

**COMMISSION DIRECTIVE 2001/101/EC
of 26 November 2001**

amending Directive 2000/13/EC of the European Parliament and of the Council on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽¹⁾, and, in particular, the second paragraph of the first indent of the second subparagraph of Article 6(6) thereof,

Whereas:

- (1) Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat ⁽²⁾, as last amended by Directive 95/23/EC ⁽³⁾, contains a definition of meat which was drawn up for the purposes of hygiene and the protection of public health. This definition covers all parts of animals which are fit for human consumption. It does not correspond, however, to the consumer's perception of meat and does not inform the consumer as to the real nature of the product designated by the term 'meat'.
- (2) Several Member States have adopted a definition of the term 'meat' for the labelling of products that contain meat. However, the diversity of the national approaches has led to difficulties which adversely affect the operation of the internal market and make it necessary to prepare a harmonised definition.
- (3) Annex I to Directive 2000/13/EC defines certain categories of ingredients which may be designated by the name of the category rather than by the specific name of the ingredient considered for inclusion in the list of ingredients.
- (4) The category 'meat' is not defined in that Annex, which creates difficulties in implementing Directive 2000/13/EC, notably as regards indication of the list of ingredients and the quantitative declaration of the ingredients. There is a need, therefore, for a harmonised definition corresponding to the category name '... meat' in order to apply Directive 2000/13/EC.
- (5) In view of the right of consumers to be well and clearly informed so that they can choose what to eat and assess differences in selling prices, the name of the species used

should be an element of the reference to the category name.

- (6) The definition applies exclusively to the labelling of products which contain meat as an ingredient. It does not apply, therefore, to the labelling of meat cuts and anatomical parts which are sold without further processing.
- (7) Mechanically recovered meat differs significantly from 'meat' as perceived by consumers. It should therefore be excluded from the scope of the definition.
- (8) Consequently, it should be designated by its specific name, 'mechanically recovered meat', and by the name of the species, in compliance with the rule set out in Article 6(6) of Directive 2000/13/EC. This labelling rule applies to the products covered by the Community definition of 'mechanically recovered meat'.
- (9) Other animal parts which are fit for human consumption but which do not fall under the definition of the term 'meat' for labelling purposes should also be designated by their specific name in accordance with the same principle.
- (10) In order to determine the 'meat' content of products in a uniform manner, maximum limits should be established for the fat and connective tissue content of products which may be designated by the category name '... meat'. These limits are without prejudice to the specific provisions governing minced meat and meat preparations laid down in Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations ⁽⁴⁾.
- (11) If these maximum limits are exceeded, but all other criteria for the definition of 'meat' are satisfied, the '... meat' content should be adjusted downwards accordingly and the list of ingredients should mention, in addition to the term '... meat', the presence of fat and/or connective tissue.
- (12) It also appears necessary to establish a harmonised method for determining the connective tissue content.

⁽¹⁾ OJ L 109, 6.5.2000, p. 29.

⁽²⁾ English Special Edition, 1963-64 (II), p. 175.

⁽³⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁴⁾ OJ L 368, 31.12.1994, p. 10.

- (13) Directive 2000/13/EC should therefore be amended accordingly.
- (14) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Food,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 2000/13/EC is amended in accordance with the text set out in the Annex to this Directive.

Article 2

1. Member States shall authorise trade in products that are in conformity with Directive 2000/13/EC, as amended by this Directive, by 31 December 2002 at the latest.

2. Member States shall prohibit, with effect from 1 January 2003, trade in products which are not in conformity with Directive 2000/13/EC, as amended by this Directive.

However, products which are not in conformity with the Directive and which were labelled before 1 January 2003 shall be authorised while stocks last.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2002 at the latest. They shall immediately inform the Commission thereof.

The provisions adopted by the Member States shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 26 November 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

In Annex I to Directive 2000/13/EC, the following text is added:

*Definition**Designation*

'Skeletal muscles (**) of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue, where the total fat and connective tissue content does not exceed the values indicated below and where the meat constitutes an ingredient of another foodstuff. The products covered by the Community definition of "mechanically recovered meat" are excluded from this definition.

"... meat" and the name(s) (*) of the animal species from which it comes.

Maximum fat and connective tissue contents for ingredients designated by the term "... meat".

Species	Fat (%)	Connective tissue ⁽¹⁾ (%)
Mammals (other than rabbits and porcines) and mixtures of species with mammals predominating	25	25
Porcines	30	25
Birds and rabbits	15	10

(1) The connective tissue content is calculated on the basis of the ratio between collagen content and meat protein content. The collagen content means the hydroxyproline content multiplied by a factor of 8.

If these maximum limits are exceeded, but all other criteria for the definition of "meat" are satisfied, the "... meat" content must be adjusted downwards accordingly and the list of ingredients must mention, in addition to the term "... meat", the presence of fat and/or connective tissue.

(*) For labelling in English, this designation may be replaced by the generic name of the ingredient for the animal species concerned.

(**) The diaphragm and the masseters are part of the skeletal muscles, while the heart, tongue, the muscles of the head (other than the masseters), the muscles of the carpus, the tarsus and the tail are excluded.