

Special Requirements for Handling and Labelling of Frozen Food¹
Government of the Republic Regulation No. 106 of 28 March 2000
(RT* I 2000, 27, 162),
entered into force 3 April 2000,
amended by the following Regulation:
27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246.

The Regulation is established pursuant to subsection 15 (2) and subsection 38 (5) of the Food Act (RT I 1999, 30, 415; 58, 608).

§ 1. General provisions

(1) The Regulation provides special requirements for the handling and labelling of raw material for food and food (hereinafter food) which is marketed in the frozen form and which has undergone a quick-freezing process and the resulting temperature of which after stabilising is maintained at the level of -18 °C or lower at all points in the food.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(2) If the rules necessary for ensuring food hygiene are established pursuant to subsection 26 (4) of the Food Act and the requirements for handling frozen food are provided therein, handlers shall observe the requirements provided for in such rules.

(3) The Regulation does not apply to the handling of ice-cream and edible ices.

§ 2. Special requirements for manufacture of frozen food

(1) Food used in the manufacture of frozen food shall be pure, unspoilt, of high quality and have the required degree of freshness.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(2) In order to ensure the safety of food and to limit chemical, biochemical and microbiological changes to a minimum in the food, quick-freezing shall be carried out promptly, using appropriate freezing equipment.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(3) In the course of quick-freezing, food to be frozen shall cross the zone of maximum crystallisation as rapidly as possible and shall reach a stable temperature at all points in the food, which shall be at the level of -18°C or lower.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(4) The cryogenic fluids in direct contact with food shall be sufficiently inert not to impart to the food any constituents in quantities liable to constitute a hazard to human health, contaminate the food or harm the properties thereof. In the course of freezing, air, nitrogen and carbon dioxide may be in direct contact with the food.

(5) The manufacturer or packer of frozen food shall pack the food for consumers into suitable sales packaging which protects the food from microbial or other forms of contamination and against drying.

§ 3. Special requirements for storage of frozen food

(1) Frozen food shall be stored such that the temperature of frozen food is -18°C or lower at all points in the food.

(2) Brief upward fluctuations in the temperature of frozen food are permitted to an extent of up to 6°C upon storage of frozen food in refrigerated display cabinets of shops, and upon local distribution of the food provided that good storage and distribution practices are adhered to.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(3) (Repealed - 27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(4) The temperature of frozen food in the storage facilities, storage and sale equipment of frozen food, including refrigerated display cabinets must be in compliance with the requirements and the maintenance of the temperature shall be ensured.

(5) The storage facilities of frozen food shall be fitted with a recording instrument which registers the air temperatures at frequent and regular intervals.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(6) An easily visible thermometer which does not register indications may be used in the storage facilities of shops and mass caterers which are of less than ten cubic metres and where frozen food is stored.

(7) Upon storage of frozen food in refrigerated display cabinets of shops, and upon local distribution of the food, the ambient air temperature shall be measured with at least one easily

visible thermometer. In the case of an open refrigerated display cabinet, the thermometer shall be placed at the air return side of the refrigerated display cabinet at the level of the marked maximum load line of the cabinet.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(8) Temperature recordings shall be dated and stored by handlers of frozen food for at least one year or longer according to the durability period of the food.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

§ 4. Special requirements for transportation of frozen food

(1) The temperature of frozen food in the means of transport of frozen food must be in compliance with the requirements and maintained so.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(2) Upon transport of frozen food, brief fluctuations of up to 3 °C in the temperature of the food are permitted.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(3) The means of transport of frozen food shall be fitted with a recording instrument which registers the air temperatures at frequent or regular intervals, except in the cases specified in subsection 3 (7).

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(4) Temperature recordings shall be dated and stored by handlers of frozen food for at least one year or longer according to the durability period of the food.

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

(5) The requirements of subsections (3) and (4) do not apply to transportation by rail.

§ 5. Special requirements for labelling of frozen food

(1) In addition to the requirements for labelling of food and presentation of information in any other manner, the labelling of the sales packaging of frozen food supplied to consumers and mass caterers shall include the following:

1) the word “quick-frozen” [“*sügavkülmutatud*”] or “frozen” [“*külmutatud*”] added to the name of the food;

- 2) the period during which frozen food may be stored by consumers or mass caterers, and the corresponding storage temperature and/or type of storage equipment;
- 3) information necessary for identification of the batch of food;
- 4) the instruction “do not freeze after defrosting” [“*Pärast sulatamist uuesti mitte külmutada*”] or “do not freeze defrosted food” [“*Sulanud toitu uuesti mitte külmutada*”] or other words with the same meaning.

(2) The packaging, container, or labelling of frozen food which is intended for supply to handlers for further processing, except food supplied to mass caterers, shall set out the following information:

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

- 1) the name of the food together with the word “quick-frozen” [“*sügavkülmutatud*”] or “frozen” [“*külmutatud*”];
- 2) the net quantity expressed in units of mass;
- 3) information necessary for identification of the batch of food;
- 4) the name and address of the manufacturer, packer or seller founded in a Member State of the European Union².

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(3) The word “quick-frozen” [“*sügavkülmutatud*”] or “frozen” [“*külmutatud*”] may be added to the name of food only if the food conforms to the requirements set out in subsection 1 (1) and 2 (3).

(27.04.2004 entered into force 01.05.2004 - RT I 2004, 35, 246)

§ 6. Implementation of Regulation

(1) Until 1 January 2001, the manufacture, packaging and labelling of frozen food may continue in non-compliance of the requirements of this Regulation, but it must be in accordance with other legislation in force regulating the handling of food.

(2) Frozen food manufactured, packed and labelled before 1 January 2001 may be marketed until stocks run out.

(3) The storage facilities, storage and sale equipment and means of transport of frozen food of an enterprise operating during entry into force of the Regulation shall be brought into compliance with the Regulation by 1 January 2002.

(4) Until 1 January 2002, instead of the provisions of subsections 3 (2) and 4 (2), brief upward fluctuations of up to 6 °C are permitted on the surface of frozen food.

¹ The requirements of the Directives 89/108/EEC (OJ L 40, 11.02.1989, p. 34) and 92/1/EEC (OJ L 34, 11.02.1992, p. 28) of the European Economic Communities have been taken into account in the drafting of this Regulation.

² For legal persons, the location and address shall be submitted, and for natural persons, the location and address of the person's undertaking shall be submitted.

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²RT = *Riigi Teataja* = *State Gazette*