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COMMISSION REGULATION (EU) No .../..

of XXX

amending Annex III of Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards temperature conditions during transport and storage of meat

(Text with EEA relevance)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽¹⁾, and in particular Article 10(1) thereof

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. That Regulation provides that food business operators are to ensure compliance with specific temperature requirements for the transport and storage of meat.
- (2) In accordance with Annex III to that Regulation, carcasses of domestic ungulates must be immediately chilled after post-mortem inspection to a core temperature of not more than 7 °C. This must be completed in the slaughterhouse chillers, before transportation.
- (3) In accordance with Annex III to that Regulation, when minced meat is prepared from chilled meat, it must be prepared, in the case of poultry within no more than three days of their slaughter, and kept at a temperature of no more than 4°C. In the case of animals other than poultry, minced meat must be prepared within no more than six days of their slaughter and be kept at a temperature of no more than 7°C except for boned, vacuum-packed beef and veal, which can be kept for no more than 15 days.
- (4) On 6 March 2014, the Scientific Panel on biological hazards (BIOHAZ) of the European Food Safety Authority (EFSA) adopted Part 1 of an opinion on "the public health risks related to the maintenance of the cold chain during storage and transport of meat" which concerns meat of domestic ungulates only. This opinion concludes that since most bacterial contamination occurs on the surface of the carcass, only the surface temperature is an appropriate indicator of bacterial growth. It also provides combinations of maximum surface temperatures at carcass loading and maximum chilling and transport times, that result in pathogen growth equivalent or less than that obtained when carcasses are chilled to a core temperature of 7 °C in the slaughterhouse.
- (5) On 12 July 2014, the BIOHAZ Panel of EFSA adopted Part 2 of the opinion referred to in (4) above, which concerns minced meat from all species. This opinion used predictive modelling to recommend alternative time-temperature combinations for the

¹ OJ L 139, 30.4.2004, p. 55.

storage of fresh meat prior to mincing, which gave the same or less bacterial growth than is possible under current legislative requirements.

- (6) This new scientific advice provides for increased flexibility in the maintenance of the cold chain, and in the storage of fresh meat before mincing, without any increased public health risk. Point 1 of Article 10 of Regulation (EC) No 853/2004 provides that Annexes II and III may be adapted or updated by the Commission taking into account scientific advice.
- (7) Annex III to Regulation (EC) No 853/2004 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 853/2004 is amended as follows:

- (1) Point 3 of Chapter VII to section II is replaced by the following:

"3. Meat must attain the temperature specified in point 1 before transport, and remain at that temperature during transport. However, transport may also take place if an attestation of the time and the surface temperature at departure at that time accompanies the consignment and under the following conditions:

- a) in case of carcasses, half carcasses or quarter carcasses at loading and during the whole duration of the transport, subject to temperature recording within the frame of procedures based on the HACCP principles:
 - i. if the surface temperature of the carcasses, half carcasses or quarter carcasses is not above 5° C at the time of loading, and has been reached within 24 hours after slaughter, the transportation air temperature is never above 6° C and the duration of the transport is maximum 36 hours;or,
 - ii. if the surface temperature of the carcasses, half carcasses or quarter carcasses is not above 4° C at the time of loading, and has been reached within 27 hours after slaughter, the transportation air temperature is never above 3° C , and the duration of the transport is maximum 60 hours;or,
 - b) if the competent authority so authorises to enable the production of specific products, provided that:
 - i. Such transport takes place in accordance with the requirements that the competent authority specifies in respect of transport from one given establishment to another;and

- ii. The meat leaves the slaughterhouse, or a cutting room on the same site as the slaughter premises, immediately and transport takes no more than two hours."

(2) Point 2(b) of Chapter III to Section V is replaced by the following:

"(b) When prepared from chilled meat, minced meat must be prepared:

- i. In the case of poultry, within no more than three days of their slaughter;
- ii. In the case of animals other than poultry, within no more than 6 days of their slaughter;

or,

- iii. Within no more than 15 days from the slaughter of the animals in case of boned, vacuum-packed meat from cattle, pigs and small ruminants.

By way of derogation from this paragraph, minced meat may be allowed to be prepared from chilled meat, continuously stored at a temperature of no more and for a period no longer than indicated below if information can be provided to the satisfaction of the competent authority, demonstrating that the temperature was verified at least on a daily basis:

Maximum Temperature	Maximum storage time (days)		
	Poultry meat	Meat from cattle, pigs and small ruminants	Vacuum-packed meat from cattle, pigs and small ruminants
1° C	5	12	48
2° C	4	11	39
3° C	3	9	31
4° C	3	8	25
5° C	Not applicable	7	20
6° C	Not applicable	6	17

Article 2

This Regulation shall enter into force on the [twentieth](#) day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Jean Claude JUNCKER