



FEDERATION OF VETERINARIANS OF EUROPE

FVE/03/138

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Final

**COMMISSION PROPOSAL FOR A REGULATION LAYING DOWN SPECIFIC
RULES FOR THE ORGANISATION OF OFFICIAL CONTROLS
ON PRODUCTS OF ANIMAL ORIGIN
INTENDED FOR HUMAN CONSUMPTION
COM (2002) 377 – 2002/0141 (COD)**

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Briefing Note

Since the European Parliament report on the Commission Proposal was adopted on the 5th of June 2003, the Commission has drafted an amended proposal taking into account the proposed amendments in the Parliament Report accepted by the Commission.

On the 27th of October the Council adopted a Common Position with a view to the adoption of this Regulation.

Enclosed you will find the amendments as proposed by the Parliament, compared to the original Commission proposal, the amended Commission proposal and the Council common position. These are the amendments of concern to the FVE after consultation of the FVE Hygiene working group.

Furthermore the FVE would like to support the definition in article 2 of “competent authority” as proposed by the Council:

(c) "competent authority" means the central authority of a Member State competent to carry out veterinary checks or any authority to which it has delegated that competence;

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Article 1, subparagraph (new)
Commission text
This Regulation lays down the specific rules for the organisation of official controls of products of animal origin intended for human consumption. It shall apply in addition to Regulation (EC) No .../... [on official feed and food controls].
Parliament amendment 12 in first reading
This Regulation lays down the specific rules for the organisation of official controls of products of animal origin intended for human consumption. It shall apply in addition to Regulation (EC) No .../... [on official feed and food controls].
This Regulation shall not apply to: (a) the primary production of foodstuffs for private domestic use; (b) the domestic preparation of foodstuffs for private consumption; (c) the direct supply by the producer of small quantities of primary products to the final consumer or to local shops and restaurants; such operations shall be subject to national rules.
Commission amended proposal
Subject matter and scope This Regulation lays down the specific rules for the organisation of official controls of products of animal origin intended for human consumption in order to supplement the rules laid down in Regulation (EC) No .../.. [of the European Parliament and of the Council of... on official feed and food controls.] It shall apply only in respect of official controls concerning the activities of food business operators and persons to which Regulation (EC) No .../... [laying down specific hygiene rules for food of animal origin] applies. This Regulation shall apply without prejudice to the animal health rules for the introduction of products of animal origin for human consumption laid down in Council Directive 2002/99/EC.
Council Common Position
Scope This Regulation lays down specific rules for the organisation of official controls on products of animal origin. It shall apply only in respect of activities and persons to which Regulation (EC) No .../2003 * applies. 3. The performance of official controls pursuant to this Regulation shall be without prejudice to food business operators' primary legal responsibility for ensuring food safety, as laid down in Regulation (EC) No 178/2002 of the European Parliament and of the Council, of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety, and any civil or criminal liability arising from the breach of their obligations.

FVE Justification

In (c), the half sentence “or local shops and restaurants” should be deleted. There is no reason to exclude retailers and restaurants, which also distribute to the general public, from the common rules. Excluding local shops and restaurants would undermine consumer safety and goes against restoring and maintaining consumer confidence.

The Commission and Council make no specific reference to local shops and restaurants; the FVE supports this.

Annex I, Section III, Chapter II
Commission text
(i) ante-mortem inspection shall be carried out by the official veterinarian, but may take place at the holding of provenance;
Parliament
There is no Parliament amendment on this in the first reading.
Commission amended proposal
(i) ante-mortem inspection shall be carried out by the official veterinarian, but may take place at the holding of provenance;
Council Common Position
(a) The official veterinarian need not be present at the time of ante-mortem inspection in the slaughterhouse if: (i) an official veterinarian or an approved veterinarian carried out ante-mortem inspection at the holding of provenance, checked the food chain information and communicated the results of the check to the official auxiliary at the slaughterhouse, (ii) the official auxiliary at the slaughterhouse is satisfied that the food chain information does not point to any possible problem for food safety and that the animal's general state of health and welfare is satisfactory, and (iii) the official veterinarian regularly satisfies himself/herself that the official auxiliary is carrying out such checks properly;

FVE Justification

The way it is written in the Council Common Position, it is not clear that when “the official veterinarian need not be present at the time of ante-mortem inspection in the slaughterhouse” all three (i) and (ii) and (iii) have to be fulfilled.

This could be misinterpreted in a way that only (ii) and (iii) need to be fulfilled.

In the previous Commission text, where it stated “ante-mortem inspection shall be carried out by the official veterinarian, but may take place at the holding of provenance; it was very clear that at least an ante-mortem inspection would have to be done by the official veterinarian.

The FVE proposes to add “and” at the end of (i):

(i) an official veterinarian or an approved veterinarian carried out ante-mortem inspection at the holding of provenance, checked the food chain information and communicated the results of the check to the official auxiliary at the slaughterhouse, **and**

Annex I, Chapter 3, Section IV. B., paragraph 2
Commission text
2. Fattening pigs raised under controlled housing conditions, in integrated production systems, with a flow of information between holding and slaughterhouses considered satisfactory by the competent authority, shall undergo visual inspection only. The competent authority may, however, on the basis of epidemiological or other data, decide that some or all of the above described procedures shall be applied to these fattening pigs.
Parliament Amendment 109 in first reading
Delete
Commission amended proposal
2. Fattening pigs raised under controlled housing conditions, in integrated production systems, with a flow of information between holding and slaughterhouses considered satisfactory by the competent authority, shall undergo visual inspection only. The competent authority may, however, on the basis of epidemiological or other data, decide that some or all of the above described procedures shall be applied to these fattening pigs.
Council Common Position; Annex I, Section IV, Chapter IV, B
The competent authority may decide, on the basis of epidemiological or other data from the holding, that fattening pigs housed under controlled housing conditions in integrated production systems since weaning need, in some or all of the cases referred to in paragraph 1, only undergo visual inspection.

FVE Justification

On the basis of scientific advice (SCVPH), the possibility of visual post-mortem inspection of certain categories of fattening pigs had been introduced in the Commission text. Amendment 109 eliminates this possibility and could therefore not be accepted by the Commission.

Lymph nodes should only be cut when necessary, as cutting the lymph nodes can create risks for meat contamination. This is one of the reasons why research started to develop alternative and more modern routines for meat inspection. It is necessary to move forward and start applying these modern methods of performing meat inspection.

The FVE therefore supports the text as proposed by the Commission or otherwise formulated by the Council.