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**COMMISSION REGULATION (EEC) No 1538/91
of 5 June 1991
introducing detailed rules for implementing Regulation (EEC) No 1906/90 on certain marketing standards for poultrymeat**

C1, OJ No L 233,
22. 8. 1991, p. 31

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Commission Regulation (EEC) No 1980/92 of 16 July 1992	L 198	31	17. 7. 1992
Commission Regulation (EEC) No 2891/93 of 21 October 1993	L 263	12	22. 10. 1993
Commission Regulation (EC) No 1026/94 of 2 May 1994	L 112	32	3. 5. 1994
Commission Regulation (EC) No 3239/94 of 21 December 1994	L 338	48	28. 12. 1994
Commission Regulation (EC) No 2390/95 of 11 October 1995	L 244	60	12. 10. 1995
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**COMMISSION REGULATION (EEC) No 1538/91
of 5 June 1991
introducing detailed rules for implementing Regulation (EEC) No 1906/90 on certain marketing standards for poultrymeat**

C1, OJ No L 233,
22. 8. 1991, p. 31

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1906/90 of 26 June 1990 on certain marketing standards for poultrymeat ⁽¹⁾, and in particular Article 9 thereof,

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Whereas Regulation (EEC) No 1906/90 enacted certain marketing standards for poultrymeat, the application of which requires the adoption of provisions concerning in particular the list of those poultry carcasses, parts thereof and offals to which the said Regulation applies, classification by conformation, appearance an weight, types of presentation, the indication of the name under which the products in question are to be sold, the optional use of indications concerning chilling methods and the type of farming, conditions for storage and transport of certain types of poultrymeat and the supervision of these provisions in order to ensure their uniform application throughout the Community;

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Whereas, in order to provide for the marketing of poultry in different classes according to conformation and appearance, it is necessary to lay down definitions relating to species, age and presentation in the case of carcasses, and anatomical conformation and content in the case of poultry cuts; whereas in the case of the product known as '*Foie gras*' the high value and consequent risk of fraudulent practices make it necessary to lay down especially precise minimum marketing standards;

Whereas it is not necessary for these standards to be applied to certain products and presentations which are of local or otherwise limited importance; whereas, however, names under which such products are sold should not be likely to mislead the consumer to a material degree by causing him to confuse these products with products which are subject to these provisions; whereas, similarly, additional descriptive terms used to qualify the names of such products should also be subject to this provision;

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 1.

Whereas storage and handling temperature is of crucial importance to the maintenance of high standards of quality; whereas, therefore, it is appropriate to lay down a minimum temperature at which frozen poultrymeat products are to be kept;

Whereas the provisions of this Regulation and in particular those relating to surveillance and enforcement must be applied uniformly throughout the Community; whereas detailed rules adopted to those ends must also be uniform; whereas it is therefore necessary to lay down common measures in the matter of sampling procedures and tolerances;

Whereas it is necessary, both in order that the consumer be provided with sufficient, unequivocal and objective information concerning such products offered for sale, and in order to secure the free movement of such products throughout the Community, to ensure that poultrymeat marketing standards take into account as far as is practicable (SIC! practicable) the provisions of Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products ⁽¹⁾, as amended by Directive 78/891/EEC ⁽²⁾;

Whereas among the indications which may optionally be used on the labelling are those concerning the method of chilling and particular types of farming; whereas the use of the latter, in the interest of consumer protection, needs to be subordinated to the respect of closely-defined criteria concerning both husbandry conditions and quantity thresholds for stating certain criteria such as age at slaughter or length of fattening period and content of certain foodstuff ingredients;

Whereas it is appropriate for the Commission to exercise permanent surveillance of the compatibility with Community law, including the marketing standards, in particular of any national measures adopted in pursuance of these provisions; whereas particular provision should also be made for the registration and regular inspection of undertakings authorized to use terms referring to particular types of farming; whereas such undertakings must therefore be obliged to maintain regular and detailed records for this purpose;

⁽¹⁾ OJ No L 46, 21. 2. 1976, p. 1.

⁽²⁾ OJ No L 311, 4. 11. 1978, p. 21.

Whereas, in view of the specialized nature of these inspections, responsibility for them may be delegated by the competent authorities of the Member State concerned, subject to the appropriate supervision and safeguards, to properly qualified and duly licensed outside bodies;

Whereas operators in third countries may wish to make use of optional indications concerning chilling methods and types of farming; whereas provision should be made for them to do so, subject to appropriate certification by the competent authority of the third country concerned, and which appears on a list established by the Commission;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

<i>Article 1</i>	1538/91
The products referred to in Article 1 (2) of Regulation (EEC) No 1906/90 are hereby defined as follows:	
1. Poultry carcasses	
(a) DOMESTIC FOWL (<i>Gallus domesticus</i>)	
— chicken, broiler: fowl in which the tip of the sternum is flexible (not ossified),	
— cock, hen, casserole or boiling fowl: fowl in which the tip of the sternum is rigid (ossified),	
— capon: male fowl castrated surgically before reaching sexual maturity and slaughtered at a minimum age of 140 days: after castration the capons must be fattened for at least 77 days,	1000/96
— poussin, coquelet: chicken of less than 650 g carcass weight (expressed without giblets, head and feet), chicken of 650 g to 750 g may be called “poussin” if the age at slaughter does not exceed 28 days. Member States may apply Article 11 for the checking of this slaughter age;	2891/93
(b) TURKEYS (<i>Meleagris gallopavo dom</i>)	1538/91
— (young) turkey: bird in which the tip of the sternum is flexible (not ossified),	
— turkey: bird in which the tip of the sternum is rigid (ossified);	
(c) DUCKS (<i>Anas platyrhynchos dom, cairina muschata</i>), Mulard ducks (c.m.x.a.p.),	2891/93
— young duck or duckling, (young) Muscovy duck, (young) Mulard duck: bird in which the tip of the sternum is flexible (not ossified),	
— duck, Muscovy duck, Mulard duck: bird in which the tip of the sternum is rigid (ossified);	

- (d) **GEESE** (*Anser anser dom*) 1538/91
- (young) goose or gosling: bird in which the tip of the sternum is flexible (not ossified). The fat layer all over the carcass is thin or moderate; the fat of the young goose may have a colour indicative of a special diet,
 - goose: bird in which the tip of the sternum is rigid (ossified); a moderate to thick fat layer is present all over the carcass;

(e) **GUINEA FOWL** (*Numida meleagris domesticus*)

- (young) guinea fowl: bird in which the tip of the sternum is flexible (not ossified),
- guinea fowl: bird in which the tip of the sternum is rigid (ossified).

For the purpose of this Regulation, variants of the above terms relating to sex shall be construed as equivalent.

2. Poultry cuts

- (a) **Half**: half of the carcass, obtained by a longitudinal cut in a plane along the sternum and the backbone;
- (b) **Quarter**: leg quarter or breast quarter, obtained by a transversal cut of a half; 2891/93
- (c) **Unseparated leg quarters**: both leg quarters united by a portion of the back, with or without the rump; 1538/91
- (d) **Breast**: the sternum and the ribs, or part thereof, distributed on both sides of it, together with the surrounding musculature. The breast may be presented as a whole or a half;
- (e) **Leg**: the femur, tibia and fibula together with the surrounding musculature. The two cuts shall be made at the joints;
- (f) **Chicken leg with a portion of the back**: the weight of the back does not exceed 25 % of that of the whole cut; 2891/93
- (g) **Thigh**: the femur together with the surrounding musculature. The two cuts shall be made at the joints; 1538/91
- (h) **Drumstick**: the tibia and fibula together with the surrounding musculature. The two cuts shall be made at the joints;

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| <p>(i) Wing: the humerus, radius, and ulna, together with the surrounding musculature. In the case of turkey wings, humerus or radius/ulna together with the surrounding musculature may be presented separately. The tip, including the carpal bones, may or may not have been removed. The cuts shall be made at the joints;</p> <p>(j) Unseparated wings: both wings united by a portion of the back, where the weight of the latter does not exceed 45 % of that of the whole cut;</p> <p>(k) Breast fillet: the whole or half of the breast deboned, i.e. without sternum and ribs. In the case of turkey breast, the fillet may comprise the deep pectoral muscle only;</p> <p>(l) Breast fillet with wishbone: the breast fillet without skin with the clavicle and the cartilagenous point of the sternum only, the weight of clavicle and cartilage not to exceed 3 % of that of the cut;</p> | 1538/91 |
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| <p>(m) Magret, maigret: breast fillet of ducks and geese referred to in 3 comprising skin and subcutan fat covering the breast muscle, without the deep pectoral muscle.</p> | 2891/93 |
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For the products listed under (e), (g) and (h) the wording “cuts shall be made at the joints” is to mean cuts made within the two lines delimiting the joints as shown in the graphical presentation in Annex Ia.

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| <p>Until 31 December 1991, in the case of products listed under (e), (g) and (h) the two cuts may be made near the joints.</p> <p>Products listed under (d) to (k) may be presented with or without skin. The absence of the skin in the case of products listed under (d) to (j) or the presence of the skin in the case of the product listed under (k) shall be mentioned on the labelling within the meaning of Article 1 (3) (a) of Council Directive 79/112/EEC ⁽³⁾.</p> | 1538/91 |
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⁽³⁾ OJ No L 33, 8. 2. 1979, p. 1.

<p>3. Foie gras:</p> <p>the livers of geese, or of ducks of the species <i>cairina muschata</i> or <i>cm. x Anas platyrachos</i> which have been fed in such a way as to produce hepatic fatty cellular hypertrophy.</p> <p>The birds from which such livers are removed shall have been completely bled, and the livers be of a uniform colour.</p> <p>The livers shall be of the following weight:</p> <ul style="list-style-type: none"> — duck livers shall weigh at least 300 g net, — goose livers shall weigh at least 400 g net. 	<p>1538/91</p> <p>2390/95</p> <p>1538/91</p>
<p><i>Article 1a</i></p> <p>For the purposes of this Regulation:</p> <p>“marketing” means holding or displaying for sale, offering for sale, selling, delivery or any other form of marketing;</p> <p>“batch” means poultrymeat of the same species and type, the same class, the same production run, from the same slaughterhouse or cutting plant, situated in the same place, which are to be inspected. For the purposes of Article 8 and Annexes V and VI, a batch shall only comprise pre-packages of the same nominal weight category.</p>	<p>2891/93</p>
<p><i>Article 2</i></p> <p>1. Poultry carcasses shall, in order to be marketed in accordance with this Regulation, be presented for sale in one of the following forms:</p> <ul style="list-style-type: none"> — partially eviscerated (‘effilé’, ‘roped’), — with giblets, — without giblets. <p>The word “eviscerated” may be added.</p>	<p>1538/91</p> <p>2390/95</p>
<p>2. Partially eviscerated carcasses are carcasses from which the heart, liver, lungs, gizzard, crop, and kidneys have not been removed.</p>	<p>1538/91</p>
<p>3. For all carcase presentations, if the head is not removed, trachea, oesophagus and crop may remain in the carcase.</p>	<p>2891/93</p>

4. Giblets shall comprise only the following:

The heart, neck, gizzard and liver, and all other parts considered as edible by the market on which the product is intended for final consumption. Livers shall be without gall bladders. The gizzard shall be without the horned membrane, and the contents of the gizzard shall have been removed. The heart may be with or without the pericardial sac. If the neck remains attached to the carcass, it is not considered as one of the giblets.

Where one of these four organs is customarily not included with the carcass for sale, its absence shall be mentioned on the labelling.

Article 3

1. The names under which the products covered by this Regulation are sold, within the meaning of Article 3 (1) of Directive 79/112/EEC, shall be those enumerated in Article 1 and the corresponding terms in the other Community languages listed in Annex I qualified in the case

- of whole carcasses by reference to one of the forms of presentation as laid down in Article 2 (1),
- of poultry cuts, by reference to the respective species.

2. The names defined in Article 1 (1) and (2) may be supplemented by other terms provided that the latter do not mislead the consumer to a material degree and in particular such as would lead to confusion with other products listed in Article 1 (1) and (2) or with indications provided for in Article 10.

Article 4

Products other than those defined in Article 1 may be marketed in the Community only under names which do not mislead the consumer to a material degree by allowing confusion with those referred to in Article 1 or with indications provided for in Article 10.

1538/91

Article 5

1538/91

The following additional provisions shall apply to frozen poultrymeat as defined in Article 2 (6) of Regulation (EEC) No 1906/90:

The temperature of frozen poultrymeat concerned by this Regulation must be stable and maintained, at all points in the product, at -12°C or lower, with possibly brief upward fluctuations of no more than 3°C . These tolerances in the temperature of the product shall be permitted in accordance with good storage and distribution practice during local distribution and in retail display cabinets.

Article 6

1. Poultry carcasses and cuts covered by this Regulation shall meet the following minimum requirements in order to be graded into classes A and B:

- intact, taking into account the presentation,
- clean, free from any visible foreign matter, dirt or blood,
- free of any foreign smell,
- free of visible bloodstains except those which are small and unobtrusive,
- free of protruding broken bones,
- free of severe contusions.

In the case of fresh poultry, there shall be no traces of prior freezing.

2. In order to be graded as class A, poultry carcasses and cuts shall in addition satisfy the following criteria:

- they shall be of good conformation. The flesh shall be plump; the breast well developed, broad, long and fleshy, and the legs shall be fleshy. On chickens, young ducks or ducklings and turkeys there shall be a thin regular layer of fat on the breast, back and thighs. On cocks, hens, ducks and young geese a thicker layer of fat is permissible. On geese a moderate to thick fat layer shall be present all over the carcass,

- a few small feathers, stubs (quill ends) and hairs (filoplumes) may be present on the breast, legs, rump, footjoints and wing tips. In the case of boiling fowl, ducks, turkeys and geese a few may also be present on other parts,
- some damage, contusion and discoloration is permitted provided that it is small and unobtrusive, and not present on the breast or legs. The wing tip may be missing. A slight redness is permissible in wing tips and follicles,
- in the case of frozen or quick-frozen poultry there shall be no traces of freezer-burn⁽¹⁾ except those that are incidental, small and unobtrusive and not present on the breast or legs.

1538/91

Article 7

1. Decisions arising from failure to comply with Articles 1, 2 and 6 may only be taken for the whole of the batch which has been checked in accordance with the provisions of this Article.

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⁽¹⁾ Freezer-burn: (in the sense of a reduction in quality) is the local or area-type irreversible drying up of skin and/or flesh which may show itself as changes:

- in the original colour (mostly getting paler), and/or
- in flavour and smell (flavourless or rancid), and/or
- in consistency (dry, spongy).

3. A sample consisting of the following numbers of individual products as defined in Article 1 shall be drawn at random from each batch to be inspected in slaughterhouses, cutting plants, wholesale and retail warehouses or in the case of imports from third countries at the time of customs clearance:

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Batch size	Sample size	Tolerable number of defective units	
		Total	For Article 1 (*), 3, and 6 (1)
1	2	3	4
100 – 500	30	5	2
501 – 3 200	50	7	3
> 3 200	80	10	4

2891/93

(*) Tolerance within each species, not from one species to another.

4. In the checking of a batch of class A poultrymeat, the total tolerable number of defective units referred to in column 3 of the table of paragraph 3 is allowed. These defective units may also comprise, in the case of breast fillet, fillets with up to 2 % in weight of cartilage (flexible tip of sternum).

However, the number of defective units not complying with the provisions of points 1 and 3 of provisions of Article 1 (1) and (3) as well as Article 6 (1) shall not exceed the figures shown in column 4 of the table contained in paragraph 3.

As regards point 3 of Article 1 (3), any defective unit shall not be considered tolerable unless it be of a weight of at least 240 g in the case of duck livers and of at least 385 g in the case of goose livers.

5. In the checking of a batch of class B poultrymeat, the tolerable number of defective units shall be doubled.

6. Where the checked batch is not deemed to comply, the supervising agency shall prohibit its marketing or import if the batch comes from a third country, unless and until proof is forthcoming that it has been made to comply with Articles 1 and 6.

1538/91

Article 8

1980/92

1. Prepackaged frozen or quick frozen poultrymeat may be classified by weight category in accordance with Article 3 (3) of Regulation (EEC) No 1906/90 in prepackages within the meaning of Article 2 of Directive 76/211/EEC.

These prepackages may be:

- prepackages containing one poultry carcass, or
- prepackages containing one or several poultry cuts of the same type and species,

as defined in Article 1.

2. All prepackages shall in accordance with paragraphs 3 and 4 bear an indication of the weight of the product known as 'nominal weight' which they are required to contain.

3. Prepackages of frozen or quick-frozen poultrymeat may be classified by categories of nominal weights as follows:

- carcasses:
 - < 1 100 g: classes of 50 g (1 050 – 1 000 – 950 etc.),
 - 1 100– < 2 400 g: classes of 100 g (1 100 – 1 200 – 1 300 etc.),
 - ≥ 2 400 g: classes of 200 g (2 400 – 2 600 – 2 800 etc.),
- cuts:
 - < 1 100 g: classes of 50 g (1 050 – 1 000 – 950 etc.),
 - ≥ 1 100 g: classes of 100 g (1 100 – 1 200 – 1 300 etc.).

4. Prepackages referred to in paragraph 1 shall be made up in such a way that they satisfy the following requirements:

- the actual contents shall not be less, on average, than the nominal weight,
- the proportion of prepackages having a negative error greater than the tolerable negative error laid down in paragraph 9 shall be sufficiently small for batches of prepackages to satisfy the requirements of the tests specified in paragraph 10,
- no prepackage having a negative error greater than twice the tolerable negative error given in paragraph 9 shall be marketed.

The definitions of nominal weight, actual content and negative error laid down in Annex I to Directive 76/211/EEC shall apply to this Regulation.

1980/92

5. Regarding responsibility of the packer or importer of frozen or quick-frozen poultrymeat and checks to be carried out by competent authorities, points 4,5 and 6 of Annex I to Directive 76/211/EEC apply *mutatis mutandis*.

6. The checking of prepackages shall be carried out by sampling and shall be in two parts:

- a check covering the actual content of each prepackage in the sample,
- a check on the average actual contents of the prepackages in the sample.

A batch of prepackages shall be considered acceptable if the results of both these checks satisfy the acceptance criteria referred to in paragraphs 10 and 11.

7. A batch shall be made up of all the prepackages of the same nominal weight, the same type and the same production rund, packed in the same place, which are to be inspected.

The batch size shall be limited to the quantities laid down below:

- when prepackages are checked at the end of the packing line, the number in each batch shall be equal to the maximum hourly output of the packing line, without any restriction as to batch size,
- in other cases the batch size shall be limited to 10 000.

8. A sample consisting of the following numbers of prepackages shall be drawn at random from each batch to be inspected:

Batch size	Sample size
100 to 500	30
501 to 3 200	50
> 3 200	80

For batches of fewer than 100 prepackages, the non-destructive test, within the meaning of Annex II to Directive 76/211/EEC, where carried out, shall be 100 %.

9. In the case of prepackaged poultrymeat the following tolerable negative errors are permitted:

1980/92

(g)

Nominal weight, g	Tolerable negative error, g	
	carcases	cuts
< less than 1 000	25	25
1 100 – < 2 400	50	} 50
2 400 and more	100	

10. For the checking of the actual content of each prepackage in the sample, the minimum acceptable content shall be calculated by subtracting the tolerable negative error for the contents concerned from the nominal weight of the prepackage.

The prepackages in the sample whose actual contents are less than the minimum acceptable content shall be considered defective.

The batch of prepackages, checked shall be considered acceptable or rejected, if the number of defective units found in the sample is less than or equal to the acceptance criterion or equal to or greater than the criterion for rejection shown below:

Number in sample	Number of defective units	
	Acceptance criterion	Rejection criterion
30	2	3
50	3	4
80	5	6

11. For the checking of the average actual contents, a batch of prepackages shall be considered acceptable, if the average actual content of the prepackages forming the sample is greater than the acceptance criterion shown below:

Sample size	Acceptance criterion for average actual content
30	$\bar{x} \geq Q_n - 0,503 s$
50	$\bar{x} \geq Q_n - 0,379 s$
80	$\bar{x} \geq Q_n - 0,295 s$

- \bar{x} = average actual content of prepackages,
 Q_n = nominal quantity of the prepackage,
 s = standard deviation of the actual contents of the prepackages in the batch.

1980/92

The standard deviation shall be estimated as set out under point 2.3.2.2. of Annex II to Directive 76/211/EEC.

12. For so long as Directive 80/181/EEC authorizes the use of supplementary indications, the indication of the nominal weight of prepackages to which this Article applies may be accompanied by a supplementary indication.

13. As an alternative to making use of the provisions of paragraphs 2 to 12, operators may market in the United Kingdom until 31 December 1994 prepackages referred to in this Article which are lawfully marked in accordance with national legislation with the nominal weights expressed in imperial units.

In respect of poultrymeat coming into the United Kingdom from other Member States and complying with the provisions of the preceding subparagraph, checks shall be carried out on a random basis and shall not be made at the border.

Article 9

1538/91

An indication of the use of one of the methods of chilling defined hereafter and the corresponding terms in the other Community languages listed in Annex II may appear on the labelling within the meaning of Article 1 (3) (a) of Directive 79/112/EEC:

- air chilling: chilling of poultry carcasses in cold air,
- air-spray chilling: chilling of poultry carcasses in cold air interspersed with waterhaze or fine water spray,
- immersion chilling: chilling of poultry carcasses in tanks of water or of ice and water, in accordance with the counterflow process as defined in Council Directive 71/118/EEC ⁽¹⁾, Annex I, Chapter V, points 28 (a) and (b).

⁽¹⁾ OJ No L 55, 8. 3. 1971, p. 23.

<i>Article 0</i>	1538/91
<p>1. In order to indicate types of farming with the exception of organic or biological farming, no other terms except those set out hereunder and the corresponding terms in the other Community languages listed in Annex III may appear on the labelling within the meaning of Article 1 (3) (a) of Directive 79/112/EEC, and in any case they may appear only if the relevant conditions specified in Annex IV are fulfilled:</p> <p>(a) 'Fed with . . . % of . . . '</p> <p>(b) 'Extensive indoor' ('Barn reared')</p> <p>(c) 'Free range'</p> <p>(d) 'Traditional free range'</p> <p>(e) 'Free range — total freedom'.</p> <p>These terms may be supplemented by indications referring to the particular characteristics of the respective types of farming.</p>	2891/93
<p>2. Mention of the age at slaughter of length of fattening period shall be permitted only when use is made of one of the terms referred to in paragraph 1 and for an age of not less than that indicated in Annex IV (b), (c) or (d). However, this provisions does not apply in the case of animals falling within the fourth indent of point 1 (a) of Article 1.</p>	1538/91
<p>3. These provisions shall apply without prejudice to national technical measures going beyond the minimum requirements given in Annex IV, which are applicable only to producers of the Member State concerned, provided that they are compatible with Community law and are in conformity with the common marketing standards for poultrymeat.</p> <p>4. The national measures referred to in paragraph 3 shall be communicated to the Commission.</p> <p>5. At any time and at the request of the Commission, Member States shall provide all the information necessary for assessing the compatibility of the measures referred to in this Article with Community law and their conformity with the common marketing standards for poultrymeat.</p>	2891/93
<i>Article 1</i>	1538/91
<p>1. Slaughterhouses authorized to use the terms referred (SIC! referred) to in Article 10 shall be subject to special registration. They shall keep a separate record, by type of farming:</p> <p>— of the names and addresses of the producers of such birds, who shall be registered following an inspection by the competent authority of the Member State,</p>	

— at the request of this authority the number of birds kept by each producer per turnround.

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2. The said producers shall subsequently be inspected regularly. They shall keep current records of the number of birds by type of poultry system showing also the number of birds sold and the name of the purchasers.

3. Regular inspections regarding compliance with Articles 10 and 11 shall be carried out at the

- farm: at least once per turnround,
- feed mill: at least once per feed formula used, and in any event at least once a year,
- slaughterhouse: at least four times per year,
- hatchery: at least once per year for the types of farming referred to in Article 10 (1) (d) and (e).

4. Each Member State shall provide the other Member States and the Commission before 1 July 1991 with a list of the approved slaughterhouse registered according to paragraph 1, showing the name and address and the number allotted to each of them. Any alteration of that list shall be communicated at the beginning of each quarter of the calendar year to the other Member States and the Commission.

Article 2

In the case of supervision of the indication of the type of farming used as referred to in Article 5 (6), second paragraph of Regulation (EEC) No 1906/90 bodies designated by the Member States shall comply with the criteria set out in European Norm No En/45011 of 26 June 1989, and as such shall be licensed and supervised by the competent authorities of the Member State concerned.

Article 3

Poultrymeat imported from third countries may bear one or more of the optional indications provided for in Articles 9 or 10 if it is accompanied by a certificate issued by the competent authority of the country of origin attesting to the compliance of the products in question with the relevant provisions of this Regulation.

On request from a third country to the Commission, a list of such authorities shall be established by the Commission.

Article 4

2891/93

The names of the products and other terms provided for in this Regulation shall be indicated:

- in the case of sales to the ultimate consumer, in a language easily understood by purchasers as referred to in Article 14 of Council Directive 79/112/EEC in the Member State in which such sales take place; this provision shall not prevent such particulars from being indicated in various languages,
- in any other case, in one or more languages of the Community.

Article 4

1. Without prejudice to paragraphs 6 and 10, frozen and quick-frozen chickens may be marketed by way of business or trade within the Community only if the water content does not exceed the technically unavoidable values determined by the method of analysis described in Annex V (drip method) or that in VI (chemical method).

2. The competent authorities designated by each Member State shall ensure that the slaughterhouses adopt all measures necessary to comply with the provisions of paragraph 1 and in particular that:

- samples for monitoring water absorption during chilling and water content of frozen and quick-frozen chickens are taken,
- results of the checks are recorded and kept for a period of one year,
- each batch is marked in such a way that its date of production can be identified; this batch mark must appear on the production record.

3. Regular checks in accordance with Annex VII on the water absorbed or checks in accordance with Annex V shall be carried out in the slaughterhouses at least once each working period of four hours.

Where these checks reveal that the amount of water absorbed is greater than the total water content permitted under the terms of this Regulation, account being taken of the water absorbed by the carcasses during the stages of processing which are not subject to checking, and where, in any case, the amount of water absorbed is greater than the levels referred to in point 9 of Annex VII, or in point 7 of Annex V, the necessary technical adjustments shall be made immediately by the slaughterhouse to the process.

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|--|---------------------------|
| <p>4. In all cases referred to in the second subparagraph of paragraph 3 and in any case at least once <u>every two months</u>, checks on water content referred to in paragraph 1 shall be carried out, by sampling, on frozen and quick frozen chickens from each slaughterhouse according to Annexes V or VI, to be chosen by the competent authority of the Member State. These checks shall not be conducted for carcasses in respect of which proof is provided to the satisfaction of the competent authority that they are intended exclusively for export.</p> <p>5. The checks referred to in paragraphs 3 and 4 shall be carried out by or under the responsibility of the competent authorities. The competent authorities may, in specific cases, apply the provisions of paragraph 3, and in particular of points 1 and 9 of Annex VII, and of paragraph 4 more stringently in respect of a given slaughterhouse, where this proves necessary to ensure compliance with the total water content permitted under this Regulation.</p> | <p>2891/93
205/96</p> |
| <p>They shall in all cases, where a batch of frozen or quick-frozen chickens was deemed not to comply with this Regulation, resume testing at the minimum frequency of checks referred to in paragraph 4 only after three successive checks according to Annexes V or VI, to be carried out by sampling from three different days of production within a maximum of four weeks, have shown negative results. The costs for these check shall be paid by the slaughterhouse concerned.</p> | <p>205/96</p> |
| <p>6. If the result of the checks referred to in paragraph 4 is in excess of the admissible limits, the batch concerned shall be deemed not to comply with this Regulation. In that event, however, the slaughterhouse concerned may request that a counter-analysis be carried out using a method to be chosen by the competent authority of the Member State.</p> <p>7. Where, if necessary after such counter-analysis, the batch in question is deemed not to comply with this Regulation, the competent authority shall take the appropriate measures aimed at allowing such a batch to be marketed within the Community only on condition such a batch to be marketed within the Community only on condition that both individual and bulk packaging of the carcasses concerned shall be marked by the slaughterhouse under the supervision of the competent authority with a tape or label bearing at least one of the following forms of wording in red capital letters:</p> <p>“Contenido en agua superior al limite CEE”</p> <p>“Vandindhold overstiger EØF-Normen”</p> <p>“Wassergehalt über dem EWG-Höchstwert”</p> <p>“Περιεκτικότητα σε νερό ανώτερη του ορίου ΕΟΚ”</p> <p>“Water content exceeds EEC limit”</p> <p>“Teneur en eau supérieure à la limite CEE”</p> <p>“Tenore d’acqua superiore al limite CEE”</p> | <p>2891/93</p> |

“Watergehalte hoger dan het EEG-maximum”	2891/93
“Teor de água superior ao limite CEE”	
“Vesipitoisuus ylittää ETY-normin”	3239/94
“Vattenhalten överstiger den halt som är tillåten inom EEG”.	
<p>The batch referred to in the first subparagraph shall remain under the supervision of the competent authority until it is dealt with in accordance with the paragraph or otherwise disposed of. If it is certified to the competent authority that the batch referred to in the first subparagraph is to be exported, the competent authority shall take all necessary measures to prevent the batch in question from being marketed within the Community. The forms of wording provided for in the first subparagraph shall be marked in a conspicuous place in such a way as to be easily visible, clearly legible and indelible. They shall not in any way be hidden, obscured or interrupted by other written or pictorial matter. The letters shall be at least 1 cm high on the individual packaging and 2 cm on bulk packaging.</p> <p>8. The Member State of destination may, where there are serious ground for suspecting irregularities, carry out non-discriminatory random checks of frozen or quick-frozen chickens in order to verify that a consignment meets the requirements of this Article.</p> <p>9. The checks referred to in paragraph 8 shall be carried out at the place of destination of the goods or at another suitable place, provided that in the latter case the choice of the places is not at the border and interferes as little as possible with the routing of the goods and that the goods may proceed normally to their destination once the appropriate sample has been taken. However the products concerned shall not be sold to the final consumer until the result of the check is available.</p> <p>Such checks shall be carried out as soon as possible so as not unduly to delay their placing on the market, or cause delays which might impair their quality.</p> <p>Results of these checks and any subsequent decisions and the grounds for taking them shall be notified at the latest two working days after sampling to the consignor, the consignee or their representative. Decisions taken by the competent authority of the Member State of destination and the reasons for such decisions shall be notified to the competent authority of the Member State of dispatch.</p>	2891/93

If the consignor or his representative so requests, the said decisions and reasons shall be forwarded to him in writing with details of the rights of appeal which are available to him under the law in force in the Member State of destination and of the procedure and time limits applicable.

10. If the results of the checks referred to in paragraph 8 is in excess of the admissible limits, the holder of the batch concerned may request that a counter-analysis be carried out using a method of his choice in one of the reference laboratories listed in Annex VIII, or in any other laboratory approved for this purpose by the competent authorities. The expenses occasioned by this counter-analysis shall be borne by the holder of the batch. Tasks and competences of reference laboratories are provided for in Annex IX.

11. If, after a check carried out in accordance with paragraphs 8 and 9 and, if requested, after a counter-analysis, it is found that the frozen or quick-frozen chickens do not comply with this Article, the competent authority of the Member State of destination shall apply the procedures provided for in paragraph 7.

12. In the cases provided for in paragraphs 10 and 11, the competent authority of the Member State of destination shall contact the competent authorities of the Member State of dispatch without delay. The latter authorities shall take all necessary measures and notify the competent authority of the first Member State of the nature of the checks carried out, the decisions taken and the reasons for such decisions.

Where the checks referred to in paragraphs 8 and 10 show repeated irregularities, or where such checks, in the view of the Member State or dispatch, are being carried out without sufficient justification, the competent authorities of the Member States concerned shall inform the Commission.

The Commission, to the extent necessary to ensure uniform application of this Regulation or at the request of the competent authority of the Member State of destination, and taking into account the nature of the infringements may:

- send a mission of experts to the establishment concerned, and in conjunction with the competent national authorities, carry out on-the-spot inspections, or
- request the competent authority of the Member State of dispatch to intensify its sampling of the products of the establishment concerned and if necessary to apply sanctions in accordance with Article 10 of Regulation (EEC) No 1906/90.

The Commission shall inform the Member States of its findings. Member States in whose territory an inspection is carried out shall give the experts all the assistance necessary for the performance of their tasks.

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Pending the Commission's findings, the Member State of dispatch must, at the request of the Member State of destination, intensify checks on products coming from the establishment in question.

Where these measures are taken to deal with repeated irregularities on the part of an establishment, the Commission shall charge any expenses occasioned by the application of the indents of the third subparagraph to the establishment involved.

12 (a) The competent authorities of the Member States shall inform the respective national reference laboratory without delay about the results of the checks carried out by them or under their responsibility.

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The national reference laboratories shall forward these data every six months to the Community reference Laboratory for further evaluation and discussion with national reference laboratories at least once a year. The findings shall be presented to the Management Committee for consideration in accordance with Article 18 of Regulation (EEC) No 2777/75.

13. The Member States shall adopt the practical measures for the checks provided for in this Article. They shall inform the other Member States and the Commission before 1 November 1993 of these measures. Any relevant changes shall be communicated immediately to the other Member States and to the Commission.

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14. The Community shall grant the Community reference laboratory "Het Spelderholt", Centre for Poultry Research and Information Services, Beekbergen, the Netherlands, financial assistance of a maximum of ECU 75 000 for a period of three years for the completion of the tasks referred to in Annex IX paragraph 1.

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The financial assistance shall be paid to the reference laboratory in accordance with the terms of a contract concluded between the Commission, acting on behalf of the European Community, and the laboratory.

The Director-General of the Directorate-General for Agriculture shall be authorized to sign the contract on behalf of the Commission.

Article 5

2988/91

This Regulation shall enter into force on 20 June 1991.

It shall apply from 1 July 1991.

Article 8 shall apply from 1 March 1992 in the case of imports from third countries.

However, until 31 March 1992 operators may pack products covered by this Regulation in packing material bearing indications provided for in Community or national legislation applicable before the entry into force of this Regulation. These products may then be marketed until 31 December 1992.

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ARTICLE 1.1 — NAMES OF POULTRY CARCASSES

	E	F	D	DK	ESP	GR	I	NL	P	FIN	SE
1.	Chicken, broiler	Poulet (de chair)	Hähnchen, Masthuhn	Kylling, slagtekylling	Pollo (de carne)	Κοτόπουλο Πετεινοί και κότες (ξεατοπαραγωγής)	Pollo, «Broiler»	Kuiken, braadkuiken	Frango	Broileri	Kyckling, slaktkyckling (broiler)
2.	Cock, hen, casserole, or boiling fowl	Coq, poule (à bouillir)	Suppenhuhn	Hane, høne, suppehøne	Gallo, gallina	Πετεινοί και κότες (για βράσιμο)	Gallo, gallina Pollame da brodo	Haan, hen, soepkip of stoofkip	Galo, galinha	Kukko, kana	Tupp, höna, gryt- eller kokhöna
3.	Capon	Chapon	Kapaun	Kapun	Capón	Καπόνια	Cappone	Kapoen	Capão,	Chapon (syöttökukka)	Kapun
4.	Poussin, Coquelet	Poussin, coquelet	Stubenküken	Poussin, Coquelet	Polluelo	Νεοσσός, πετεινάρι	Galletto	Piepkuiken	franguitos	Kananpoika, kukonpoika	Poussin, Coquelet
1.	(Young) turkey	Dindonneau, (jeune) dinde	(Junge) Pute, (Junger) Truthahn	(Mini) kalkun	Pavo (joven)	(Νεαροί) γάλοι και γαλοπούλες	(Giovane) tacchino	(Jonge) kalkoen	Peru	(Nuori) kalkkuna	(Ung) kalkon
2.	Turkey	Dinde (à bouillir)	Pute, Truthahn	Avlskalkun	Pavo	Γάλοι και γαλοπούλες	Tacchino/a	Kalkoen	Peru adulto	Kalkkuna	Kalkon
1.	(Young) duck, duckling, (Young) Muscovy duck (Young) Mulard duck	(Jeune) canard, caneton, (jeune) canard de barbarie (jeune) canard mulard	Frühmastente, Junge, (Junge) Barbarieente ⁽¹⁾ (Junge) Mulardente	(Ung) and (Ung) berberieand (Ung) mular-dand	Pato (joven o anadino), pato de Berberia (joven), Pato cruzado (joven)	(Νεαρές) πάπιες ή παπάκια, (νεαρές) πάπιες βαρβαρίας, (νεαρές) πάπιες mulard	(Giovane) Anatra (Giovane) Anatra muta (Giovane) Anatra «mulard»	(Jonge) eend (Jonge) Barbarijse eend (Jonge) Mulard eend	Pato, pato <i>Barbary</i> , Pato <i>Mulard</i>	(Nuori) ankka, (Nuori) myskiankka	(Ung) anka, ankunge, (ung) mular-dand (ung) myskand
2.	Duck, Muscovy duck, Mulard duck	Canard, canard de Barbarie (à bouillir), canard mulard (à bouillir)	Ente, Barbarieente ⁽¹⁾ Mulardente	Avlsand Berberieand Mulardand	Pato, pato de Berberia Pato cruzado	Πάπιες, πάπιες βαρβαρίας πάπιες mulard	Anatra Anatra muta Anatra «mulard»	Eend Barbarijse eend „Mulard”-eend	Pato adulto, pato adulto <i>Barbary</i> , pato adulto <i>Mulard</i>	Ankka, myskiankka	Anka, mular-dand, myskand

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	E	F	D	DK	ESP	GR	I	NL	P	FIN	SE
1.	(Young) goose, gosling	(Jeune) oie ou oison	Frühmastgans, (Junge) Gans, Jungmastgans	(Ung) gås	Oca (joven), ansarón	(Νεαρόες) χήνες ή χιγάκια	(Giovane) oca	(Jonge) gans	Ganso	(Nuori) hanhi	(Ung) gås, gåsunge
2.	Goose	Oie	Gans	Avlsgås	Oca	Χήνες	Oca	Gans	Ganso adulto	Hanhi	Gås
1.	(Young) guinea fowl	(Jeune) pintade Pintadeau	(Junges) Perlhuhn	(Ung) perlehøne	Pintada (joven)	(Νεαρόες) φραγκόκοιτες	(Giovane) faraona	(Jonge) parelhoen	Pintada	(Nuori) helmikana	(Ung) pärlhöna
2.	Guinea fowl	Pintade	Perlhuhn	Avlsperlehøne	Pintada	Φραγκόκοιτες	Faraona	Parelhoen	Pintada adulta	Helmikana	Pärlhöna

(¹) The term 'Flugente' may still be used until 31 December 1995.

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ARTICLE 1.2 — NAMES OF POULTRY PARTS

	E	F	D	DK	ESP	GR	I	NL	P	FIN	SE
a)	Half	Demi ou moitié	Hälfte oder halbes	Halvt	Medio	Μισά	Metà	Helft	Metade	Puolikas	Halva
b)	Quarter	Quart	(Vorder-, Hinter-) Viertel	Kvart	Cuarto	Τεταρτημόρια	Quarto	Kwart	Quarto	Neljännes	Kvart
c)	Unseparated leg quarters	Quarts postérieurs non séparés	Hinterviertel am Stück	Sammenhængende lærstykker	Cuartos traseros unidos	Αδιαχώριστα τεταρτημόρια ποδιών	Cosciotto	Niet-gescheiden achterkwarden	Quartos de coxa não separados	Takaneljännes	Bakdelspart
d)	Breast	Poitrine, blanc ou filet sur os	Brust, halbe Brust, halbierte Brust	Bryst	Pechuga	Στήθος	Petto con osso	Borst	Peito	Rinta	Bröst
e)	Leg	Cuisse	Schenkel, Keule	Helt lær	Muslo y contramuslo	Πόδι	Coscia	Hele poot, hele dij	Perna inteira	Koipi-reisi	Klubba
f)	Chicken leg with a portion of the back	Cuisse de poulet avec une portion du dos	Hähnchenschenkel mit Rückenstück, <u>Hühnerkeule mit Rückenstück</u>	Kyllingelår med en del af ryggen	Cuarto trasero de pollo	Πόδι από κοτόπουλο με ένα κομμάτι της ράχης	Coscetta	Poot/dij met rugdeel (bout)	Perna inteira de frango com uma porção do dorso	Koipi-reisi, jossa selkäosa	Kycklingklubba med del av ryggben
g)	Thigh	Haut de cuisse	Oberschenkel, Oberkeule	Overlår	Contramuslo	Μηρός (μπούτι)	Sovraccoscia	Bovenpoot, bovendij	Coxa	Reisi	Lår
h)	Drumstick	Pilon	Unterschenkel, Unterkeule	Underlår	Muslo	Κνήμη	Fuso	Onderpoot, onderdij (Drumstick)	Perna	Koipi	Ben
i)	Wing	Aile	Flügel	Vinge	Ala	Φτερούγα	Ala	Vleugel	Asa	Siipi	Vinge
j)	Unseparated wings	Ailes non séparées	Beide Flügel, ungetrennt	Sammenhængende vinger	Alas unidas	Αδιαχώριστες φτερούγες	Ali non separate	Niet-gescheiden vleugels	Asas não separadas	Siivet kiini toisissaan	Sammanhängande vingar
k)	Breast fillet	Filet de poitrine, blanc, filet, noix	Brustfilet, Filet aus der Brust, <u>Filet</u>	Brystfilet	Filete de pechuga	Φιλέτο στήθους	Filetto, fesa (tacchino)	Borstfilet	Carne de peito	Rintafile'	Bröstfilé

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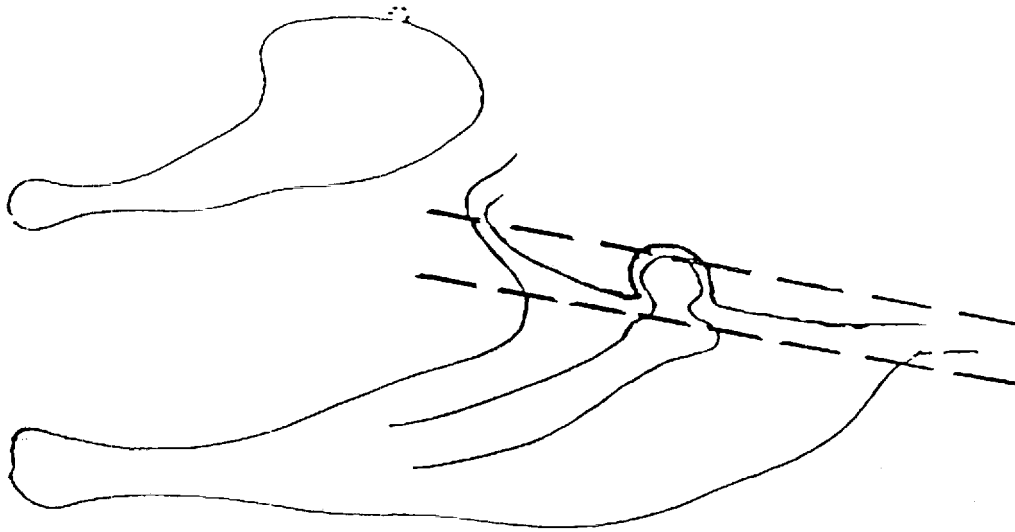
l)	Breast fillet with wish-bone	Filet de poitrine avec clavicle	Brustfilet mit Schlüsselbein	Brystfilet med ønskeben	Filete de pechuga con clavícula	Φιλέτο στήθους με κλειδοκόκαλο	Petto (con forcella), fesa (con forcella)	Borstfilet met vorkbeen	Carne de peito com fúrcula	Rintafilé' solisuineen	Bröstfilé med nyckelben
m)	Magret, maigret	Magret, maigret	Magret, Maigret	Magret, maigret	Magret, maigret	Maigret, maigret	Magret, maigret	Magret	<i>Magret, maigret</i>	Magret, maigret	Magret, maigret

ANNEX I A

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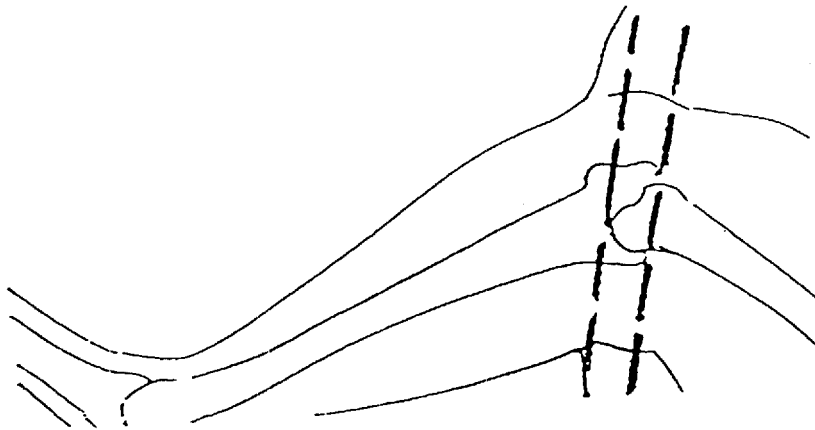
Cut separating thigh/leg and back

— delimitation of hip joint —



Cut separating thigh and drumstick

— delimitation of knee joint —



ARTICLE 9 — CHILLING METHODS

	E	F	D	DK	ESP	GR	I	NL	PT	FIN	SE
1.	Air chilling	Refroidissement à l'air	Luftkühlung	Luftkøling	Refrigeración por aire	Ψύξη με αέρα	Raffreddamento ad aria	Luchtkoeling	Refrigeração por ventilação	Ilmajäähdytys	Luftkylning
2.	Air spray chilling	Refroidissement par aspersion ventilée	Luft-Sprühkühlung	Luftspraykøling	Refrigeración por aspersion ventilada	Ψύξη με ψεκασμό	Raffreddamento per aspersione e ventilazione	Lucht-sproei-koeling	Refrigeração por aspensão e ventilação	Ilmasprayjäähdytys	Evaporativkylning
3.	Immersion chilling	Refroidissement par immersion	Gegenstrom-Tauchkühlung	Neddypningskøling	Refrigeración por inmersión	Ψύξη με βύθιση	Raffreddamento per immersione	Dompelkoeling	Refrigeração por imersão	Vesijäähdytys	Vattenkylning

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ARTICLE 10 (1) — TYPES OF FARMING

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	E	F	D	DK	ESP	GR	I	NL	P	FIN	SE
a)	Fed with ... % of ... Oats fed goose	Alimenté avec ... % de ... Oie nourrie à l'avoine	Mast mit ... % ... Hafermast- gans	Fodret med % ... Havrefodret gås	Alimentado con ... % Oca engorda- da con avena	Έχει τραφεί με ...% ... Χίνα που παχάινεται με βρώμη	Alimentato con il ... % di ... Oca ingrassa- ta con avena	Gevoed met ... % ... Met haver vetgemeste gans	Alimentado com ... % de ... Ganso engor- dado com aveia	Ruokittu ... % ... Kauralla ruo- kittu hanhi	Utfodrad med ... % ... Havreutfod- rad gås
b)	Extensive in- door (barn- reared)	Élevé à l'inté- rieur: système ex- tensif	Extensive Bo- denhaltung	Extensivt staldopdræt (skrabe...)	Sistema ex- tensivo en gallinero	Εκτατικής εκτροφής	Estensivo al coperto	Scharrel ... binnengehou- den	Produção ex- tensiva em in- terior	Laajaperäi- nen sisäkas- vatus	Extensivt uppfödd in- omhus
c)	Free range	Sortant à l'ex- térieur	Auslaufhal- tung	Fritgående	Gallinero con salida libre	Ελεύθερης βοσκής	All'aperto	Scharrel ... met uitloop	Produção em semiliber- dade	Ulkoilumah- dollisuus	Tillgång till utomhusvis- telse
d)	Traditional free range	Fermier-élevé en plein air	Bäuerliche Auslaufhal- tung	Frilands ...	Granja al aire libre	Πτηνοτροφείο περιορισμένης βοσκής	Rurale all'ap- erto	Boerenschar- rel ... met uitloop Hoeve ... met uitloop	Produção ao ar livre	Ulkoiluva- paus	Traditionell utomhusvis- telse
e)	Free-range — total freedom	Fermier-élevé en liberté	Bäuerliche Freilandhal- tung	Frilands ... opdrættet i fuld frihed	Granja de cria en liber- tad	Πτηνοτροφείο απεριορίστης τροφής	Rurale in lib- ertà	Boerenschar- rel ... met vrije uitloop Hoeve ... met vrije uit- loop	Produção em liberdade	Vapaa kasva- tus	Uppfödd i full frihet

ANNEX IV

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(a) *Feed ration*

Reference to the following particular feed ingredients may only be made where:

- in the case of cereals, they account for at least 65 % in weight of the feed formula given (SIC! given) during the greater part of the fattening period, which may include not more than 15 % of cereal by-products; however, where reference is made to one specific cereal, it shall account for at least 35 % of the feed formula used, and for at least 50 % in the case of maize,
- in the case of pulses or green vegetables they account for at least 5 % in weight of the feed formula given during most of the fattening period,
- in the case of dairy products, they account for at least 5 % in weight of the feed formula given during the finishing stage.

The term 'Oats fed goose' may however be used where the geese are fed during the finishing stage of three weeks not less than 500 g of oats per day.

(b) *'Extensive indoor' ('barn reared')*

This term may only be used where:

- the stocking rate per m² floor space does not exceed in the case of
 - chickens: 12 birds but not more than 25 kg liveweight,
 - ducks, guinea fowl, turkeys: 25 kg liveweight,
 - geese: 15 kg liveweight,
- the birds are slaughtered in the case of:
 - chickens at 56 days or later,
 - turkeys at 70 days or later,
 - geese at 112 days or later,
 - peking ducks: 49 days or later,
 - Muscovy ducks: 70 days or later for females, 84 days or later for males,
 - female mulard ducks: 65 days or later,
 - guinea fowl: 82 days or later.

(c) *Free range*

This term may only be used where:

- the stocking rate in the house and the age of slaughter are in accordance with the limits fixed under (b), except for chickens, for which the stocking rate may be increased to 13, but not more than 27,5 kg liveweight per m² and for capons, for which the stocking rate shall not exceed 7,5 m², and not more than 27,5 kg liveweight per m²,
- the birds have had during at least half their lifetime continuous daytime access to open-air runs comprising an area mainly covered by vegetation of not less than:
 - 1 m² per chicken or guinea fowl
 - 2 m² per duck or per capon
 - 4 m² per turkey or goose.

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In the case (SIC! case) of guinea fowls, open-air runs may be replaced by a perchery having a floor surface of at least that of the house and a height of at least 2 m. Perches of at least 10 cm length are available per bird in total (house and perchery).

- the feed formula used in the fattening stage contains at least 70 % of cereals,
- the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m² surface of the house.

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(d) *Traditional free range*

This term may only be used where:

- the indoor stocking rate per m² does not exceed in the case of:
 - chickens: 12 but not more than 25 kg liveweight; however, in the case of mobile houses not exceeding 150 m² floor space and which remain open at night, the stocking rate may be increased to 20, but not more than 40 kg liveweight per m²,
 - capons: 6,25 (up to 91 days of age: 12) but not more than 35 kg liveweight,
 - Muscovy and Peking ducks: 8 males but not more than 35 kg liveweight, 10 females but not more than 25 kg liveweight,
 - Mulard ducks: 8 but not more than 35 kg liveweight,
 - guinea fowl: 13 but not more than 23 kg liveweight,
 - turkeys: 6,25 (up to seven weeks of age: 10) but not more than 35 kg liveweight,
 - geese: 5 (up to six weeks of age: 10), 3 during last three weeks of fattening if kept in clausturation, but not more than 30 kg liveweight,
- the total usable area of poultryhouses at any single production site does not exceed 1 600 m²,
- each poultryhouse does not contain more than:
 - 4 800 chickens,
 - 5 200 guinea fowl, (SIC! fowl.)
 - 4 000 female Muscovy or Peking ducks or 3 200 male Muscovy or Peking ducks or 3 200 Mulard ducks,
 - 2 500 capons, geese and turkeys,
- the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m² surface of the house,
- there is continuous day-time access to open-air runs at least as from the age of
 - six weeks in the case of chickens, and capons,
 - eight weeks in the case of ducks, geese, guinea fowl and turkeys,
- open-air runs comprise an area mainly covered by vegetation amounting to at least:
 - 2 m² per chicken or Muscovy or Peking duck or guinea fowl,
 - 3 m² per Mulard duck,
 - 4 m² per capon, as from 92 days (2 m² up to 91st day),
 - 6 m² per turkey,
 - 10 m² per goose.

In the case of guinea fowls, open-air runs may be replaced by a perchery having a floor surface of at least double that of the house and a height of at least 2 m. Perches of at least 10 cm length are available per bird in total (house and perchery),

- the birds fattened are of a strain recognized as being slow growing,
- the feed formula used in the fattening stage contains at least 70 % of cereals,

- | | |
|---|---------|
| <ul style="list-style-type: none"> — the minimum age at slaughter is: <ul style="list-style-type: none"> — 81 days for chickens, — 150 days for capons, — 49 days for Peking ducks, — 70 days for female Muscovy ducks, — 84 days for male Muscovy ducks, — 92 days for Mulard ducks, — 94 days for guinea fowl, — 140 days for turkeys and roasting geese, — 95 days for geese intended for the production of foie gras and 'magret', — finition in claustration does not exceed: <ul style="list-style-type: none"> — for chickens after 90 days of age: 15 days, | 2891/93 |
| <ul style="list-style-type: none"> — for capons: four weeks, | 1000/96 |
| <ul style="list-style-type: none"> — for geese and mulards (SIC! mulard) ducks intended for the production of foie gras and magret, after 70 days of age: 4 weeks. | 2891/93 |

(e) *Free-rang (SIC! Free-range) — total freedom*

The use of this term shall require conformity with the criteria set out under (d), except that the birds shall have continuous day-time access to open-air runs of unlimited area.

ANNEX V

2891/93

DETERMINATION OF THAW LOSS

(Drip test)

1. *Object and scope*

This method shall be used to determine the amount of water lost from frozen or quick-frozen chickens during thawing. If this drip loss, expressed as a percentage by weight of the carcase (including all the edible offal contained in the pack) exceeds the limit value laid down in paragraph 7, it is considered that excess water has been absorbed during processing. _____

C2, OJ No 198,
30. 7. 1994, p. 145

2. *Definition*

Drip loss determined by this method shall be expressed as a percentage of the total weight of the frozen or quick-frozen carcase, including edible offal.

3. *Principle*

The frozen or quick-frozen carcase, including edible offal present, shall be allowed to thaw under controlled conditions which allow the weight of water lost to be calculated.

4. *Apparatus*

4.1. Scales capable of weighing up to 5 kg with an accuracy better than approximately 1 g.

4.2. Plastic bags large enough to hold the carcase and having a secure means of fixing the bag.

4.3. Thermostatically controlled water-bath with equipment capable of holding the carcases as described in 5.5 and 5.6. The water-bath shall contain a volume of water not less than eight times that of the poultry to be checked and shall be capable of maintaining the water at a temperature of 42 plus or minus 2 °C.

4.4. Filter paper or other absorbent paper towels.

5. *Technique*

5.1. Twenty carcases shall be removed at random from the quantity of poultry to be checked. Until each can be tested as described in 5.2 to 5.11, they shall be kept at a temperature no higher than – 18 °C.

5.2. The outside of the pack shall be wiped to remove superficial ice and water. The pack and its content shall be weighed to the nearest gram: this weight shall be M_0 .

5.3. The carcase, together with any edible offal sold with it, shall be removed from the outer wrap, which shall be dried and weighed to the nearest gram: this weight shall be M_1 .

5.4. The weight of frozen carcase plus offal shall be calculated by subtracting M_1 from M_0 .

5.5. The carcase, including the edible offal, shall be placed in a strong, waterproof plastic bag with the abdominal cavity facing towards the bottom, closed end of the bag. The bag shall be of sufficient length so as to ensure that it can be fixed securely when in the water-bath but shall not be unduly wide as to allow the carcase to move from the vertical position.

5.6. The part of the bag containing the carcase and edible offal shall be completely immersed in a water-bath and shall remain open, enabling as much air as possible to escape. It shall be held vertically, if necessary by guide bars or by extra weights put in the bag, such that water from the bath cannot enter it. The individual bags shall not touch each other.

5.7. The bag shall be left in the water-bath, maintained at 42 plus or minus 2 °C throughout, with continuous movement of the bag or continuous agitation of the water, until the thermal centre of the carcase (the deepest part of the breast muscle close to the breast bone, in chickens without giblets, or the middle of the giblets in chickens with giblets) reaches at least 4 °C, measured in two randomly chosen carcases. The carcases should not remain in the water-bath for longer than is necessary to reach 4 °C. The required period of immersion, for carcases stored at – 18 °C is of the order of:

Weight class (g)	Weight of carcase ± offal (g)	Indicative immersion time in minutes	
		Chickens without offal	Chickens with offal
< 800	< 825	77	92
850	825 — 874	82	97
900	875 — 924	85	100
950	925 — 974	88	103
1 000	975 — 1 024	92	107
1 050	1 025 — 1 074	95	110
1 100	1 050 — 1 149	98	113
1 200	1 150 — 1 249	105	120
1 300	1 250 — 1 349	111	126
1 400	1 350 — 1 449	118	133

Thereafter, an increase of seven minutes for each additional 100 g is required. If the suggested period of immersion is passed without reaching + 4 °C, in the two carcasses which are checked, the thawing process shall be continued until they do reach + 4 °C in the thermal centre.

- 5.8. The bag and its content shall be removed from the bath of water; the bottom of the bag shall be pierced to allow any water produced on thawing to drain. The bag and its content shall be allowed to drip for one hour at an ambient temperature of between + 18 °C and + 25 °C.
- 5.9. The thawed carcase shall be removed from the bag and the pack containing offal (if present) shall be removed from the abdominal cavity. The carcase shall be dried inside and out with filter paper or paper towels. The bag containing the offal shall be pierced and, once any water has drained away, the bag and thawed offal shall also be dried as carefully as possible.
- 5.10. The total weight of thawed carcase, offal and pack shall be determined to the nearest gram and expressed as M_2 .
- 5.11. The weight of the pack which contains the offal shall be determined to the nearest gram and expressed as M_3 .

6. *Calculation of result*

The amount of water lost through thawing as a percentage by weight of the frozen or quick-frozen carcase (including offal) shall be given by:

$$\frac{M_0 - M_1 - M_2}{M_0 - M_1 - M_3} \times 100$$

7. *Evaluation of result*

If the average water loss on thawing for the 20 carcasses in the sample exceeds the percentages given below, it is considered that the amount of water absorbed during processing exceeds the limit figure.

The percentages are in the case of:

- air chilling: 1,5 %,
- air spray chilling: 3,3 %,
- immersion chilling: 5,1 %.

ANNEX VI

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DETERMINATION OF THE TOTAL WATER CONTENT OF CHICKENS**(Chemical test)**1. *Object and scope*

This method shall be used to determine the total water content of frozen and quick-frozen chickens. The method shall involve determination of the water and protein contents of samples from the homogenized poultry carcase. The total water content as determined shall be compared with the limit value given by the formulae indicated in paragraph 6.4, to determine whether or not excess water has been taken up during processing. If the analyst suspects the presence of any substance which may interfere with the assessment, it shall be for him or her to take the necessary appropriate precautions.

2. *Definitions*

'Carcase': the poultry carcase with bones, cartilage and offals eventually contained in the carcase.

'Offal': liver, heart, gizzard and neck.

3. *Principle*

Water and protein contents shall be determined in accordance with recognized ISO (International Organization for Standardization) methods or other methods or analysis approved by the Council.

The highest permissible total water content of the carcase will be estimated from the protein content of the carcase, which can be related to the physiological water content.

4. *Apparatus and reagents*

4.1. Scales for weighing the carcase and wrappings, capable of weighing with an accuracy better than ± 1 g.

4.2. Meat-axe or saw for cutting carcasses into pieces of appropriate size for the mincer.

4.3. Heavy-duty mincing machine and blender capable of homogenizing complete frozen or quick-frozen poultry pieces.

Note: No special mincer shall be recommended. It should have sufficient power to mince frozen or quick-frozen meat and bones to produce a homogeneous mixture corresponding to that obtained from a mincer fitted with a 4 mm hole disc.

4.4. Apparatus as specified in ISO 1442, for the determination of water content.

4.5. Apparatus as specified in ISO 937, for the determination of protein content.

5. *Procedure*

5.1. Seven carcasses shall be taken at random from the quantity of poultry to be checked and in each case kept frozen until analysis in accordance with 5.2 to 5.6 begins.

It may be conducted either as an analysis of each of the seven carcasses, or as an analysis of a composite sample of the seven carcasses.

5.2. The preparation shall be commenced within the hour following the removal of the carcasses from the freezer.

- 5.3. (a) The outside of the pack shall be wiped to remove superficial ice and water. Each carcass shall be weighed and removed from any wrapping material. After cutting up of the carcass into smaller pieces, any wrapping material around the edible offal shall be removed and ice adhering to the carcass, shall be determined to the nearest gram after deduction of the weight of any wrapping material removed to give 'P₁'.

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- (b) In the case of a composite sample analysis, the total weight of the seven carcasses, prepared in accordance with 5.3 (a), shall be determined to give 'P₇'.

- 5.4. (a) The whole carcass of which the weight is P₁ shall be minced in a mincer as specified under 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which a sample representative of each carcass may then be taken.

- (b) In the case of a composite sample analysis, all seven carcasses of which the weight is P₇ shall be minced in a mincer as specified under 4.3 (and, if necessary, mixed with the use of a blender as well) to obtain a homogeneous material from which two samples representative of the seven carcasses may then be taken.

The two samples are to be analysed as described in 5.5 and 5.6.

- 5.5. A sample of the monogenized material shall be taken and used immediately to determine the water content in accordance with ISO 1442 to give the water content 'a %'.

- 5.6. A sample of the homogenized material shall also be taken and used immediately to determine the nitrogen content in accordance with ISO 937. This nitrogen content shall be converted to crude protein content 'b %' by multiplying it by the factor 6,25.

6. *Calculation of results*

- 6.1. (a) The weight of water (W) in each carcass shall be given by $aP_1/100$ and the weight of protein (RP) by $bP_1/100$, both of which are to be expressed in grams.

The sums of the weights of water (W₇) and the weights of protein (RP₇) in the seven carcasses analysed shall be determined.

- (b) In the case of a composite sample analysis, the average content of water and protein from the two samples analysed shall be determined to give a % and b %, respectively. The weight of the water (W₇) in the seven carcasses shall be given by $aP_7/100$, and the weight of protein (RP₇) by $bP_7/100$, both of which are to be expressed in grams.

- 6.2. The average weight of water (W_A) and protein (RP_A) shall be calculated by dividing W₇ and RP₇, respectively, by seven.

- 6.3. The theoretical physiological water content in grams as determined by this method may be calculated by the following formula:

— chickens: $3,53 \text{ } \textcircled{C} \text{ } RP_A + 23$

- 6.4. (a) Air chilling

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 % ⁽¹⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method shall be given by the following formula (including confidence interval):

— chickens: $W_G = 3,65 \text{ } \textcircled{C} \text{ } RP_A + 42$.

^(NO TAG) Calculated on the basis of the carcass exclusive of absorbed extraneous water.

(b) Air-spray chilling

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Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 4,5 % ⁽¹⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method shall be given by the following formula (including confidence interval):

— chickens: $W_G = 3,79 \text{ ‰ } RP + 42$.

(c) Immersion chilling

Assuming a technically unavoidable water absorption during preparation of 7 % ⁽¹⁾, the highest permissible limit for the total water content (W_G) in grams as determined by this method shall be given by the following formula (including confidence interval):

— chickens: $W_G = 3,93 \text{ ‰ } RP_A + 42$.

- 6.5. If the average water content (WA) of the seven carcasses as calculated under 6.2 does not exceed the value given in 6.4 (W_G), the quantity of poultry subjected to the check shall be considered up to standard.

^(NO TAG) Calculated on the basis of the carcase exclusive of absorbed extraneous water.

ANNEX VII

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Check on absorption of water in the production establishment

1. At least once each working period of four hours:
select at random 25 carcasses from the evisceration line immediately after evisceration and the complete removal of the offals and before the first washing.
2. If necessary, remove the neck by cutting, leaving the neck skin attached to the carcass.
3. Identify each carcass individually. Weigh each carcass and record its weight to the nearest gram.
4. Re-hang the test carcasses on the evisceration line to continue through the normal processes of washing, chilling, dripping, etc.
5. Remove identified carcasses at the end of the drip line without allowing them any longer time to drip than that allowed normally for poultry from the lot from which the sample was taken.
6. The sample shall consist of the first 20 carcasses recovered. They shall be re-weighed. Their weight to the nearest gramme shall be recorded against the weight recorded on first weighing. The test shall be declared void if less than 20 identified carcasses are recovered.
7. Remove identification from sample carcasses and allow the carcasses to proceed through normal packing operations.
8. Determine percentage moisture absorption by subtracting the total weight of these same carcasses after washing, chilling and dripping, dividing the difference by the initial weight and multiplying by 100.
9. The result shall not exceed the following percentages of the initial weight of the carcass or any other figure allowing compliance with the maximum total extraneous water content:

— air chilling:	0,1 %,
— air-spray chilling:	2,0 %,
— immersion chilling:	4,5 %.

ANNEX VIII

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LIST OF REFERENCE LABORATORIES

Community reference laboratory:

Spelderholt, Centre for Poultry Research and Information Services
(COVP-DLO)
Spelderholt 9
P. O. Box 15
NL-7360 AA Beekbergen

National reference laboratories:*Belgium*

Faculteit Diergeneeskunde
Vakgroep „Diergeneeskundig toezicht op eetwaren”
Universiteit Gent
Wolterslaan 1
B-9000 Gent

Denmark

Veterinærdirektoratets Laboratorium
Howitzvej 13
DK-2000 Frederiksberg

Germany

Bundesanstalt für Fleischforschung
Institut für Chemie und Physik
EC—Baumanstraße 20
D-95326 Kulmbach

Greece

Ministry of Agriculture
Veterinary Laboratory of Patra
59, Terpsitheas Str.
GR-264 42 Patra

Spain

Centro de Alimentacion Nacional
(Instituto de Salud Carlos III)
Ctra de Majadahonda a Pozuelo Km 2
E-28220 Madrid

France

Unité hygiène et qualité des produits avicoles
Laboratoire central de recherches avicoles et porcines
Centre National d'études vétérinaires et alimentaires
Beaucemaine — B.P. 53
F-22400 Ploufragan

Ireland

Dairy Science Laboratory
Department of Agriculture, Food and Forestry
Model Farm Road
Cork

Italy

Istituto de l'Ispettorato Centrale Repressione
Frodi di Roma
Via G. Raggini 19
I-00149 Roma

<i>Luxembourg</i>	2891/93
Laboratoire National de Santé Rue du Laboratoire, 42 L-1911 Luxembourg	
<i>Netherlands</i>	
TNO-voeding Postbus 360 NL-3700 AJ Zeist	
<i>Austria:</i>	3239/94
Bundesamt und Forschungszentrum für Landwirtschaft Trunnerstraße 1-3 A-1020 Wien	
<i>Portugal</i>	2891/93
I.Q.A. Instituto de Qualidade Alimentar Av. Conde Valbona, 98 P-1000 Lisboa	
<i>Finland:</i>	3239/94
Eläinlääkintä- ja elintarvikelaitos (EELA) Hämeentie 57, PL 368, FIN 00231 Helsinki (SIC! FIN-00231)	
<i>Sweden:</i>	
Statens livsmedelsverk Box 622 S-75126 Uppsala	
<i>United Kingdom</i>	2891/93
Food Science Laboratory, Ministry of Agriculture, Fisheries and Food, Norwich Research Park, Colney, Norwich, NR4 7UQ.	

ANNEX IX

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Competences and tasks of Community reference laboratory

1. The Community reference laboratory referred to in Annex VIII is responsible for the following tasks:
 - supplying information on analytical methods and comparative testing regarding the water content of poultrymeat to the national reference laboratories,
 - coordinating the application by the national reference laboratories of the methods referred to in the first indent above, by organizing comparative testing in particular,
 - coordinating the development of new analytical methods and informing the national reference laboratories of progress made in this area,
 - providing scientific and technical assistance to the Commission, especially in cases where the results of analyses are contested between Member States.
2. The Community reference laboratory shall satisfy the following operating conditions:
 - that staff are qualified and have sufficient knowledge of the techniques applied in the analysis of water content,
 - that the equipment and substances necessary for carrying out the tasks laid down in point 1 are available,
 - that an appropriate administrative structure is in place,
 - that the confidential nature of certain subjects, results and reports is observed by staff,
 - that the principles of good laboratory practice accepted internationally are followed.

Tasks of national reference laboratories

The national reference laboratories listed in Annex VIII are responsible for the following tasks:

- coordinating the activities of the national laboratories responsible for analyses of water content in poultrymeat,
- assisting the competent authority in the Member State to organize the system for monitoring water content in poultrymeat,
- organizing comparative tests between the various national laboratories referred to in the first indent above,
- ensuring that the information supplied by the Community reference laboratory is disseminated to the competent authority in the relevant Member State and to the national laboratories referred to in the first indent above,
- collaborate with the Community reference laboratory.