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Hygiene requirements for food processing and delivery in a retail business

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Amended by the following acts

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01.06.2007	RTL 2007, 47, 837	01.07.2007

This Regulation is established pursuant to § 26 (3) of the Food Act and Article 1 (5 c) of Regulation (EC) No 853/2004 of the European Parliament and of the Council, laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption (OJ L 139, 30.04. 2004, p. 55–205).

§ 1. General provisions

(1) This Act establishes hygiene requirements for processing in a retail business such food of animal origin which is offered for sale, sold or delivered in some other way for or without charge (hereinafter *delivery*) to another retail business, incl. a catering establishment, which delivers food from its own retail business, incl. a catering establishment, to consumer, or which is meant for delivery to another retail establishment owned by the same retailer, incl. to a catering establishment, where this food of animal origin is delivered to consumer.

(2) For the purposes of this Regulation, processing food of animal origin is any activity changing any primary product, such as cutting, shredding, salting, heating, smoking, post-fermentation, drying, marinating, flavouring, extraction or a combination of those processes.

§ 2. Minced meat and minced meat preparations

(1) It is not allowed to deliver minced meat or minced meat preparations processed in a retail business to another retailer, except a catering establishment, who delivers those products heat-treated from a local catering establishment to consumer, and it is not allowed to deliver those products to another retail establishment owned by the same retailer, except a local catering establishment, from where those products are delivered to consumer only heat-treated.

(2) A local catering establishment is an establishment located in the same county as the retail business delivering minced meat or minced meat preparations, incl. a holding or authority, such as a school or a kindergarten, among others also dealing with catering. On the approval of the Veterinary and Food Board a catering establishment located in a neighbouring county may also be a local catering establishment.
[RTL 2007, 47, 837 – entry into force 01.07.2007]

(3) Minced meat and minced meat preparations are delivered to a catering establishment referred to in paragraph 1 or are delivered to a catering establishment referred to in paragraph 1 on the approval of the Veterinary and Food Board.
[RTL 2007, 47, 837 - jõust. 01.07.2007]

(4) In a retail business, minced meat and minced meat preparations are processed, preserved and transported according to Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council on the hygiene of foodstuffs (OJ L 226 25.06. 2004, p.3–21) and Chapter III (2 c i) of Section V of Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council.

§ 3. Fresh meat

(1) Requirements of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council apply to a retail business where:

1) up to 1000 kg of fresh meat per week are processed into final product and where the total quantity of fresh meat, minced meat, meat preparations and meat products delivered to another retail business does not exceed 50% of the total quantity of fresh meat processed per week;

2) 1000–5000 kg of fresh meat per week are processed into final product and where the total quantity of fresh meat, minced meat, meat preparations and meat products delivered to another retail business does not exceed 25% of the total quantity of fresh meat processed per week.

(2) Relevant requirements of Regulation (EC) No 853/2004 of the European Parliament and of the Council apply to a retail business where:

1) up to 1000 kg of fresh meat per week are processed into final product and where the total quantity of fresh meat, minced meat, meat preparations and meat products delivered to another retail business exceeds 50% of the total quantity of fresh meat processed per week;

2) 1000–5000 kg of fresh meat per week are processed into final product and where the total quantity of fresh meat, minced meat, meat preparations and meat products delivered to another retail business exceeds 25% of the total quantity of fresh meat processed per week.

§ 4. Other food of animal origin

(1) In a retail business where other food of animal origin, such as fish, drinking milk and eggs, is processed into final product of up to 3000 kg a week and where the total quantity of the food of animal origin delivered to another retail business does not exceed 25% of the total quantity of the food of animal origin processed per week, the requirements provided for in Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council apply.

(2) In a retail business where other food of animal origin, such as fish, drinking milk and eggs, is processed into more than 3000 kg of final product a week and where the total quantity of the food of animal origin delivered to another retail business exceeds 25% of the total quantity of the food of animal origin processed per week, the requirements provided for in Regulation (EC) No 853/2004 of the European Parliament and of the Council apply.

§ 5. Implementing provisions

(1) In a retail business where up to 10000 kg of fresh meat are processed into final product per week and where the total quantity of fresh meat, minced meat, meat preparations and meat products delivered to another retail business exceeds 25% of the total quantity of fresh meat processed per week, the requirements provided for in Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council apply until 1 January 2007.

(2) This Regulation will enter into force on 1 July 2006.