

Status: Point in time view as at 22/10/2007.

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ANNEX XIV

MARKETING STANDARDS FOR PRODUCTS OF THE EGGS AND POULTRYMEAT SECTORS REFERRED TO IN ARTICLE 116

A. Marketing standards for eggs of hens of the *Gallus gallus* species

I. Scope

1. Without prejudice to Part C of this Annex concerning the provisions on the production and marketing of eggs for hatching and of farmyard poultry chicks, this Part shall apply in relation to the marketing within the Community of the eggs produced in the Community, imported from third countries or intended for export outside the Community.
2. Member States may exempt from the requirements provided for in this Part of this Annex, with the exception of point III(3), eggs sold directly to the final consumer by the producer:
 - (a) on the production site, or
 - (b) in a local public market or by door-to-door selling in the region of production of the Member State concerned.

Where such exemption is granted, each producer shall be able to choose whether to apply such exemption or not. Where this exemption is applied, no quality and weight grading may be used.

The Member State may establish, according to national law, the definition of the terms 'local public market', 'door-to-door selling' and 'region of production'.

II. Quality and weight grading

1. Eggs shall be graded by quality as follows:
 - Class A or 'fresh',
 - Class B.
2. Class A eggs shall also be graded by weight. However, grading by weight shall not be required for eggs delivered to the food and non-food industry.
3. Class B eggs shall only be delivered to the food and non-food industry.

III. Marking of eggs

1. Class A eggs shall be marked with the producer code.

Class B eggs shall be marked with the producer code and/or with another indication.

Member States may exempt Class B eggs from this requirement where those eggs are marketed exclusively on their territory.

2. The marking of eggs in accordance with point 1 shall take place at the production site or at the first packing centre to which eggs are delivered.
3. Eggs sold by the producer to the final consumer on a local public market in the region of production of the Member State concerned shall be marked in accordance with point 1.

However, Member States may exempt from this requirement producers with up to 50 laying hens, provided that the name and address of the producer are indicated at the point of sale.

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IV. Import of eggs

1. The Commission, without the assistance of the Committee referred to in Article 195(1), shall evaluate marketing standards for eggs applicable in exporting third countries on request of the country concerned. This evaluation shall extend to the rules on marking and labeling, farming methods and controls as well as implementation. If it finds that the rules applied offer sufficient guarantees as to equivalence with Community legislation, eggs imported from the countries concerned shall be marked with a distinguishing number equivalent to the producer code.
2. The Commission, without the assistance of the Committee referred to in Article 195(1), shall, where necessary, conduct negotiations with third countries aimed at finding appropriate ways of offering guarantees as referred to in point 1 and concluding agreements on such guarantees.
3. If sufficient guarantees as to equivalence of rules are not provided, imported eggs from the third country concerned shall bear a code permitting the identification of the country of origin and the indication that the farming method is 'unspecified'.

B. Marketing standards for poultrymeat

I. Scope

1. Without prejudice to Part C of this Annex concerning the provisions on the production and marketing of eggs for hatching and of farmyard poultry chicks, this Part shall apply in relation to the marketing, within the Community by way of business or trade, of certain types and presentations of poultrymeat of the following species as set out to in Part XX of Annex I:
 - *Gallus domesticus*,
 - ducks,
 - geese,
 - turkeys,
 - guinea fowls.
2. This Part shall not apply:
 - (a) to poultrymeat for export from the Community;
 - (b) to delayed eviscerated poultry as referred to in Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin⁽¹⁾.
3. Member States may derogate from the requirements of this Regulation in cases of direct supply of small quantities of poultrymeat as referred to in point (d) of Article 1(3) of Regulation (EC) No 853/2004 by a producer with an annual production of under 10 000 birds.

II. Definitions

Without prejudice to further definitions to be laid down by the Commission for the purpose of the application of this Part:

1. 'poultrymeat' means poultrymeat suitable for human consumption, which has not undergone any treatment other than cold treatment;

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2. 'fresh poultrymeat' means poultrymeat not stiffened by the cooling process, which is to be kept at a temperature not below - 2 °C and not higher than 4 °C at any time. However, Member States may fix different temperature requirements for the cutting and storage of fresh poultrymeat performed in retail shops or in premises adjacent to sales points, where the cutting and storage are performed solely for the purpose of supplying the consumer directly on the spot;
3. 'frozen poultrymeat' means poultrymeat which must be frozen as soon as possible within the constraints of normal slaughtering procedures and is to be kept at a temperature no higher than - 12 °C at any time. Certain tolerances may, however, be fixed by the Commission;
4. 'quick-frozen poultrymeat' means poultrymeat which is to be kept at a temperature no higher than - 18 °C at any time within the tolerances as provided for in Council Directive 89/108/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to quick-frozen foodstuffs for human consumption⁽²⁾.

III. Quality and weight grading

1. Poultrymeat shall be graded by quality as either Class A or Class B according to the conformation and appearance of the carcasses or cuts.

Class A shall be subdivided into A 1 and A 2 in accordance with criteria to be determined by the Commission.

This classification shall take account, in particular, of flesh development, the presence of fat and the amount of damage and contusions.

2. Poultrymeat shall be marketed in one of the following conditions:

- fresh,
- frozen, or
- quick-frozen.

3. Prepackaged frozen or quick-frozen poultrymeat may be classified by weight category.

C. Marketing standards for the production and marketing of eggs for hatching and of farmyard poultry chicks

I. Scope

1. This Part shall apply in relation to the marketing and transport of eggs for hatching and of chicks as well as the incubation of eggs for hatching as regards trade within the Community or commercial purposes.
2. However, pedigree breeding and other breeding establishments with less than 100 birds and hatcheries with a capacity of less than 1 000 eggs for hatching shall not be bound by this Part.

II. Marking and packing of eggs for hatching

1. Eggs for hatching, used for chick production, shall be marked individually.
2. Eggs for hatching shall be transported in perfectly clean packs, containing only eggs for hatching of the same species, category and type of poultry, originating in one establishment.

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3. The packing of eggs for hatching to be imported from third countries shall contain only eggs for hatching of the same species, category and type of poultry from the same country of origin and sender.
- III. Packing of chicks
1. The chicks shall be packed by species, type and category of poultry.
 2. The boxes shall contain only chicks from the same hatchery and shall show at least the distinguishing number of the hatchery.
 3. Chicks originating in third countries may be imported only if they are grouped in accordance with point 1. The boxes must contain only chicks from the same country of origin and sender.

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- (1) [OJ L 139, 30.4.2004, p. 55](#). Corrected version in [OJ L 226, 25.6.2004, p. 22](#). Regulation as last amended by Regulation (EC) No 1791/2006 ([OJ L 363, 20.12.2006, p. 1](#)).
- (2) [OJ L 40, 11.2.1989, p. 51](#). Directive as last amended by Directive 2006/107/EC ([OJ L 363, 20.12.2006, p. 411](#)).

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