

# COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 15.07.1994

94/ 0176(CNS)

Proposal for a

COUNCIL DIRECTIVE

amending Council Directive 64/433/EEC on health conditions  
for the production and marketing of fresh meat

(presented by the Commission)

EXPLANATORY MEMORANDUM

On 29 July 1991 the Council adopted Directive 91/497/EEC amending and consolidating Directive 64/433/EEC on health conditions for the production and marketing of fresh meat.

On 17 December 1992 the Council adopted Directive 92/120/EEC on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of certain products of animal origin. When adopting this Directive the Council and the Commission agreed to reassess, before the end of 1993, certain problems encountered in the application of health rules under Directive 64/433/EEC, particularly as regards the time limit on derogations and the quantitative ceiling on the production of undertakings which qualified for the conditions set out Article 4 of that Directive.

To take account of practical difficulties in the application of Directive 64/433/EEC, it is proposed to make some technical modifications to Article 3 to allow for trade in cuts of all types of offal, to clarify the obligation to indicate the code number of the official veterinarian on the commercial document or certificate for meat coming from approved cold-stores, and to clarify the provisions relating to the accompanying document or certificate.

In the light of the application of the throughput ceilings in Article 4, it is proposed to align the ceilings with those adopted by Council under Directive 92/120/EEC for small slaughterhouses and cutting plants, and to extend the scope for small plants to cover small cold-stores. Since small establishments are required to meet the same hygiene standards as other establishments, they should be allowed to market their product throughout the Community and mark their meat with the oval stamp. It is also proposed to provide that Member States may be authorized, on the basis of a justified case, to exceed the weekly throughput limits to take account of particular circumstances.

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THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community, and in particular Article 43 there of;

Having regard to the proposal from the Commission;

Having regard to the opinion of the European Parliament;

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

Whereas Council Directive 64/433/EEC (1) established rules for the production and marketing of fresh meat from bovine animals, swine, sheep and goats and domestic solipeds;

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(1) O.J. n° L 121, 29.07.1964, p. 2012/64. Directive last amended by Directive 91/497/EEC (O.J. n° L 268, 24.09.1991, p. 69).

Whereas the provisions applicable to low capacity establishments, allowing for their approval by means of simplified structure and infrastructure criteria, should be simplified to take account of particular situations and to reduce administrative burdens;

Whereas satisfactory health conditions can be established for the production and marketing of sliced offals;

Whereas, to ensure conformity with health conditions and for efficient operation, it is necessary to modify the provisions relating to documentation accompanying fresh meat;

Whereas meat from low capacity establishments must meet same hygiene standard as meat from other establishments; whereas the restriction on marketing meat from low capacity establishments on the local market should be deleted;

Whereas the throughput limits for low capacity slaughterhouses and cutting plants should be aligned with those established by Council Directive 92/120/EEC<sup>(2)</sup> on the conditions for granting temporary and limited derogations from specific Community health rules on the production and marketing of certain products of animal origin;

Whereas for health reasons it is essential to prevent contamination of fresh meat and of offal; whereas partitioning of closed-circuit mechanical equipment may be necessary in some cases when handling pig stomachs;

HAS ADOPTED THIS DIRECTIVE:

#### Article 1

Directive 64/433/EEC is amended as follows:

1. In Article 3 (1) A (f) (ii) the words "accompanying commercial document authorised by the official veterinarian" are replaced by "accompanying commercial document the format of which has been authorized by the official veterinarian".

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(2) O.J. No. L62, 15.03.1993, p.86.

2. The second subparagraph of Article 3, paragraph 1.C is deleted.

3. In Article 3, paragraph 1.D (b) the following sentence is added:

"In this case the code number of the official veterinarian responsible for the cold store shall be indicated on the commercial document or certificate."

4. In Article 4, point A, the numbers "12" and "600" are replaced by "20" and "1000".

5. The second subparagraph of Article 4 A 1 (e) is replaced by the following :

"Member States shall draw up a list of establishments benefiting from these provisions. They shall inform the Commission of the number of establishments on the list and any amendments thereto, and shall communicate the list of establishments to the Commission at its request."

6. In Article 4 A (2) first subparagraph the word "three" is replaced by "five".

7. Article 4 A (3) is replaced by the following :

"3. Member States may grant derogations from the structural requirements provided for in Chapter I of Annex I for low-capacity cold stores in which only packaged meat and other foodstuffs are stored".

8. Article 4 A (4) is replaced by the following :

"4. Meat from establishments referred to in this Article that has been judged to comply with the hygiene and health inspection requirements laid down by this Directive must bear a health mark in accordance with Chapter XI of Annex I and be transported under satisfactory hygiene conditions in accordance with Chapter XV of Annex I."

9. The following paragraph is added to Article 4 A :

"5. Member States may be authorized by the Commission, on the basis of a justified request, to exceed the throughput limits in paragraphs 1 and 2 or to permit a seasonal increase, within the overall annual ceiling, in the number of livestock units slaughtered per week, provided that the owner of the establishment has received specific training, recognized by the competent authority, in production hygiene and that the provisions of paragraphs 1 and 2 are otherwise respected.

In addition, the establishments concerned must meet at least one of the following conditions:

- (a) be situated in regions suffering from special geographical constraints;
- (b) be affected by supply difficulties;
- (c) that the animals to be slaughtered are the property of the owner of the establishment, and that the meat produced is used solely to supply the establishment or sold directly to the consumer on the spot."

10. A new point "C" is added to Article 4 as follows :

"C. The Commission shall establish criteria for the possibility of exceeding the throughput limits established in point A in the light of experience of the application of the throughput limits by the Member States."

11. In Article 4, points "C", "D" and "E" are renumbered "D", "E" and "F".

12. Article 13(1) is deleted.

13. At Annex I, Chapter II, point 14 (c) (i) a further sentence is added as follows:

"In the case of pigs this shall be required to the extent necessary to prevent contamination of fresh meats or offal;"

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 1 January 1995. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

This Directive shall enter into force 20 days after its publication in the Official Journal of the European Communities.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

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# DOCUMENTS

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