with the Council directive of ... on health requirements for trade in fresh poultry meat;

c) That the vehicles and means of transport and the conditions of loading of this consignment conform with the health requirements set out in the above-mentioned directive.

Given at on

Signature of the veterinary officer

.....

(1) For railway wagons and motor lorries give the registered number; for aircraft the flight number.
(2) Delete where inappropriate.

Proposal for a Council directive concerning health requirements for trade in meat products

(submitted by the Commission to the Council on 19 December 1963)

The Council of the European Economic Community,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof;

Having regard to the proposal of the Commission;

Having regard to the opinion of the European Parliament;

Having regard to the opinion of the Economic and Social Committee;

Whereas Regulations Nos. 84, 85, 86, 87, 88 and 89 ⁽¹⁾, which, in respect of pigmeat cuts, preparations and preserves, supplement Regulation No. 20 on the progressive establishment of a common organization of the market in pigmeat ⁽²⁾, have already come into force, and whereas a similar regulation is planned for beef and veal;

Whereas these regulations substitute for the numerous traditional protective measures at the frontier a uniform system intended in particular to facilitate intra-Community trade; and whereas the regulation planned for beef and veal also eliminates obstacles to such trade;

Whereas the implementation of the regulations referred to above will not produce the desired effects as long as trade is impeded by disparities between the Member States in health protection standards and in the prevention of fraudulent practices in connection with meat products;

Whereas it is necessary, in order to eliminate these disparities, to approximate the Member States' health and fraud prevention provisions at the same time as the regulations already adopted or in preparation concerning the gradual establishment of common organizations of markets are applied;

Whereas the proposed alignment of regulations must aim in particular at standardizing hygienic conditions for meat products in manufacturing establishments, during storage and during transport; whereas it is advisable for the responsible authorities of the Member States to approve establishments which fulfil the requirements of hygiene laid down by this directive and to watch over the observance of the conditions attached to such

approval, and whereas cold-storage establishments should also be approved by the Member States;

Whereas in intra-Community trade the issue of a certificate of fitness for human consumption drawn up by a veterinary officer of the exporting country has been considered the most appropriate means of assuring the responsible authorities of the importing country that a consignment of meat products is in conformity with the provisions of this directive; whereas this certificate must accompany the consignment of meat products to its destination;

Whereas it is appropriate to provide that in the sanitary inspection of meat products the veterinary officer should be assisted in practical duties by specially trained staff;

Whereas the Member States must be able to refuse to allow meat products from another Member State deemed to be unfit for human consumption or not conforming to Community requirements to be placed on the market in their territory;

Whereas in such case, the consignor or his agent should be allowed on request to have the meat products returned, if this is compatible with hygienic requirements;

Whereas, in order to enable those concerned to appraise the reasons for a prohibition or a restriction, it is important that the consignor or his representative and also, in certain cases, the responsible authorities of the exporting country should be informed of the said reasons;

Whereas it is furthermore advisable to provide for a Community procedure for the prompt settlement of any dispute between the Member States concerning the approval of a manufacturing establishment;

Whereas health inspection arrangements for trade in fresh meat and meat products will be the subject of further Community directives; whereas it has been deemed necessary to make forthwith an initial approximation of the national regulations in these fields, to specify certain conditions under which the Member States may for health reasons refuse or restrict the entry into their territory of meat products, and to provide for a consultation procedure;

Whereas the approximation of the Member States' legislation on health safeguards must be accompanied by an approximation of the

(1) Official gazette of the European Communities, No. 123, 9 August 1963, p. 2173.

(2) *Ibid.*, No. 30, 20 April 1962, p. 945.

provisions on the composition of meat products and authorizing the use of certain substances in treating them;

Whereas for certain of these substances complete alignment of the Member States' legislation is not possible at the present time;

Whereas the determination of meat products to which authorized starchy and protein substances may be added and the determination of the conditions under which this may be done are technical measures the adoption of which should be entrusted to the Commission;

Whereas for certain substances which can be added to meat products it is necessary to establish purity standards and methods of analysis for the enforcement of such standards; whereas these are also technical measures the adoption of which should be entrusted to the Commission;

Whereas the determination of the methods of analysis necessary to verify the composition of meat product is an implementing measure of a technical nature the adoption of which should be entrusted to the Commission;

Whereas it is deemed necessary to allow all approved manufacturing establishments to manufacture, during a transitional period of three years, meat products intended to be sold on the home market of the Member State though not fulfilling, in respect of the fresh meat used, the health conditions laid down for intra-Community trade;

Whereas it seems advisable to establish the general principle of non-discrimination in this directive, and whereas, consequently, pending precise Community rules on imports from non-member countries, and inasmuch as certain provisions of this directive relate only to intra-Community trade, it is appropriate to stipulate that the system applied vis-à-vis non-member countries by each Member State should not be more lenient than the system applied pursuant to this directive to trade between the Member States,

Has adopted the present directive:

GENERAL PROVISIONS

Article 1

- a) Articles 4 to 9 hereof shall concern only intra-Community trade in meat products;
- b) Articles 10 to 12 shall concern intra-Community trade in meat products, trade in meat products within each Member State, and meat products imported into Community territory.

Article 2

1. For the purposes of this directive meat products are defined as products intended for and fit for human consumption obtained through the treatment of meat by salting, drying, smoking or heating. Such products must be obtained from fresh meat as defined in Article 1 of the Council directive of ... concerning health requirements in intra-Community trade in fresh meat and/or from meat products obtained from such fresh meat.
2. Except as otherwise provided in Article 10 (1), *d*) to *i*), no product in the composition of which foodstuffs other than meat are used shall be considered as a meat product.
3. After consulting the Member States, the Commission may decide whether a given meat product comes within the definition given in paragraphs 1 and 2.

SPECIAL PROVISIONS

Part I

Article 3

For the purpose of Part I of this directive the following definitions shall apply:

- a) A veterinary officer: the veterinary officer appointed by the responsible central authority of the Member State;
- b) Exporting country: a Member State from which the meat products are sent to another Member State;
- c) Importing country: a Member State to which meat products are sent from another Member State.

Article 4

1. Each Member State shall satisfy itself that only meat products which without prejudice to the provisions of Article 9, fulfil the following conditions are exported from its territory to the territory of another Member State:
 - a) They must have been prepared in an approved and supervised establishment in conformity with Article 5 (1);
 - b) They must have been prepared from fresh meat fulfilling the conditions laid down in Annex I, Chapter III;
 - c) They must have been inspected by a veterinary officer in conformity with the provisions of Annex I, Chapter IV;

d) They must be packaged in conformity with the provisions of Annex I, Chapter V;

e) They must be marked in conformity with the provisions of Annex I, Chapter VI;

f) In conformity with the provisions of Annex I, Chapter VII, they must be accompanied by a health certificate in the course of their journey to the importing country;

g) They must be stored in conformity with the provisions of Annex I, Chapter VIII;

h) They must be transported to the importing country under satisfactory hygienic conditions in conformity with the provisions of Annex I, Chapter VIII;

2. In the course of the inspection mentioned in paragraph 1, c), the veterinary officer may be assisted in purely practical duties by specially trained personnel. After consulting the Member States, the Commission may decide as to the details of such assistance.

Article 5

1. The responsible central authority of the Member State on whose territory the manufacturing establishment is situated shall ensure that the approval provided for in Article 4 (1), a) is only granted if the provisions of Annex I, Chapters I and II are observed; it shall also ensure supervision and enforcement of these provisions by a veterinary officer and shall withdraw its approval where they are no longer observed.

2. All approved manufacturing establishments shall be entered on a list and given a veterinary approval number. Each Member State shall transmit to the other Member States and to the Commission its list of approved establishments and their veterinary approval numbers, and it shall inform them of any withdrawal of approval.

3. Should a Member State consider that in an establishment of another Member State the conditions attached to approval are not fulfilled or have ceased to be fulfilled, it shall inform the responsible central authority of that State. The latter shall take all necessary measures and inform the responsible central authority in the first Member State of the decisions taken and the grounds therefor. If the first Member State feels that these measures may not be taken or may be inadequate, it shall be entitled to refer the matter to the Commission, which shall request the opinion of one or more veterinary experts. Should the Commission find in the light of this opinion that the provisions governing approval are not observed or have ceased to be observed, it shall authorize the Member

States provisionally to refuse entry to their territories of meat products from the establishment in question. Following an application from the Member State responsible for the approval, the Commission shall withdraw such authorization after instructing one or more veterinary experts to draw up a new opinion and finding that approval is again justified.

The veterinary experts must be nationals of a Member State other than those which are parties to the dispute.

The Commission shall, after consulting the Member States, lay down general procedure for implementing this paragraph, particularly as regards the appointment of veterinary experts and the formulation of their opinions.

Article 6

1. Without prejudice to the powers stemming from the provisions of Article 5 (3), second sub-paragraph, second sentence, a Member State may prohibit the marketing in its territory of meat products:

a) If on inspection in the importing country they are found unfit for human consumption, or

b) If the provisions of Article 4 have not been complied with.

2. Any decisions taken by virtue of paragraph 1 to reject a consignment shall authorize return thereof at the request of the consignor or his agent if such a course is not precluded by hygienic requirements.

3. Any such decision shall be communicated to the consignor or his agent and the grounds stated. If requested the decision and the grounds thereof shall be communicated promptly and in writing to the consignor or his agent with an indication of the legal remedies available and the procedures and time-limits pertaining to such remedies.

4. If such decisions are based on evidence of a contagious disease, a deterioration injurious to human health or a grave breach of the provisions of Part I of this directive, they shall also be transmitted without delay to the responsible central authority of the exporting country with a statement of grounds.

5. Member States's provisions on supervision to ensure compliance with the provisions contained in Articles 10 to 12 shall not be affected by the provisions of paragraphs 1 to 4.

Article 7

Until the entry into force of further provisions of the European Economic Community, this directive shall not affect Member States' regulations on:

- a) The treatment of livestock for slaughter with substances likely to render the consumption of meat products dangerous or harmful to human health, such as antibiotics, oestrogens, thyreostatics or tenderizers;
- b) The treatment of meat products by ionizing or ultraviolet radiation.
- c) The prevention of trichinosis, provided that such provisions are not applied in a discriminating manner, having regard in particular to the systematic research being carried out in the Member States into the sources of trichina (thread-worm).

Article 8

1. Legal remedies available under the legislation in force in the Member States against the competent authorities' decisions provided for in Part 1 of this directive shall not be affected by this directive.

2. Each Member State shall allow the consignors of meat products condemned under Article 6 (1) to obtain the opinion of an expert. Each Member State shall ensure that before the competent authorities have taken other measures such as the destruction of the meat the experts shall have an opportunity to establish whether the conditions of Article 6 (1) were fulfilled.

The expert must be a national of a Member State other than the exporting country or the importing country.

On a proposal from the Member States, the Commission shall draw up a list of experts who can be called on to render such opinions. The Commission shall, after consulting the Member States, lay down general implementing procedure, particularly as regards the formulation of these opinions.

Article 9

1. Without prejudice to paragraphs 2 to 4, the provisions of the Member States for health protection in trade in meat products shall remain applicable until the entry into force of any provisions adopted in these matters by the European Economic Community.

2. A Member State may take the following measures if there is a danger of animal diseases being spread by the importing of meat products into its territory from another Member State:

a) In the event of an animal disease breaking out in the other Member State it may temporarily forbid or restrict the entry of such products from those parts of the territory of the said State where the disease has broken out, with the exception of meat products obtained by heat treatment, of products which, after salting, have been stored under the supervision of a veterinary officer for at least six months in order to give them special properties, and of boneless meat products;

b) Should the animal disease become widespread or should a new animal disease of a serious and contagious nature break out, the Member State may temporarily prohibit or restrict imports of meat products from any part of the territory of that State, except meat products obtained by heat treatment.

3. Any measures taken by a Member State in pursuance of paragraph 2 above must be communicated within ten working days to the other Member States and to the Commission with a precise statement of grounds.

4. If the Member State affected by the prohibition or restriction mentioned in paragraph 2 above considers such measures unjustified, it may approach the Commission with a view to immediate consultations.

Part II

Article 10

1. For the manufacture and treatment of meat products only the following substances or processes may be authorized by Member States:

a) Smoke-curing, in accordance with the provisions of Article 3 of the directive of ... on the approximation of Member States' legislation concerning permitted preservatives in foodstuffs for human consumption;

b) The substances listed in Annex III, to be used in accordance with the restrictions and conditions specified in that Annex;

c) Sodium and calcium salts of acetic acid, lactic acid, tartaric acid and citric acid; glutamic acid and sodium glutamate;

d) The following starchy substances: potato starch, tapioca starch, flour, groats and meal of rye, oats, barley, wheat, maize, buck-wheat and rice; soya flour and meal; breadrolls, rusks, bread, bread-crumbs;

e) The following protein substances: fresh or powdered milk, skimmed or unskimmed; gelatin, hen eggs, yolks and white of eggs, fresh, frozen or dried;

f) The following varieties of sugar: saccharose, invert sugar, glucose and glucose syrup;

g) Condiments, including mustard, spices and aromatics of vegetable origin and their extracts;

h) Cooking salt and pickling brine;

i) The following foodstuffs: edible oils, milk cream, fresh cream, butter, margarine, wine, beer, spirits, vinegar, edible mushrooms, fruits, vegetables, sardines; also water.

2. The use of the substances and products listed in paragraph 1, sub-paragraphs c) and f) to i) must be of secondary importance and must be used only in such quantities as to give the meat products a particular organoleptic character.

3. The Member State shall take all appropriate measures to ensure that the substances listed in Annex III (4) and intended to be used in meat products shall comply with the purity criteria established in accordance with Article 12 b).

Article 11

1. Until such time as the Council has, on a proposal of the Commission, adopted Community rules, provisions in national legislation of the following nature shall continue to apply:

a) Those which determine which of the substances listed in Annex A of the 'directive of ... on the approximation of Member States' legislation concerning antioxidants permitted in foodstuffs for human consumption may be added to animal fats and the conditions under which this may be done;

b) Those which authorize the addition of the substances listed in Annex III (4) to meat products other than those defined therein and which determine the conditions under which this may be done.

2. Until such time as the Commission has adopted Community rules in accordance with Article 12 a), those provisions of national legislation shall apply which determine the meat products to which the substances listed in Article 10 (1), d) and e) may be added, and the conditions under which this may be done. Provided always that the total quantity of such substances shall not exceed 3 % of the finished product.

Article 12

After consulting the Member States, the Commission:

a) Shall determine the meat products to which the substances listed in Article 10 (1), d) and e) may be added, and the conditions under which this may be done;

b) Shall establish purity standards for the substances listed in Annex III (4), and the methods of analysis necessary for the enforcement of such criteria;

c) May extend the list of foodstuffs given in Article 10 (1), i);

d) May authorize the use of certain substances or products for the treatment of guts and other edible casings and lay down conditions for their use;

e) May establish the methods of analysis necessary for control over the composition of meat products.

COMMON PROVISIONS

Article 13

In so far as the present directive does not cover the composition, designation, packaging, presentation and labelling of meat products, the relevant provisions of national legislation shall apply.

FINAL PROVISIONS

Article 14

1. The Member States shall introduce any laws or regulations necessary to conform to the provisions of this directive and its annexes, at the same time as the provisions made on the basis of the Council directive of ... concerning health requirements in intra-Community trade in fresh meat enter into force, and shall immediately inform the Commission to this effect.

2. Notwithstanding the provisions of Annex I (9) of this directive the Member States may for a period of three years from its entry into force allow, during the preparation of meat products intended for intra-Community trade, the presence in the manufacturing establishments of meats not complying with the conditions of this directive.

Such meats, and the products manufactured from them, must be stored in premises separate from those in which the meat and meat products fulfilling the provisions of this directive are stored.

Article 15

If Community arrangements for imports of meat products from non-member countries do not yet apply when this directive enters into force, and pending their application, national provisions applying to the products

imported should not be less stringent than those governing intra-Community trade.

Article 16

This directive is addressed to the Member States.

ANNEX I

to Council directive on health requirements for trade in meat products and on the composition of such products

CHAPTER I

Conditions for the approval of establishments manufacturing meat products

1. All manufacturing establishments must include:

- a) Suitable premises large enough for the preservation of fresh meat and meat products, cold storage being provided for meat products for which such protection is necessary and for fresh meat;
- b) Installations and fittings enabling the veterinary inspections laid down in the present directive to be carried out effectively at any time;
- c) Properly fitted out premises under lock and key for the exclusive use of the veterinary service; premises provided with apparatus enabling a trichinoscopic examination to be carried out where it has been provided that such an examination must be made in the establishment;
- d) Arrangements to control all entries and exits;
- e) In the premises where manufacturing is carried out:
- i) A floor of waterproof material easily cleaned and disinfected and rot-proof, with a slight slope and drainage for disposing of liquids;
- ii) Smooth walls, coated to a height of at least 2 metres with a light washable surfacing or paint, the angles and corners being rounded;
- f) Adequate ventilation and good evacuation of vapour in the premises where manufacturing is carried out;

g) In these premises, adequate lighting, by daylight or artificial light having no effect on colours;

h) Piped supply of drinking water in adequate quantity;

i) Adequate hot water supply;

j) Waste water disposal installations conforming to hygienic requirements;

k) Changing rooms, wash-basins, showers and flushed toilets. The latter must not open directly on to the working premises; the wash-basins must have running hot and cold water, facilities for washing and disinfecting the hands and towels which may not be used more than once; wash-basins must be placed near the toilets;

l) Adequate arrangements in the working areas for cleaning and disinfecting hands and appliances;

m) Proper hygienic equipment for the handling of fresh meat so that it does not come into contact with the ground;

n) Arrangements for protection against insects and rodents;

o) Appliances and equipment, in particular removable cutting boards, receptacles, conveyor belts and saws made of corrosion-resistant materials easy to clean and disinfect;

p) A siding and proper facilities for the cleaning and disinfection of vehicles transporting fresh meat;

q) Special premises for the cutting of the meat, separated by walls from the other premises, in particular from slaughterhouses and places where the meat preparation is done, in cases where manufacturing premises and the slaughterhouse are in the same building;

- r) Refrigerating plant in the rooms where meat is cut up, ensuring that the meat is kept constantly at an internal temperature not exceeding 7°C for carcasses and joints and 3°C for offal;
- s) Special premises for autoclaves used to sterilize meat preparations: the autoclaves must be fitted with recording thermometers;
- t) Special premises for the preparation of smoke-cured products and cooked products;
- u) Special premises for the packaging of meat products intended for sale pre-packed;
- v) Special premises for the preparation of salt meats. These premises must be kept at a temperature not exceeding 7°C;
- w) Special premises for rendering fats;
- x) Special premises for packaging and despatch;
- y) Premises that can be heated to 37°C or a drying room of adequate capacity, both fitted with recording thermometers.

CHAPTER II

Hygienic requirements in respect of personnel, premises and equipment in establishments where meat products are prepared

2. The highest standard of cleanliness is required of personnel, premises and equipment:
 - a) In particular, personnel must wear clean working clothes and head-dress. Personnel engaged in manufacturing work must wash and disinfect their hands on each resumption of work. Smoking and spitting in the working and storage premises are prohibited;
 - b) No dog, cat or farmyard animal may be allowed on the premises, there must be systematic pest control and destruction of insects and any other vermin;
 - c) The equipment and instruments used in manufacture must be kept in a good state of repair and cleanliness. They must be thoroughly cleaned and disinfected several times in the course of each working day and at the end of the day's work and before re-use if they have been soiled.
3. The premises, tools and equipment must be used only for manufacturing processes. Tools for work with meat and meat products must not be put to any other use.

4. Meat, offals and meat products must not come into contact with the ground.

5. The use of detergents, disinfectants and means of pest control must not affect the wholesomeness of meat products.

6. No person must be employed in handling meat or meat products who may be a source of contamination, in particular, persons:

- a) Suffering or suspected to be suffering from abdominal typhus, paratyphus A and B, infectious enteritis (salmonellosis), dysentery, infectious hepatitis, scarlet fever, or who are carriers of these diseases;
- b) Suffering, or suspected to be suffering, from contagious tuberculosis;
- c) Suffering, or suspected to be suffering, from any contagious skin disease;
- d) Having another occupation through which microbes may be transmitted to the meat or meat products;
- e) Wearing any dressing on the hands, with the exception of a plastic dressing to protect a fresh and uninfected finger injury.

7. All persons handling meat must possess a medical certificate to the effect that there is no objection to their being so employed. This certificate must be renewed annually and whenever requested by the veterinary officer; it must be held at the disposal of that officer.

CHAPTER III

8. A. Meat to be used in the manufacture of meat products must, without prejudice to the provisions of Article 3 (3, a, b, c, and d) of the Council directive of ... on health requirements for intra-Community trade in fresh meat, comply with the conditions laid down in Article 3 (1, a, b, c, d, e, f, and h) of that directive. In addition, it must, in accordance with the provisions of Annex I, Chapter IV, of the above-mentioned Council directive, have undergone a health inspection by a veterinary officer, assisted if necessary by auxiliaries in accordance with Article 3 (2) of that directive.

B. The meat must be transported to the manufacturing establishment under satisfactory hygienic conditions in accordance with the provisions of Annex I, Chapter IX, of the above-mentioned Council directive.

9. When meat products intended for intra-Community trade are being prepared, only meat fulfilling the conditions of the present directive may be admitted into the manufacturing premises.

10. Meat intended for manufacture must be placed, as soon as it arrives in the manufacturing establishment and until it is used, in rooms where it will be maintained at an internal temperature not exceeding 7°C for carcasses and pieces, and not exceeding 3°C for offals.

CHAPTER IV

Health inspection

11. Establishments manufacturing meat products shall be subject at all times to inspection by a veterinary officer.

12. The veterinary officer shall check that all meat intended for manufacture complies with the provisions of Chapter III. He shall see that the hygienic conditions laid down for preparation and manufacture are complied with.

13. If he has cause for suspicion, the veterinary officer must make a more thorough examination of the products manufactured, including, if he considers it necessary, laboratory tests.

CHAPTER V

Packaging and presentation of products

14. All meat products intended for intra-Community trade must be packaged in a manner complying with health protection requirements.

15. *a)* Where the products are packed in a container handled as a unit for trading purposes, the closure must ensure protection against damage;

b) In addition, containers of sterilized products must be hermetically sealed;

c) In all cases the materials used for packaging must comply with all health protection rules, in particular:

- i) They must be resistant to corrosion;
- ii) They must be waterproof and proof against fats;
- iii) They must be of a kind not liable to affect the organoleptic qualities of the products.

CHAPTER VI

Markings guaranteeing fitness for human consumption

16. *a)* For products in a package forming a unit for trading purposes, the marking must consist:

- i) Of a mark stamped on the container, or
- ii) Of an indelible mark on the outside of the casing;

b) The marking must have the following characteristics:

- i) It must be oval in shape, 1.5 cm. high and 2.5 cm. wide;
- ii) It must have perfectly legible lettering as follows:

In the upper part:

The initials of the exporting country in capital letters, i.e. B, D, F, I, L or NL, followed by the veterinary identification number of the approved establishment;

In the lower part:

One of the following letter combinations: CEE, EEG, EWG;

- iii) The letters must be 0.4 cm. high.

17. For products other than those mentioned under 16, the guarantee of purity shall consist of a fixed irremovable disc of stable material complying with all hygienic requirements, 1 cm. in diameter, or of a branded mark in accordance with 16 *b*).

The following information must be given on the disc in legible characters:

On the upper part:

The initials of the exporting country in capital letters, i.e. B, D, F, I, L or NL, followed by the veterinary identification number of the approved establishment;

On the lower part:

One of the following letter combinations: CEE, EEG, EWG.

The letters must be 0.2 cm. high.

18. The marking must be done in such a way as to make it impossible to replace the products with products not intended for intra-Community trade.

CHAPTER VII

Certificate of fitness for human consumption

19. The certificate of fitness for human consumption accompanying meat products on transportation to the importing country must be issued by a veterinary officer at the time of loading. It must be drawn up in the language of the importing country and must contain the particulars provided for in the specimen at Annex II.

CHAPTER VIII

Warehousing and transport

20. Meat products must be stored in premises conforming to the description given in 1, a) above.

21. During transport the products must be protected from contact with any substances liable to contaminate them or to impart any smell to them.

22. Meat products may only be transported in vehicles equipped for refrigeration where necessary.

ANNEX II

to Council directive concerning health requirements for trade in meat products and the composition of such products

Specimen

Certificate of fitness for human consumption

in respect of meat products (1) intended for consignment to an EEC Member State

Exporting country No.

Ministry

Service

Department

Ref.

I. Description and origin of the products

No.	Type of product	Manufactured with ... meat (animal species)	Address and veterinary approval number	Type of packaging	Type of packaging units	Number of packaging units	Net weight

(1) For the purposes of this directive, "meat products,, are the products defined in Article 2 (1) thereof.

II. *Destination of the meat products*

The meat products are consigned

from

(dispatching centre)

to

(country and place to which meat is consigned)

by the following means of transport ⁽¹⁾

Name and address of consignor

.....

Name and address of consignee

.....

III. *Certificate of fitness for human consumption*

I, the undersigned veterinary officer, certify that:

- a) The meat products, or their packages, bear stamps, health markings or branded marks showing that they have originated in their entirety from approved establishments and that in their manufacture only fresh meat has been used fulfilling the conditions laid down for meat for the manufacture of meat products in the Council directive of ... concerning health requirements and the detection and punishment of fraud in trade in meat products;
- b) The meat products have been prepared and manufactured under hygienic conditions, in accordance with the requirements of the above-mentioned Council directive;
- c) The meat used for the manufacture of the meat products has undergone — has not undergone ⁽²⁾ — a test for trichinosis;
- d) The vehicles and transport equipment, and the loading conditions for this consignment, have complied with the requirements of hygiene set out in the above-mentioned directive.

Given at on

.....

Signature of the veterinary officer

(1) If the consignment is made by rail or road, the corresponding markings and numbers should be given; if the consignment is by air, the flight number should be given.

(2) Delete where inappropriate.

ANNEX III

Council directive on health requirements for trade in meat products and on the composition of such products

1. *Sodium nitrite* (E 250)

Sodium nitrite may be sold and used exclusively in combination with common salt at a maximum percentage of 0.6%, expressed as nitrite salts.

2. *Sodium nitrate* (E 251) and *potassium nitrate* (E 252)

These substances may be used, separately or together, alone or mixed with common salt, only in such total quantity that the content of these substances per kg. of finished product at the time of sale does not exceed 0.5 gr., expressed as potassium nitrate.

Observations on 1 and 2

a) In any combination of the substances described under 1 and 2 above, the percentage of nitrate, expressed as potassium nitrate, must not exceed 1% of the quantity of nitrite salts used in the mixture.

b) Where the substances referred to in 1 and 2 above are used separately or together, the nitrite content per kg. of finished product at the time of sale must not exceed 0.2 gr., expressed as sodium nitrite.

c) The use of combinations of the substances mentioned under 1 and 2 above is authorized solely for the treatment of whole fibrous joints or of pieces of such joints, salted and dried, whether smoke-cured or not.

d) The use of the substances mentioned under 1 and 2 above is not authorized for the treatment of fresh sausages for grilling.

3. *L-ascorbic acid* (E 310) and *sodium derivative of L-ascorbic acid* (E 301)

These substances must be used, separately or together, alone or in combination with citric acid, only in such total quantity that their content per kg. of fat in the finished product at the time of sale does not exceed 1 gr. expressed as ascorbic acid.

4. *Sodium diphosphate, sodium acid diphosphate, sodium triphosphate*

The use of these substances is authorized for the treatment of raw minced meat for the manufacture of cooked meat products.

They may be used up to a maximum quantity of 2.5 gr. per kg. of the meat being treated.

Their pH, measured in a liquid solution of 0.5%, must not exceed 7.5.

The phosphate content per kg. of finished product at the time of sale must not exceed 8 gr. expressed as P_2O_5 .

The proportion of water to protein in the finished product at the time of sale must not exceed 4.5.

Proposal for a Council regulation amending Article 3 paragraph 1 of Regulation No. 23

(submitted by the Commission to the Council on 17 January 1964)

Explanatory memorandum

1. At the time of drafting the regulation on the application of quality standards to fruit and vegetables sold on the home market of the producing Member State it was found that, before the standards could be extended to products disposed of in this way, it would be necessary during a transition period to base standardization on different rules from those applied to the same products entering into intra-Community trade. The quality standards to be applied on the home market must allow, at least during an adjustment period, the sale of products of less high quality than the standard at present in force for fruit and vegetables entering into international trade, so that the necessary adjustments may be made in production, presentation and marketing.

2. It was, however, noted that the basic provisions in Regulation No. 23 ⁽¹⁾ on which the proposed regulation was to rest do not allow quality standards different from those laid down in Annexes II 1 to II 8 of

⁽¹⁾ Official gazette of the European Communities, No. 30, 20 April 1962, p. 965/62.

that regulation to be applied to the products listed in Annex I A beyond 30 June 1965. But in view of the considerable changes to be made in the whole marketing system for fruit and vegetables, it is now felt that this period is too short and should be made the same as for the products listed in Annex I B of Regulation No. 23. Experience gained during the first few years of applying the quality standards to products listed in Annex I A of Regulation No. 23 and sold on the home market of the producing Member State will have already enabled those concerned to prepare themselves to a certain extent for the extension of these requirements to products in Annex I B, and the transition period laid down for the latter products may be considered sufficient.

3. For these reasons the present regulation extends the transition period for the first group of products to 31 December 1967 by rescinding the third sub-paragraph of Article 3 (1) of Regulation No. 23. In this way the time-limits set for the transition periods in respect of the two groups of products will be the same; one advantage of this will be to facilitate the development of the system to be applied to fruit and vegetables in the final stage.

Proposal for a Council regulation amending Article 3 (1) of Regulation No. 23

(submitted by the Commission to the Council on 17 January 1964)

The Council of the European Economic Community,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof;

Having regard to the proposal of the Commission;

Having regard to the opinion of the European Parliament;

⁽¹⁾ Official gazette of the European Communities, No. 30, 20 April 1962, p. 965/62.

Whereas the progressive application of standardization, laid down in Regulation No. 23, to products listed in Annex I A of this regulation and sold on the home market of the producing Member State makes it necessary to apply for several years less exacting quality standards to such products than those applicable to the same products entering trade between member countries;

Whereas Article 3 (1, third sub-paragraph) of this regulation does not allow quality standards other than those applicable to products entering trade between Member States to be applied to products sold on the home

market of the producing Member State beyond 30 June 1965;

Whereas the time-limit laid down by Regulation No. 23 does not leave a long enough period to allow the necessary adjustments to be made in production and marketing in each Member State;

Whereas it is expedient that this regulation should be amended and the time-limit extended to 31 December 1967,

Has adopted the present regulation

Sole Article

Article 3 (1, third sub-paragraph) of Regulation No. 23 on the progressive establishment of a common organization of the market in fruit and vegetables is hereby rescinded .

The present regulation shall be binding in all its parts and directly applicable in all Member States.

Proposal for a Council regulation on the application of quality standards to fruit and vegetables marketed in the producing Member State

(submitted by the Commission to the Council on 17 January 1964)

Explanatory memorandum

In order to facilitate commercial relations, keep lower-grade produce off the market and direct production towards meeting consumers' requirements, it was decided in Regulation No. 23 ⁽¹⁾ (common organization of the markets in fruit and vegetables) to apply quality standards successively in intra-Community trade, in trade with non-member countries and in the home trade of the individual Member States.

Arrangements for applying common quality standards to fruit and vegetables in trade between the Member States and to produce imported from non-member countries have already been laid down in Regulations Nos. 60 ⁽²⁾ and 80/EEC/63 ⁽³⁾ respectively.

Under Article 3 (1) of Regulation No. 23 the Council is to stipulate the conditions, methods and time-table for applying common quality standards to produce grown and marketed in the individual member countries, and this is the purpose of the draft regulation attached.

In preparing it the aim has been to obtain the maximum benefit possible from the application of standards whilst taking into account any difficulties that the application of these rules to the home trade of the Member States may cause.

I. *Products to which the standards apply* [Article 1 (1)]

Standardization, which may be defined as a means of technical and economic affecting distribution channels at all levels, can only have its full effect if applied throughout the whole marketing process and not only at certain stages.

Consequently, if maximum benefit is aimed at, it is vital to ensure that the goods conform to the standards at all stages of marketing, i.e. from the time they are delivered by the grower to the wholesale market to the time when they are sold by retail.

Standards must be enforced as near as possible to the source of the produce so as to prevent goods of inferior quality to which no standards can be applied from depressing the market and affecting price formation.

They must also be maintained as far as the retail stage so that the consumer may benefit and the housewife may make her selection, according to her requirements and her purse, from produce that is properly sorted and described.

Exceptions to this general rule may, however, be allowed for produce which is delivered to sorting and packaging centres or which is not to be offered for sale on the markets. Article 2 of the present draft states that, in any case, the obligation to comply with the standards does not apply:

- i) To produce delivered directly by the producer to sorting and packaging centres;
- ii) To produce not intended for marketing, and in particular to produce bought by the consumer at the farm or market garden;
- iii) To produce intended for processing.

Lastly, it would also seem reasonable to leave open to the retailer the right not to offer his goods for sale in their original packaging, provided however, that he furnishes all particulars likely to affect the consumer's choice (Art. 4).

II. *Standards applicable on home markets*

The quality standards now in force in intra-Community trade can hardly be applied to produce marketed within the individual producer States in the immediate future, or for some time to come, without certain adjustments, notably the introduction of additional quality grades easy for the producer selling on the markets to comply with and in normal circumstances enabling most fruit and vegetables to be sold.

Article 1 (2), which makes provision for the adoption of such measures in the immediate future, has also been drafted with the aim of allowing for the subsequent adjustment of standards according to the development of production and marketing techniques and of consumers' requirements.

It should, however, be noted that, under Regulation No. 23 (3, 1), the possibility of adjusting standards to the needs of home markets is left open only until 31 December 1967.

(1) Official gazette of the European Communities, No. 30, 20 April 1962, p. 965/62.

(2) *Ibid.*, No. 59, 13 July 1962, p. 1665/62.

(3) *Ibid.*, No. 121, 3 August 1963, p. 2137/63.

III. *Abnormal market situations*

It is by imposing standards that, when there is a glut, supplies can be cut down by keeping off the market inferior quality grades or sizes. But this can only have the right impact on price formation if it is applied before consignment of the goods, i.e. at the farm or market garden itself.

Until 31 December 1967, Article 10 allows each Member State to reduce supply, at the production stage, by prohibiting, in cases of surplus crops, the despatch and marketing of a part of the produce to which the standards apply.

Where the quantity or quality of the crop falls below requirements the same article also makes provision for appropriate measures to cope with the abnormal market situation, either suspending for a time the quality standards or provisionally adding other quality and size criteria.

Since such measures can have a substantial impact not only on the home trade of the Member States applying them but also on the common market in fruit and vegetables, it has been deemed desirable that a Community procedure should be laid down for their adoption.

IV. *Identification of produce (Art. 3)*

The provisions on this subject in the regulation concerning standards have been supplemented:

- i) By an obligation to group all the marks identifying the consignor and the produce on one side of the packaging;
- ii) By an obligation to send with all bulk consignments loaded directly on to a conveyance a way-bill containing a full description of the produce.

These rules have been adopted with the object of improving the identification of produce, which is one of the important points for applying standards. In addition they tend to compensate for the lack of an "inspection certificate", which has proved impossible to institute because the inspection services of the various Member States at present lack the necessary facilities.

V. *Supervision and enforcement*

In order to ensure that the standards are complied with, Article 5 makes provision for sample checks at all stages, laying emphasis, however, on the need to do most of the checking before the goods leave the production areas, so as to prevent, among other things, sub-standard goods from being consi-

gned to the markets. Inspection at the point of departure is particularly important where supplies are being cut down on official instructions (Art. 10).

Lastly, to ensure a certain uniformity in the supervision and enforcement of these rules by the different Member States it has been deemed appropriate to lay down the technical procedures to be followed (Art. 6). This has been done by taking over the rules already contained in Regulation No. 60 (initial provisions on the quality control of fruit and vegetables in intra-Community trade).

VI. *Non-compliance with standards; penalties*

Where the batches inspected do not comply with the rules in force, the inspection service must demand that the faults be made good either by the repackaging of the goods or, if this is sufficient, the rectification of the marking (Art. 7).

In addition, where the fault is particularly serious or is repeated systematically the inspection service must be allowed, apart from the measure mentioned above, to impose more substantial penalties. Article 8 therefore provides that an offender may be fined, and it has been considered desirable to fix the minimum fine — 20 units of account — at Community level, so that Member States will adopt the same policy in this field, without prejudice of course to any other sanctions provided for in their own legislation.

VII. *Extension of these provisions to produce of foreign origin*

It is obvious that these provisions must apply to all produce whatever its origin, and cannot be limited to home-grown products, which would then be subject to much more stringent regulations than those applying to imports.

Article 9 therefore makes the provisions normally applicable to produce of foreign origin from the time it is offered for sale in a Member State. Procedures, however, for this can only be finally agreed on when an equivalence has been worked out between the standards applied by certain non-member countries and the common quality standards.

Conclusion

The regulation represents an important step forward in the organization of the market in fruit and vegetables. However, the contribution it will make to the improvement of this market will be all the greater if the Member States also take co-ordinated steps to create

the necessary conditions for the proper application of the regulation by the parties concerned.

For this purpose, it is essential that each Member State should publicize the quality standards, the scope and content of the regulation, and the structure and functioning of the national inspection services. They must inform not only trade circles concerned with the growing, packaging and marketing of fruit and vegetables, but also the consumers, who are finally the principal persons to benefit by the standards imposed.

Proposal for a Council regulation on the application of quality standards to fruit and vegetables marketed in the producing Member State

(submitted by the Commission to the Council)

The Council of the European Economic Community,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No. 23 (progressive establishment of a common organization of the market in fruit and vegetables) ⁽¹⁾ as amended by Regulation No. . . ., and in particular Article 3 (1) thereof;

Having regard to the Commission's proposal;

Whereas in order to eliminate from the market produce of unsatisfactory quality and in order to facilitate commercial relations on the basis of fair competition and common rules, Article 3 (1) of Regulation No. 23 makes provision for the progressive application of quality standards to fruit and vegetables marketed within the producing Member State, with full application not later than 1 January 1968;

Whereas it is appropriate to make standards applicable at all stages of marketing, with the exception of certain special cases, notably that of produce consigned direct to sorting and packaging centres;

Whereas at the present stage of the common organization of the market in fruit and vegetables, the standards can be applied to the products listed in Annexes I A and I B of Regulation No. 23; whereas it is appropriate to apply, at national level, the quality standards already in force for intra-Community

trade and set out in Annexes II 1 to II 8 of Regulation No. 23, I 1 to I 9 of Regulation No. 58 ⁽²⁾, and in the annex to Regulation No. 64 ⁽³⁾;

Whereas for this purpose the standards must first be adapted to the needs of the home market and subsequently adjusted in relation with the development of these needs, especially in relation with the development of production and of marketing techniques and with that of consumers' requirements;

Whereas it is desirable to establish special procedures for the identification of produce intended for the home market;

Whereas in order to ensure compliance with the quality standards and their uniform application, it is necessary to provide for inspection, to establish procedures for such inspection and to stipulate penalties for infringements;

Whereas in exceptional production and market conditions, it is advisable to provide that the Member States may be authorized to amend the quality standards in force, by a Community procedure and for a limited period, in order to cope with difficulties arising on their markets,

Has made the following regulation

Article 1

1. From 1 April 1965 the products listed I A of Regulation No. 23, and from 1 April 1966 the products listed in Annex I B of the same regulation shall only be transported or

(1) Official gazette of the European Communities, No. 30, 20 April 1962, p. 965/62.

(2) *Ibid.*, No. 56, 7 July 1962, p. 1606/62.

(3) *Ibid.*, No. 63, 20 July 1962, p. 1741/62.

marketed on the home market of the Member State in which they have been produced if they comply with the common quality, size and packaging standards — hereinafter referred to as “quality standards” — set out in Annexes II 1 to II 8 of Regulation No. 23, Annexes I 1 to I 9 of Regulation No. 58 and in the annex to Regulation No. 64.

2. The changes to be made by 31 December 1967 in the quality standards in order to adapt them to the home trade of the producing Member State shall be decided by the procedure set out in Regulation No. 23 (13), applicable by analogy.

Article 2

The obligation to comply with the quality standards referred to in Article 1 shall not apply to the following:

- i) Produce delivered direct to sorting and packaging centres;
- ii) Produce not intended for marketing and, in particular, produce purchased by the consumer at the farm or market garden;
- iii) Produce despatched direct to industrial users for processing.

Article 3

The marks and signs provided for in the quality standards in respect of marking must be grouped on one side of the packaging.

For produce loaded unpacked directly into a conveyance (bulk consignments) this information must be supplied on a way-bill.

Article 4

In sale by retail, it shall be permissible for produce not to be presented in its original packaging provided that the retailer places above the goods offered for sale a card indicating in bold characters:

- i) The quality category;
- ii) The variety, where the provision of this information is required by the quality standards.

Article 5

To ascertain whether the produce referred to in Article 1 complies with the provisions of this regulation, produce shall be inspected by the services or departments designated by each Member State and listed in the annex. This list may be amended, as appropriate, according to the procedure laid down in Regulation No. 23 (13), applicable by analogy.

Inspection shall be by sample at all stages of marketing and also in the course of transport. It must however be done preferably before the goods leave the production areas, at the time of packaging or loading.

Article 6

1. Inspection operations shall be performed in accordance with the provisions of Regulation No. 60 (3, 1 and 2) (initial provisions for the quality control of fruit and vegetables in intra-Community trade) ⁽¹⁾.

2. The inspector shall see that all the particulars required by the rules concerning marking are given and that they conform to the facts as ascertained.

Article 7

Where batches inspected are found not to meet the requirements in force, the inspection service shall demand that they shall be brought into conformity with these requirements without prejudice to the penalties provided for in Article 8.

However, when inspection is carried out at the retail stage, the inspector shall bear in mind that transport and storage may have slightly affected the freshness and firmness possessed by the produce at the time of consignment.

Article 8

The Member States shall take the necessary measures whereby any person who holds, transports or orders the transport with a view to sale, offers for sale or markets in any other manner, produce not complying with the stipulations of this regulation shall be liable to a fine of not less than 20 units of account, without prejudice to any other penalties provided for in their legislation.

Article 9

The provisions of this regulation shall apply, under arrangements to be established by the procedure of Regulation No. 23 (13), applicable by analogy, to fruit and vegetables imported into a Member State.

Article 10

Where, after a particularly good crop or crop deficient in quality or quantity, a producing Member State considers that an adjustment to quality standards would serve to palliate difficulties likely to arise on its own market, it

⁽¹⁾ Official gazette of the European Communities, No. 59, 13 July 1962, p. 1665/62.

may be authorized by the procedure of Regulation No. 23 (13), applicable by analogy, and until at the latest 31 December 1967, to modify quality standards for limited periods.

Article 11

The Member States shall adapt their laws, regulations and administrative instructions so that the provisions of this regulation can be applied from the dates specified in Article 1 (1) onwards.

They shall notify the Commission of these measures not later than one month after their adoption.

Article 12

The measures designed to ensure uniform application of this regulation shall be adopted by the procedure laid down in Regulation No. 23 (13), applicable by analogy.

This regulation shall be binding in all its parts and directly enforceable in all Member States.

ANNEX

BELGIUM

.

FEDERAL REPUBLIC OF GERMANY

Aussenhandelsstelle für Erzeugnisse der Ernährung und Landwirtschaft — Abtlg. Gartenbauerzeugnisse und Saatgut — Frankfurt/M., Adickes Alle 40

FRANCE

.

ITALY

.

LUXEMBOURG

.

NETHERLANDS

.