

Commission Regulation (EC) No 543/2008 of 16 June 2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation)<sup>(1)</sup>, and in particular Article 121(e) in conjunction with Article 4 thereof,

Whereas:

- (1) As from 1 July 2008, Regulation (EEC) No 1906/90 of 26 June 1990 on certain marketing standards for poultry<sup>(2)</sup> is repealed by Regulation (EC) No 1234/2007.
- (2) Some of the provisions and obligations in Regulation (EEC) No 1906/90 were not taken over in Regulation (EC) No 1234/2007.
- (3) As a result, certain provisions and obligations, as appropriate, must be adopted in a Regulation laying down detailed rules for the application of Regulation (EC) No 1234/2007 to enable the common market organisation and in particular the marketing standards to continue to function properly.
- (4) Regulation (EC) No 1234/2007 lays down 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 offal to which the said Regulation applies, classification by conformation, appearance and 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. Commission Regulation (EEC) No 1538/91<sup>(3)</sup>, which lays down detailed rules for the application of Regulation (EEC) No 1906/90, should therefore be repealed and replaced by a new Regulation.
- (5) 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. In the case of the product known as ‘foie gras’ the high value

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and consequent risk of fraudulent practices make it necessary to lay down especially precise minimum marketing standards.

- (6) It is not necessary for these standards to be applied to certain products and presentations which are of local or otherwise limited importance. However, names under which such products are sold should not be such as to mislead the consumer to a material degree by causing him to confuse these products with products which are subject to the standards. Similarly, additional descriptive terms used to qualify the names of such products should also be subject to the standards.
- (7) With a view to the uniform application of this Regulation, the terms ‘marketing’ and ‘batch’ should be defined in the poultrymeat sector.
- (8) Storage and handling temperature is of crucial importance to the maintenance of high standards of quality. Therefore, it is appropriate to lay down a minimum temperature at which chilled poultrymeat products are to be kept.
- (9) The provisions of this Regulation and in particular those relating to surveillance and enforcement should be applied uniformly throughout the Community. Detailed rules adopted to those ends should also be uniform. It is therefore necessary to lay down common measures in the matter of sampling procedures and tolerances.
- (10) It is necessary, in order that the consumer be provided with sufficient, unequivocal and objective information concerning such products offered for sale, and 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 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 pre-packaged products<sup>(4)</sup>.
- (11) Among the indications which may optionally be used on the labelling are those concerning the method of chilling and particular types of farming. The use of the latter, in the interest of consumer protection, needs to be subject to compliance with 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.
- (12) When ‘free-range farming’ is indicated on the label for meat from ducks and geese kept for foie gras production, it is necessary also to provide an indication of the latter on the label to ensure that the consumer has full information on the products’ characteristics.
- (13) It is desirable that the Commission should exercise permanent surveillance of the compatibility with Community law, including the marketing standards, of any national measures adopted in pursuance of these provisions. Particular provision should also be made for the registration and regular inspection of undertakings authorised to use terms referring to particular types of farming. Such undertakings should therefore be obliged to maintain detailed records for this purpose.
- (14) In view of the specialised nature of these inspections, the competent authorities of the Member States concerned should be able to delegate responsibility for them to properly

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qualified and duly licensed outside bodies, without prejudice to appropriate supervision and precautions.

- (15) Operators in third countries may wish to make use of the optional indications concerning chilling methods and types of farming. Provision should be made for them to do so, subject to appropriate certification by the competent authority of the third country concerned, which appears on a list established by the Commission.
- (16) In view of economic and technological developments in both the preparation of poultry and checks, and given that water content is of particular interest in the marketing of frozen or quick-frozen poultry, the maximum water content of frozen or quick-frozen poultry should be fixed and a monitoring system both in slaughterhouses and at all marketing stages should be defined without violating the principle of the free circulation of products in a single market.
- (17) Water absorption in the production establishment should be verified and reliable methods for the determination of the content of water added during the preparation of carcasses of frozen or quick-frozen poultry should be established without a distinction being made between physiological liquid and other water originating from the preparation of the poultry given that such a distinction would entail practical difficulties.
- (18) The marketing of non-conforming frozen or quick-frozen poultry without a suitable indication on the packaging should be prohibited. As a result, it is necessary to adopt practical rules with regard to the indications to be marked on individual and bulk packaging depending on their destination so as to facilitate checks and to ensure that they are not used other than for their intended use.
- (19) It is necessary to lay down the action to be taken if a check reveals an irregularity in a consignment, where the products do not satisfy the requirements of this Regulation. A procedure should be established for the settlement of disputes which may arise in respect of intra-Community consignments.
- (20) In the event of a dispute, the Commission should be able to take action on the spot and by adopting measures appropriate to the situation.
- (21) The harmonisation of requirements concerning water content presupposes the designation of Community and national reference laboratories.
- (22) Community financial assistance should be provided.
- (23) A contract should be concluded between the Community and the Community reference laboratory setting out the conditions governing payment of financial assistance.
- (24) Provision should be made for the Member States to adopt practical arrangements for checking the water content of frozen and quick-frozen poultry. With a view to ensuring the uniform application of this Regulation, provisions should be made for Member States to inform the Commission and the other Member States of the arrangements.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for the Common Organisation of Agricultural Markets,

HAS ADOPTED THIS REGULATION:

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### Article 1

The products referred to in [<sup>F1</sup>the fourth paragraph (Poultry and poultrymeat) of Schedule 4 to the Agriculture Act 2020, excluding live poultry,][<sup>F2</sup>paragraph 17(1)(d) (poultry and poultrymeat) of Schedule 5 to the Agriculture Act 2020, excluding live poultry][<sup>F3</sup>section 10(1)(d) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020, excluding live poultry,] are hereby defined as follows:

#### 1. Poultry carcasses

- (a) DOMESTIC FOWL (*Gallus domesticus*)
  - 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,
  - 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. [<sup>F4</sup>Article 12 may be applied] for the checking of this slaughter age,
  - young cock: male chicken of laying strains in which the tip of the sternum is rigid but not completely ossified and of which the age at slaughter is at least 90 days;
- (b) TURKEYS (*Meleagris gallopavo dom.*)
  - (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 (*Anas platyrhynchos dom.*, *Cairina moschata*), Mulard ducks (*Cairina moschata x Anas platyrhynchos*)
  - 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.*)
  - (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).

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For the purpose of this Regulation, variants of the terms used in (a) to (e) relating to sex shall be construed as equivalent.

## 2. **Poultry cuts**

- (a) half: half of the carcase, 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;
- (c) unseparated leg quarters: both leg quarters united by a portion of the back, with or without the rump;
- (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;
- (g) thigh: the femur together with the surrounding musculature. The two cuts shall be made at the joints;
- (h) drumstick: the tibia and fibula together with the surrounding musculature. The two cuts shall be made at the joints;
- (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;
- (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;
- (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;
- (l) breast fillet with wishbone: the breast fillet without skin with the clavicle and the cartilaginous point of the sternum only, the weight of clavicle and cartilage not to exceed 3 % of that of the cut;
- (m) magret, maigret: breast fillet of ducks and geese referred to in point (3) comprising skin and subcutaneous fat covering the breast muscle, without the deep pectoral muscle;
- (n) deboned turkey leg meat: turkey thighs and/or drumsticks, deboned, i.e. without femur, tibia and fibula, whole, diced or cut into strips.

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 delineating the joints as shown in the graphical presentation in Annex II.

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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 [F5 Article 2(2)(j) of Regulation (EU) No 1169/2011].

### 3. Foie gras

The livers of geese, or of ducks of the species *Cairina moschata* or *Cairina moschata* x *Anas platyrhynchos* which have been fed in such a way as to produce hepatic fatty cellular hypertrophy.

The birds from which such livers are removed shall have been completely bled, and the livers shall be of a uniform colour.

The livers shall be of the following weight:

- duck livers shall weigh at least 300 g net,
- goose livers shall weigh at least 400 g net.

#### Textual Amendments

- F1** Words in Art. 1 substituted (E.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **5(2)**
- F2** Words in Art. 1 substituted (W.) (14.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) (Wales) Regulations 2022 (S.I. 2022/1215), regs. 1(2), **2(2)**
- F3** Words in Art. 1 substituted (S.) (2.2.2023) by The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022 (S.S.I. 2022/361), regs. 1, **3(2)**
- F4** Words in Art. 1(1)(a) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Art. 1(2) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(2)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 2

For the purposes of this Regulation:

- a 'carcase' means the whole body of a bird of the species referred to in Article 1(1) after bleeding, plucking and evisceration; however, removal of the kidneys shall be optional; an eviscerated carcase may be presented for sale with or without giblets, meaning heart, liver, gizzard and neck, inserted into the abdominal cavity;
- b 'cuts thereof' means poultry meat which owing to the size and the characteristics of the coherent muscle tissue is identifiable as having been obtained from a particular part of the carcase;
- (c) 'pre-packaged poultry meat' means poultry meat presented in accordance with the conditions laid down in [F6 Article 2(2)(e) of Regulation (EU) No 1169/2011];
- d 'poultry meat without pre-packaging' means poultry meat presented for sale to the final consumer without pre-packaging or else packed at the place of sale at the latter's request;
- e 'marketing' means holding or displaying for sale, offering for sale, selling, delivery or any other form of marketing;

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- f ‘batch’ means poultry meat 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 is to be inspected. For the purposes of Article 9 and Annexes V and VI, a batch shall only comprise pre-packages of the same nominal weight category;
- [<sup>F7</sup>g ‘third country’ means any country or territory other than—
  - i the United Kingdom,
  - ii the Bailiwick of Guernsey,
  - iii the Bailiwick of Jersey, or
  - iv the Isle of Man;
- h ‘relevant authority’ means:
  - i in relation to England, the Secretary of State,
  - ii in relation to Scotland, the Scottish Ministers,
  - iii in relation to Wales, the Welsh Ministers;
- i ‘national reference laboratory’ means a laboratory designated in accordance with Article 100 of Regulation (EU) 2017/625.]

#### Textual Amendments

- F6** Words in Art. 2(c) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Art. 2(g)(h)(i) inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(3)(b)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 14(18)(a)); 2020 c. 1, Sch. 5 para. 1(1)

### Article 3

1 Poultry carcasses shall, in order to be marketed in accordance with this Regulation, be presented for sale in one of the following forms:

- partially eviscerated (‘effilé’, ‘roped’),
- with giblets,
- without giblets.

The word ‘eviscerated’ may be added.

2 Partially eviscerated carcasses are carcasses from which the heart, liver, lungs, gizzard, crop, and kidneys have not been removed.

3 For all carcase presentations, if the head is not removed, trachea, oesophagus and crop may remain in the carcase.

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 carcase, it is not considered as one of the giblets.

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

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5 In addition to complying with national legislation [<sup>F8</sup>made in accordance with Regulation (EU) No 1169/2011], the following further indications shall be shown on the accompanying commercial documents [<sup>F9</sup>referred to in Article 8(7) of that Regulation]:

- <sup>F10</sup>a .....
- b the condition in which the poultry meat is marketed in accordance with [<sup>F11</sup>points 2(2) to (4) of Part 5 of Annex 7 to Regulation (EU) No 1308/2013] and the recommended storage temperature.

#### Textual Amendments

- F8** Words in Art. 3(5) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(4)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in Art. 3(5) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(4)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Art. 3(5)(a) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in Art. 3(5)(b) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(4)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 4

1 [<sup>F12</sup>The names under which the products covered by this Regulation are sold, within the meaning of [<sup>F13</sup>Article 9(1)(a) of Regulation (EU) No 1169/2011], shall be those enumerated in Article 1 of this Regulation <sup>F14</sup>..., qualified in the case of:

- whole carcasses, by reference to one of the forms of presentation as laid down in Article 3(1) of this Regulation,
- poultry cuts, by reference to the respective species.]

[<sup>F15</sup>The terms referred to in the first subparagraph must appear in English, but may also appear in any other language.]

2 The names defined in points (1) and (2) of Article 1 may be supplemented by other terms provided that the latter do not mislead the consumer to a material degree and in particular do not allow confusion with other products listed in points (1) and (2) of Article 1 or with indications provided for in Article 11.

#### Textual Amendments

- F12** Art. 4(1): By The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(5)(a)**, it is provided that (31.12.2020) the existing text becomes the first subparagraph; 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in Art. 4(1) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(5)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in Art. 4(1) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(5)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)



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**F15** Words in Art. 4(1) inserted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(5)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 5

1 Products other than those defined in Article 1 may be marketed in [<sup>F16</sup>Great Britain] 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 11.

2 In addition to complying with national legislation adopted in accordance with [<sup>F17</sup>Regulation (EU) No 1169/2011], the labelling, presentation and advertising of poultry meat intended for the final consumer shall comply with the additional requirements set out in paragraphs 3 and 4 of this Article.

3 In the case of fresh poultry meat, the date of minimum durability shall be replaced by the ‘use by’ date in accordance with [<sup>F18</sup>Article 24 of Regulation (EU) No 1169/2011].

4 In the case of pre-packaged poultry meat, the following particulars shall also appear on the pre-packaging or on a label attached thereto:

- <sup>F19</sup>a . . . . .
- b in the case of fresh poultry meat, the total price and the price per weight unit at the retail stage;
  - c the condition in which the poultry meat is marketed in accordance with [<sup>F20</sup>point 3 of Part 5 of Annex 7 to Regulation (EU) No 1308/2013] and the recommended storage temperature;
  - d the registered number of the slaughterhouse or cutting plant in accordance with Article 4 of Regulation (EC) No 853/2004 of the European Parliament and of the Council<sup>(5)</sup>, except in the case of cutting and boning at the place of sale as provided for in Article 4(2)(d) of that Regulation;
  - e in the case of poultry meat imported from third countries, an indication of the country of origin.

5 Where poultry meat is offered for sale without pre-packaging, except where cutting and boning take place at the place of sale as provided for in Article 4(2)(d) of Regulation (EC) No 853/2004, provided such cutting and boning is carried out at the request and in the presence of the consumer, [<sup>F21</sup>Article 44 of Regulation (EU) No 1169/2011] shall apply to the indications referred to in paragraph 4.

6 By way of derogation from Article 3(5) and paragraphs 2 to 5 of this Article, it shall not be necessary to classify poultry meat or to indicate the additional particulars referred to in those Articles in the case of deliveries to cutting or processing establishments.

### Textual Amendments

- F16** Words in Art. 5(1) substituted (31.12.2020) by [S.I. 2019/1422](#), regs. 1, **8(6)(a)** (as substituted by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), 14(18)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in Art. 5(2) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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- F18** Words in Art. 5(3) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(6)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Art. 5(4)(a) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(6)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in Art. 5(4)(c) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(6)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F21** Words in Art. 5(5) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(6)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 6

The following additional provisions shall apply to frozen poultry meat as defined in [F22 point 2(3) of Part 5 of Annex 7 of Regulation 1308/2013]:

The temperature of frozen poultry meat concerned by this Regulation must be stable and maintained, at all points in the product, at – 12 °C or lower, with 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.

#### Textual Amendments

- F22** Words in Art. 6 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(7)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 7

1 In order to be graded as classes A and B, poultry carcasses and cuts covered by this Regulation shall meet the following minimum requirements, i.e. they shall be:

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

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

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

- a 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;

**Status:** Point in time view as at 02/02/2023.

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- b a few small feathers, stubs (quill ends) and hairs (filoplumes) may be present on the breast, legs, back, footjoints and wing tips. In the case of boiling fowl, ducks, turkeys and geese, a few may also be present on other parts;
- c 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;
- d in the case of frozen or quick-frozen poultry there shall be no traces of freezer-burn<sup>(6)</sup> except those that are incidental, small and unobtrusive and not present on the breast or legs.

#### Article 8

1 Decisions arising from failure to comply with Articles 1, 3 and 7 may only be taken for the whole of the batch which has been checked in accordance with the provisions of this Article.

2 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 at any other stage of marketing, including during transport or, in the case of imports from third countries, at the time of customs clearance:

Batch size	Sample size	Tolerable number of defective units	
		Total	For points (1) <sup>a</sup> and (3) of Article 1, and Article 7(1)
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
100 to 500	30	5	2
501 to 3 200	50	7	3
> 3 200	80	10	4

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

3 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 in paragraph 2 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 Article 1, nor Article 7(1), shall not exceed the figures shown in column 4 of the table in paragraph 2.

As regards point (3) of Article 1, no defective unit shall 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.

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

5 Where the checked batch does not comply, the supervising agency shall prohibit its marketing or, if the batch comes from a third country, its import, unless and until proof is forthcoming that it has been made to comply with Articles 1 and 7.

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## Article 9

1 Frozen or quick-frozen poultrymeat pre-packaged within the meaning of Article 2 of Directive 76/211/EEC<sup>F23</sup>... may contain:

- one poultry carcase, or
- one or more poultry cuts of the same type and species, as defined in Article 1.

2 All pre-packages 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 Pre-packages of frozen or quick-frozen poultrymeat may be classified by categories of nominal weights as follows:

a 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.);

b 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 Pre-packages referred to in paragraph 1 shall be made up in such a way that they satisfy the following requirements:

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

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

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 pre-packages shall be carried out by sampling and shall be in two parts:

- a check covering the actual content of each pre-package in the sample,
- a check on the average actual contents of the pre-packages in the sample.

A batch of pre-packages 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 pre-packages of the same nominal weight, the same type and the same production run, packed in the same place, which are to be inspected.

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

- where pre-packages 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.

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8 A sample consisting of the following numbers of pre-packages 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 pre-packages, 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 pre-packaged poultrymeat the following tolerable negative errors are permitted:

Nominal weight	Tolerable negative error	
	carcasses	cuts
less than 1 100	25	25
1 100 to < 2 400	50	50
2 400 and more	100	50]

10 For the checking of the actual content of each pre-package 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 pre-package.

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

The batch of pre-packages 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:

Sample size	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 pre-packages shall be considered acceptable if the average actual content of the pre-packages 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	$\bar{x} \geq Q_n - 0,379 s$

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80	$\bar{x} \geq Q_n - 0,295 s$
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- $\bar{x}$  = average actual content of pre-packages  
 $Q_n$  = nominal weight of the pre-package  
 $s$  = standard deviation of the actual contents of the pre-packages in the batch

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

12 [F25]The indication of the nominal weight of pre-packages to which this Article applies may be accompanied by a supplementary indication [F26]authorised by section 8(5A) of the Weights and Measures Act 1985].

F27]13 .....

[F28]14 For the purposes of this Article, Directive 76/211/EEC is to be read in accordance with paragraphs 15 to 17.

15 “Third country” has the meaning set out in Article 2(g).

16 Annex 1 is to be read as if:

- a in paragraph 4:
  - i in the fifth subparagraph, for the words from “departments in” to “departments” there were substituted “ authority and if he holds at the disposal of the competent authority ”;
  - ii in the sixth subparagraph, for “non-EEC” there were substituted “ third ”;
- b in paragraph 5:
  - i in the heading:
    - aa for “departments” there were substituted “ authority ”;
    - bb for “the Community” there were substituted “Great Britain”;
  - ii in the first subparagraph:
    - aa for “departments of the Member States” there were substituted “ authority ”;
    - bb for “the Community” there were substituted “Great Britain”;
  - iii in the third and fourth subparagraphs “used by a Member State” were omitted;
- c in paragraph 6:
  - i in the heading, for “departments” there were substituted “ authority ”;
  - ii in the first subparagraph, for “departments of the Member States” there were substituted “ authority ”.

17 Annex 2 is to be read as if, in paragraph 1, the third subparagraph were omitted.]

#### Textual Amendments

- F23** Words in Art. 9(1) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Substituted by Commission Regulation (EC) No 936/2008 of 24 September 2008 correcting Regulation (EC) No 543/2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat.
- F25** Word in Art. 9(12) substituted (E.W.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **3(2)(a)** and (S.)

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- (2.2.2023) by The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022 (S.S.I. 2022/361), regs. 1, **3(3)(a)**
- F26** Words in Art. 9(12) inserted (E.W.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **3(2)(b)** and (S.) (2.2.2023) by virtue of The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022 (S.S.I. 2022/361), regs. 1, **3(3)(b)**
- F27** Art. 9(13) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F28** Art. 9(14)-(17) inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(8)(c)** (as amended by S.I. 2020/1453, regs. 1(2)(b), **14(18)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 10

[<sup>F29</sup>An indication of the use of one of the methods of chilling defined hereafter <sup>F30</sup>... may appear on the labelling within the meaning of [<sup>F31</sup>Article 2(2)(j) of Regulation (EU) No 1169/2011]:

- 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.]

[<sup>F32</sup>The terms referred to in the first paragraph must appear in English, but may also appear in any other language.]

#### Textual Amendments

- F29** Art. 10: By The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(9)(a)**, it is provided that (31.12.2020) the existing text becomes the first paragraph; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Words in Art. 10 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(9)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in Art. 10 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(9)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F32** Words in Art. 10 inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(9)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 11

1 In order to indicate types of farming with the exception of organic or biological farming, no other terms except those set out hereunder <sup>F33</sup>... may appear on the labelling within the meaning of [<sup>F34</sup>Article 2(2)(j) of Regulation (EU) No 1169/2011], and in any case they may appear only if the relevant conditions specified in Annex V to this Regulation are fulfilled:

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- a 'Fed with ... % ...';
- b 'Extensive indoor' ('Barn-reared');
- c 'Free range';
- d 'Traditional free range';
- e 'Free range — total freedom'.

These terms may be supplemented by indications referring to the particular characteristics of the respective types of farming.

When free-range production (points (c), (d) and (e)) is indicated on the label for meat from ducks and geese kept for the production of foie gras, the term 'from foie gras production' shall also be indicated.

[<sup>F35</sup>The terms referred to in the first subparagraph must appear in English, but may also appear in any other language.]

2 Mention of the age at slaughter or 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 V(b), (c) or (d). However, this provision does not apply to animals covered by the fourth indent of point 1(a) of Article 1.

3 Paragraphs 1 and 2 shall apply without prejudice to <sup>F36</sup>... technical measures going beyond the minimum requirements given in Annex V, <sup>F37</sup>....

<sup>F38</sup>4 .....

<sup>F39</sup>5 .....

#### Textual Amendments

- F33** Words in Art. 11(1) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in Art. 11(1) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in Art. 11(1) inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** Word in Art. 11(3) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F37** Words in Art. 11(3) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** Art. 11(4) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F39** Art. 11(5) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(10)(c)**; 2020 c. 1, Sch. 5 para. 1(1)



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## Article 12

1 Slaughterhouses authorised to use the terms referred to in Article 11 shall be subject to special registration. They shall keep a separate record, by type of farming of:

- a the names and addresses of the producers of such birds, who shall be registered following an inspection by the competent authority<sup>F40</sup> ...;
- b at the request of this authority, the number of birds kept by each producer per turnround;
- c the number and total live or carcase weight of such birds delivered and processed;
- d details of sales, including names and addresses of purchasers, for a minimum of six months following dispatch.

2 The producers referred to in paragraph 1 shall subsequently be inspected regularly. They shall keep up-to-date records, for a minimum of six months following dispatch, of the number of birds by type of farming showing also the number of birds sold, the name and addresses of the purchasers, and quantities and source of feed supply.

In addition producers using free-range systems shall also keep records of the date when birds were first given access to range.

3 Feed manufacturers and suppliers shall keep records for at least six months after dispatch showing that the composition of the feed supplied to the producers for the type of farming referred to in Article 11(1)(a) complies with the indications given in respect of feeding.

4 Hatcheries shall keep records of birds of the strains recognised as slow growing supplied to the producers for the types of farming referred to in Article 11(1)(d) and (e) for at least six months after dispatch.

5 Regular inspections regarding compliance with Article 11 and paragraphs 1 to 4 of this Article shall be carried out at:

- a the farm: at least once per turnround;
- b the feed manufacturer and supplier: at least once a year;
- c the slaughterhouse: at least four times per year;
- d the hatchery: at least once per year for the types of farming referred to in Article 11(1)(d) and (e).

[<sup>F41</sup>6 [<sup>F42</sup>The relevant authority must make available], by every appropriate means, including publication on the Internet, the updated list of the approved slaughterhouses registered in accordance with paragraph 1, showing their name and address and the number allotted to each of them.]

### Textual Amendments

- F40** Words in Art. 12(1)(a) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(1)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F41** Substituted by Commission Regulation (EU) No 557/2010 of 24 June 2010 amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.
- F42** Words in Art. 12(6) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(1)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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### Article 13

In the case of supervision of the indication of the type of farming used as referred to in [<sup>F43</sup>Article 11(1)] [<sup>F44</sup>Article 11(1) of this Regulation], bodies designated by the [<sup>F45</sup>relevant authority] shall comply with the criteria set out in [<sup>F46</sup>European Norm No EN/45011 of 26 June 1989] [<sup>F46</sup>ISO/IEC 17065 (Requirements for bodies certifying products, processes and services)], and as such shall be licensed and supervised by the competent [<sup>F47</sup>authority].

#### Textual Amendments

- F43** Words in Art. 13 substituted (E.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **5(3)** and (W.) (14.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) (Wales) Regulations 2022 (S.I. 2022/1215), regs. 1(2), **2(3)**
- F44** Words in Art. 13 substituted (S.) (2.2.2023) by The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022 (S.S.I. 2022/361), regs. 1, **3(4)**
- F45** Words in Art. 13 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(12)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F46** Words in Art. 13 substituted (E.W.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **3(3)**
- F47** Word in Art. 13 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(12)(c)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 14

Poultry meat imported from third countries may bear one or more of the optional indications provided for in Articles 10 and 11 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 receipt of a request from a third country, the [<sup>F48</sup>relevant authority] shall establish a list of such authorities.

[<sup>F49</sup>The requirement in the first paragraph applies to products entering the United Kingdom from the European Union only on or after [<sup>F50</sup>1 January 2024].]

#### Textual Amendments

- F48** Words in Art. 14 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(13)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Words in Art. 14 inserted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(13)(b)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 14(18)(d)); 2020 c. 1, Sch. 5 para. 1(1)
- F50** Words in Art. 14 substituted (E.W.S.) (1.7.2022) by The Common Organisation of the Markets in Agricultural Products (Marketing Standards and Organic Products) (Transitional Provisions) (Amendment) Regulations 2022 (S.I. 2022/609), regs. 1(2), **3**

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### Article 15

1 Without prejudice to Article 16(5) <sup>F51</sup>..., frozen and quick-frozen chickens may be marketed by way of business or trade within [<sup>F52</sup>Great Britain] only if the water content does not exceed the technically unavoidable values determined by the method of analysis described in Annex VI (drip method) or that in Annex VII (chemical method).

2 The competent [<sup>F53</sup>authority] 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.

#### Textual Amendments

- F51** Words in Art. 15(1) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(14)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F52** Words in Art. 15(1) substituted (31.12.2020) by [S.I. 2019/1422](#), regs. 1, **8(14)(a)(ii)** (as substituted by [The Common Organisation of the Markets in Agricultural Products \(Miscellaneous Amendments\) \(EU Exit\) \(No. 2\) Regulations 2020 \(S.I. 2020/1453\)](#), regs. 1(2)(b), **14(18)(e)**); 2020 c. 1, Sch. 5 para. 1(1)
- F53** Word in Art. 15(2) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(14)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

### Article 16

1 Regular checks in accordance with Annex IX on the water absorbed or checks in accordance with Annex VI shall be carried out in the slaughterhouses at least once each working period of eight 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 10 of Annex IX, or in point 7 of Annex VI, the necessary technical adjustments shall be made immediately by the slaughterhouse to the process.

2 In all cases referred to in the second subparagraph of paragraph 1 and in any case at least once every two months, checks on water content referred to in Article 15(1) shall be carried out, by sampling, on frozen and quick-frozen chickens from each slaughterhouse in accordance with Annex VI or VII, to be chosen by the competent authority <sup>F54</sup>.... 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.

3 The checks referred to in paragraphs 1 and 2 shall be carried out by or under the responsibility of the competent [<sup>F55</sup>authority]. The competent [<sup>F55</sup>authority] may, in specific cases, apply the provisions of paragraph 1, and in particular of points 1 and 10 of Annex IX, and of paragraph 2 more stringently in respect of a given slaughterhouse, where this proves necessary to ensure compliance with the total water content permitted under this Regulation.

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

[<sup>F56</sup>The competent authority] 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 2 only after three successive checks according to Annex VI or VII, to be carried out by sampling from three different days of production within a maximum of four weeks, have shown negative results. The costs of these checks shall be paid by the slaughterhouse concerned.

4 Where, in the case of air chilling, the results of checks referred to in paragraphs 1 and 2 show compliance with the criteria laid down in Annexes VI to IX during a period of six months, the frequency of the checks referred to in paragraph 1 may be reduced to once every month. Any failure to comply with the criteria laid down in these Annexes shall result in reinstatement of checks as referred to in paragraph 1.

5 If the result of the checks referred to in paragraph 2 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 in the [<sup>F57</sup>national] reference laboratory <sup>F58</sup>..., using a method to be chosen by the competent authority <sup>F58</sup>.... The costs of this counter-analysis shall be borne by the holder of the batch.

6 Where the batch in question is deemed after such counter-analysis not to comply with this Regulation, the competent authority shall take the appropriate measures aimed at allowing it to be marketed as such [<sup>F59</sup>in Great Britain] 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, in red capital letters, [<sup>F60</sup>the words ‘water content exceeds UK limit’].

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 this 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 [<sup>F61</sup>in Great Britain].

The indications provided for in the first subparagraph shall be marked in a conspicuous place so 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.

#### Textual Amendments

- F54** Words in Art. 16(2) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(15)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F55** Word in Art. 16(3) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(15)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F56** Words in Art. 16(3) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(15)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F57** Word in Art. 16(5) inserted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(15)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F58** Words in Art. 16(5) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(15)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

**Status:** Point in time view as at 02/02/2023.

**Changes to legislation:** Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F59** Words in Art. 16(6) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(15)(d)(i)(aa)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 14(18)(f)(i)); 2020 c. 1, Sch. 5 para. 1(1)
- F60** Words in Art. 16(6) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(15)(d)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F61** Words in Art. 16(6) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(15)(d)(ii)** (as amended by S.I. 2020/1453, regs. 1(2)(b), 14(18)(f)(ii)); 2020 c. 1, Sch. 5 para. 1(1)

## <sup>F62</sup>Article 17

### Textual Amendments

- F62** Art. 17 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(16)**; 2020 c. 1, Sch. 5 para. 1(1)

## Article 18

1 The competent [<sup>F63</sup>authority must inform the] national reference laboratory without delay about the results of the checks referred to in Articles [<sup>F64</sup>15 and 16], carried out by them or under their responsibility.

[<sup>F41</sup>By 30 June each year, the national reference [<sup>F65</sup>laboratory must notify the relevant authority] of the results of checks mentioned in the first subparagraph. <sup>F66</sup>...]

2 The [<sup>F67</sup>relevant authority] shall adopt the practical measures for the checks provided for in Articles [<sup>F68</sup>15 and 16] at all stages of marketing, including checks on imports from third countries at the time of customs clearance in accordance with Annexes VI and VII. <sup>F69</sup>...

### Textual Amendments

- F41** Substituted by Commission Regulation (EU) No 557/2010 of 24 June 2010 amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.
- F63** Words in Art. 18(1) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(a)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F64** Words in Art. 18(1) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(a)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F65** Words in Art. 18(1) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(a)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)



*Status: Point in time view as at 02/02/2023.*

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- F66** Words in Art. 18(1) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(a)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in Art. 18(2) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(b)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F68** Words in Art. 18(2) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(b)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F69** Words in Art. 18(2) omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(17)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Article 19

A board of experts in monitoring water content in poultrymeat shall act as a coordinating body for the testing activities of the national reference laboratories. It shall consist of representatives of the Commission and national reference laboratories. The tasks of the board and of national reference laboratories, as well as the organisational structure of the board, are set out in Annex XII.

Financial assistance shall be paid to the reference laboratory under the terms of a contract concluded between the Commission, on behalf of the Community, and that laboratory.

The Director-General for Agriculture and Rural Development is authorised to sign the contract on behalf of the Commission.

#### Article 20

1 The following fresh, frozen and quick-frozen poultry cuts may be marketed by way of business or trade within [<sup>F70</sup>Great Britain] only if the water content does not exceed the technically unavoidable values determined by the method of analysis described in Annex VIII (chemical method):

- a chicken breast fillet, with or without wishbone, without skin;
- b chicken breast, with skin;
- c chicken thighs, drumsticks, legs, legs with a portion of the back, leg quarters, with skin;
- d turkey breast fillet, without skin;
- e turkey breast, with skin;
- f turkey thighs, drumsticks, legs, with skin;
- g deboned turkey leg meat, without skin.

2 The competent [<sup>F71</sup>authority] shall ensure that the slaughterhouses and cutting plants, whether or not attached to slaughterhouses, adopt all measures necessary to comply with the provisions of paragraph 1 and in particular that:

- a regular checks on water absorbed are carried out in the slaughterhouses in accordance with Article 16(1) also for chicken and turkey carcasses intended for the production of the fresh, frozen and quick-frozen cuts listed in paragraph 1 of this Article. These checks shall be carried out at least once each working period of eight hours. However, in the case of air chilling of turkey carcasses, regular checks on water absorbed need not be carried out. The limit values fixed in point 10 of Annex IX shall also apply for turkey carcasses;
- b results of the checks are recorded and kept for a period of one year;

**Status:** Point in time view as at 02/02/2023.

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- c 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.

Where, in the case of air chilling of chickens, the results of checks referred to in point (a) and in paragraph 3 show compliance with the criteria laid down in Annexes VI to IX during a period of six months, the frequency of the checks referred to in point (a) may be reduced to once every month. Any failure to comply with the criteria laid down in Annexes VI to IX shall result in reinstatement of checks as referred to in point (a).

3 At least once every three months, checks on the water content referred to in paragraph 1 shall be carried out, by sampling, on frozen and quick-frozen poultry cuts from each cutting plant producing such cuts, in accordance with Annex VIII. These checks do not have to be conducted for poultry cuts in respect of which proof is provided to the satisfaction of the competent authority that they are intended exclusively for export.

After one year of compliance with the criteria laid down in Annex VIII in a particular cutting plant, the frequency of tests shall be reduced to once every six months. Any failure to comply with these criteria shall result in reinstatement of checks as referred to in the first subparagraph.

4 Article 16(3) to (6) and [<sup>F72</sup>Article] 18 shall apply, *mutatis mutandis*, for poultry cuts referred to in paragraph 1 of this Article.

#### Textual Amendments

- F70** Words in Art. 20(1) substituted (31.12.2020) by S.I. 2019/1422, regs. 1, **8(18)(a)** (as substituted by The Common Organisation of the Markets in Agricultural Products (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2020 (S.I. 2020/1453), regs. 1(2)(b), **14(18)(g)**); 2020 c. 1, Sch. 5 para. 1(1)
- F71** Word in Art. 20(2) substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(18)(b)**); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Word in Art. 20(4) substituted (E.W.) (1.12.2022) by The Common Organisation of the Markets in Agricultural Products (Amendment) Regulations 2022 (S.I. 2022/1150), regs. 1(2), **3(4)** and (S.) (2.2.2023) by The Agriculture (Retained EU Law and Data) (Scotland) Act 2020 (Consequential Modifications) and Agricultural Products, Aquatic Animal Health and Genetically Modified Organisms (EU Exit) (Amendment) Regulations 2022 (S.S.I. 2022/361), regs. 1, **3(5)**

#### <sup>F73</sup>Article 20a

#### Textual Amendments

- F73** Art. 20a omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(19)**); 2020 c. 1, Sch. 5 para. 1(1)

#### Article 21

Regulation (EEC) No 1538/91 is hereby repealed as from 1 July 2008.

References to the repealed Regulation and to Regulation (EEC) No 1906/90 shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex XIII.

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**Status:** Point in time view as at 02/02/2023.

**Changes to legislation:** Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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### Article 22

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

It shall apply from 1 July 2008.

F74  
...

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#### Textual Amendments

**F74** Words in [Signature](#) omitted (31.12.2020) by virtue of [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(20)**; 2020 c. 1, Sch. 5 para. 1(1)



*Status: Point in time view as at 02/02/2023.*

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F<sup>75</sup> ANNEX I

**Textual Amendments**

**F75** Annex 1 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(21)**; 2020 c. 1, Sch. 5 para. 1(1)

ANNEX II

Cut separating thigh/leg and back

— delineation of hip joint

Cut separating thigh and drumstick

— delineation of knee joint

F<sup>76</sup> ANNEX III

**Textual Amendments**

**F76** Annex 3 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(21)**; 2020 c. 1, Sch. 5 para. 1(1)

F<sup>77</sup> ANNEX IV

**Textual Amendments**

**F77** Annex 4 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(21)**; 2020 c. 1, Sch. 5 para. 1(1)

ANNEX V

The conditions referred to in Article 11 are as follows:

*Status: Point in time view as at 02/02/2023.*

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(a) *Fed with ...% of ...*

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

- in the case of cereals, they account for at least 65 % by weight of the feed formula given during the greater part of the fattening period, which may not include 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 % by weight of the feed formula given during most of the fattening period,
- in the case of dairy products, they account for at least 5 % by 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:

- (i) the stocking rate per m<sup>2</sup> floor space does not exceed, in the case of:
  - chickens, young cocks, capons: 15 birds but not more than 25 kg liveweight,
  - ducks, guinea fowl, turkeys: 25 kg liveweight,
  - geese: 15 kg liveweight,
- (ii) 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,
  - young geese (goslings): 60 days or later,
  - young cocks: 90 days or later,
  - capons: 140 days or later.

(c) *Free range*

This term may only be used where:

- (i) 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 m<sup>2</sup> and for capons, for which the stocking rate shall not exceed 7,5 m<sup>2</sup>, and not more than 27,5 kg liveweight per m<sup>2</sup>,
- (ii) 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:

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- 1 m<sup>2</sup> per chicken or guinea fowl,
- 2 m<sup>2</sup> per duck or per capon,
- 4 m<sup>2</sup> per turkey or goose.

In the 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),

- (iii) the feed formula used in the fattening stage contains at least 70 % of cereals,
- (iv) the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m<sup>2</sup> surface of the house.

(d) *Traditional free range*

This term may only be used where:

- (i) the indoor stocking rate per m<sup>2</sup> 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 m<sup>2</sup> floor space and which remain open at night, the stocking rate may be increased to 20, but not more than 40 kg liveweight per m<sup>2</sup>,
  - 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 25 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,
- (ii) the total usable area of poultryhouses at any single production site does not exceed 1 600 m<sup>2</sup>,
- (iii) each poultryhouse does not contain more than:
  - 4 800 chickens,
  - 5 200 guinea 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,
- (iv) the poultryhouse is provided with popholes of a combined length at least equal to 4 m per 100 m<sup>2</sup> surface of the house,
- (v) there is continuous daytime 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,
- (vi) open-air runs comprise an area mainly covered by vegetation amounting to at least:

*Status: Point in time view as at 02/02/2023.*

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- 2 m<sup>2</sup> per chicken or Muscovy or Peking duck or guinea fowl,
- 3 m<sup>2</sup> per Mulard duck,
- 4 m<sup>2</sup> per capon, as from 92 days (2 m<sup>2</sup> up to 91st day),
- 6 m<sup>2</sup> per turkey,
- 10 m<sup>2</sup> 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),

- (vii) the birds fattened are of a strain recognised as being slow growing,
- (viii) the feed formula used in the fattening stage contains at least 70 % of cereals,
- (ix) the minimum age at slaughter is:
  - 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 geese marketed whole for roasting,
  - 98 days for female turkeys intended for cutting up,
  - 126 days for male turkeys intended for cutting up,
  - 95 days for geese intended for the production of foie gras and magret,
  - 60 days for young geese (goslings),
- (x) finition in claustration does not exceed:
  - for chickens after 90 days of age: 15 days,
  - for capons: four weeks,
  - for geese and Mulard ducks intended for the production of foie gras and magret, after 70 days of age: 4 weeks.

(e) *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 daytime access to open-air runs of unlimited area.

In the event of restrictions, including veterinary restrictions adopted under [F78 retained direct EU legislation] to protect public and animal health, having the effect of restricting the access of poultry to open-air runs, poultry reared in accordance with the production methods described in points (c), (d) and (e) of the first subparagraph, with the exception of guinea fowls reared in percheries, may continue to be marketed with a special reference to the method of rearing for the duration of the restriction but under no circumstances for more than 12 weeks.

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### Textual Amendments

- F78** Words in [Annex 5](#) substituted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments etc.\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1422\)](#), regs. 1, **8(22)**; 2020 c. 1, Sch. 5 para. 1(1)

## ANNEX VI

### 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 point 7, it is considered that excess water has been absorbed during processing.

#### 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, is 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 and accurate to at least 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 carcasses as described in points 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  $42 \pm 2$  °C.
- 4.4. Filter paper or other absorbent paper towels.

#### 5. Method

- 5.1. Twenty carcasses are removed at random from the quantity of poultry to be checked. Until each can be tested as described in points 5.2 to 5.11, they are kept at a temperature no higher than – 18 °C.
- 5.2. The outside of the pack is wiped to remove superficial ice and water. The pack and its content are weighed to the nearest gram: this weight is  $M_0$ .
- 5.3. The carcase, together with any edible offal sold with it, is removed from the outer wrap, which is dried and weighed to the nearest gram: this weight is  $M_1$ .
- 5.4. The weight of frozen carcase plus offal is calculated by subtracting  $M_1$  from  $M_0$ .

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- 5.5. The carcase, including the edible offal, is placed in a strong, waterproof plastic bag with the abdominal cavity facing towards the bottom, closed end of the bag. The bag must be of sufficient length so as to ensure that it can be fixed securely when in the water-bath but not so wide as to allow the carcase to move from the vertical position.
- 5.6. The part of the bag containing the carcase end edible offal is completely immersed in a water-bath and remains open, enabling as much air as possible to escape. It is held vertically, if necessary by guide bars or by extra weights put in the bag, so that water from the bath cannot enter it. The individual bags must not touch each other.
- 5.7. The bag is left in the water-bath, maintained at  $42 \pm 2$  °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 carcasses. The carcasses should not remain in the water bath for longer than is necessary to reach 4 °C. The required period of immersion, for carcasses 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	1 075 — 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

For carcasses over 1 400 g, 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 is continued until they do reach + 4 °C in the thermal centre.

- 5.8. The bag and its content are removed from the water-bath; the bottom of the bag is pierced to allow any water produced on thawing to drain. The bag and its content are allowed to drip for one hour at an ambient temperature of between + 18 °C and + 25 °C.
- 5.9. The thawed carcase is removed from the bag and the pack containing offal (if present) is removed from the abdominal cavity. The carcase is dried inside and out with filter paper or paper towels. The bag containing the offal is pierced and, once any water has drained away, the bag and thawed offal are dried as carefully as possible.
- 5.10. The total weight of thawed carcase, offal and pack is determined to the nearest gram and expressed as M<sub>2</sub>.

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

5.11. The weight of the pack which contained the offal is 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) is given by:

$$((M_0 - M_1 - M_2)/(M_0 - M_1 - M_3)) \times 100$$

[<sup>F79</sup>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 permissible limit.

The percentages are, in the case of:

air chilling: 1,5 %,

air spray chilling: 3,3 %,

immersion chilling: 5,1 %.

other chilling method or a combination of two or more of the methods defined in Article 10: 1,5 %.]

#### Textual Amendments

**F79** Substituted by [Commission Implementing Regulation \(EU\) No 1239/2012 of 19 December 2012 amending Regulation \(EC\) No 543/2008 laying down detailed rules for the application of Council Regulation \(EC\) No 1234/2007 as regards the marketing standards for poultrymeat.](#)

## ANNEX VII

### DETERMINATION OF THE TOTAL WATER CONTENT OF CHICKENS (Chemical test)

1. Object and scope

This method is used to determine the total water content of frozen and quick-frozen chickens. The method involves determination of the water and protein contents of samples from homogenised poultry carcasses. The total water content as determined is compared with the limit value given by the formulae indicated in point 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 is for him or her to take the necessary appropriate precautions.

2. Definitions

‘Carcase’: the poultry carcase with bones, cartilage and any additional offal.

‘Offal’: liver, heart, gizzard and neck.

3. Principle

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Water and protein contents are determined in accordance with recognised ISO (International Organisation for Standardisation) methods or other methods of analysis approved by the [<sup>F80</sup>relevant authority].

#### Textual Amendments

**F80** Words in Annex 7 para. 3 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, 8(23); 2020 c. 1, Sch. 5 para. 1(1)

The maximum total water content of the carcase is determined 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, accurate to at least 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 homogenising complete frozen or quick-frozen poultry pieces.

NB:

No special mincer is 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. Method
  - 5.1. Seven carcasses are taken at random from the quantity of poultry to be checked and in each case kept frozen until analysis in accordance with points 5.2 to 5.6 begins.

The analysis may concern either each of the seven carcasses separately or a composite sample of the seven carcasses.

- 5.2. The preparation is commenced within the hour following the removal of the carcasses from the freezer.
- 5.3.
  - (a) The outside of the pack is wiped to remove superficial ice and water. Each carcase is weighed and removed from any wrapping material. After cutting up of the carcase into smaller pieces, any wrapping material around the edible offal is removed. The total weight of the carcase, including the edible offal and ice adhering to the carcase, is determined to the nearest gram after deduction of the weight of any wrapping material removed, to give 'P<sub>1</sub>'.
  - (b) In the case of a composite sample analysis, the total weight of the seven carcasses, prepared in accordance with point 5.3(a), is determined to give 'P<sub>7</sub>'.
- 5.4.



*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) The whole carcass of which the weight is  $P_1$  is minced in a mincer as specified under point 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  $P_7$  is minced in a mincer as specified under point 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 analysed as described in points 5.5 and 5.6.
- 5.5. A sample of the homogenised material is 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 homogenised material is also taken and used immediately to determine the nitrogen content in accordance with ISO 937. This nitrogen content is converted to crude protein content 'b %' by multiplying it by the factor 6,25.

#### [F<sup>79</sup>6. Calculation of results

##### 6.1.

- (a) The weight of water (W) in each carcass is given by  $aP_1/100$  and the weight of protein (RP) by  $bP_1/100$ , both of which are expressed in grams. The sums of the weights of water ( $W_7$ ) and the weights of protein ( $RP_7$ ) in the seven carcasses analysed are determined.
- (b) In the case of a composite sample analysis, the average content of water and protein from the two samples analysed is determined to give a % and b %, respectively. The weight of the water ( $W_7$ ) in the seven carcasses is given by  $aP_7/100$ , and the weight of protein ( $RP_7$ ) by  $bP_7/100$ , both of which are expressed in grams.
- 6.2. The average weight of water ( $W_A$ ) and protein ( $RP_A$ ) is calculated by dividing  $W_7$  and  $RP_7$ , 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:

$$3,53 \times RPA + 23$$

.

##### 6.4.

- (a) Air chilling

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 %<sup>(7)</sup>, the highest permissible limit for the total water content ( $W_G$ ) in grams as determined by this method is given by the following formula (including confidence interval):

chickens:

$$WG = 3,65 \times RPA + 42$$

.

*Status: Point in time view as at 02/02/2023.*

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(b) Air-spray chilling

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 4,5 % <sup>(7)</sup>, the highest permissible limit for the total water content ( $W_G$ ) in grams as determined by this method is given by the following formula (including confidence interval):

chickens:

$$WG=3,79 \times RPA+42$$

(c) Immersion chilling

Assuming a technically unavoidable water absorption during preparation of 7 % <sup>(7)</sup> the highest permissible limit for the total water content ( $W_G$ ) in grams as determined by this method is given by the following formula (including confidence interval):

chickens:

$$WG=3,93 \times RPA+42$$

(d) Other chilling methods or a combination of two or more of the methods defined in Article 10

Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 % <sup>(7)</sup>, the highest permissible limit for the total water content ( $W_G$ ) in grams as determined by this method is given by the following formula (including confidence interval):

chickens:

$$WG=3,65 \times RPA+42$$

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

## ANNEX VIII

### DETERMINATION OF THE TOTAL WATER CONTENT OF POULTRY CUTS (Chemical test)

#### 1. Object and scope

This method is used to determine the total water content of certain poultry cuts. The method shall involve determination of the water and protein contents of samples from the homogenised poultry cuts. The total water content as determined is compared with the limit value given by the formulae indicated in point 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 is for him or her to take the necessary appropriate precautions.

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## 2. Definitions and sampling procedures

The definitions given in point (2) of Article 1 are applicable to the poultry cuts referred to in Article 20. The sample sizes should be at least as follows:

- chicken breast: half of the breast,
- chicken breast fillet: half of the boned breast without skin,
- turkey breast, turkey breast fillet and boned leg meat: portions of about 100 g,
- other cuts: as defined in point (2) of Article 1.

In the case of frozen or quick-frozen bulk products (cuts not individually packed) the large packs from which samples are to be taken may be kept at 0 °C until individual cuts can be removed.

## 3. Principle

Water and protein contents are determined in accordance with recognised ISO (International Organisation for Standardisation) methods or other methods of analysis approved by the [<sup>F81</sup>relevant authority].

### Textual Amendments

**F81** Words in Annex 8 para. 3 substituted (31.12.2020) by The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, 8(23); 2020 c. 1, Sch. 5 para. 1(1)

The highest permissible total water content of the poultry cuts is determined from the protein content of the cuts, which can be related to the physiological water content.

## 4. Apparatus and reagents

- 4.1. Scales for weighing the cuts and wrappings, accurate to at least 1 g.
- 4.2. Meat-axe or saw for cutting cuts into pieces of appropriate size for the mincer.
- 4.3. Heavy-duty mincing machine and blender capable of homogenising poultry cuts or parts thereof.

NB:

No special mincer is 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. Method

- 5.1. Five cuts are taken at random from the quantity of poultry cuts to be checked and kept frozen or refrigerated as the case may be until analysis in accordance with points 5.2 to 5.6 begins.

Samples from frozen or quick-frozen bulk products referred to under point 2 may be kept at 0 °C until analysis begins.

The analysis may concern each of the five cuts separately or a composite sample of the five cuts.

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

5.2. The preparation is commenced within the hour following the removal of the cuts from the freezer or refrigerator.

5.3.

(a) The outside of the pack is wiped to remove superficial ice and water. Each cut is weighed and removed from any wrapping material. After cutting up the cuts into smaller pieces, the weight of the poultry cut is determined to the nearest gram after deduction of the weight of any wrapping material removed, to give 'P<sub>1</sub>'.

(b) In the case of a composite sample analysis, the total weight of the five cuts, prepared in accordance with point 5.3(a), is determined to give 'P<sub>5</sub>'.

5.4.

(a) The whole cut of which the weight is P<sub>1</sub>, is minced in a mincer as specified under point 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 cut may then be taken.

(b) In the case of a composite sample analysis, all five cuts of which the weight is P<sub>5</sub> are minced in a mincer as specified under point 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 five cuts may then be taken.

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

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

[<sup>F79</sup>6. Calculation of results

6.1.

(a) The weight of water (W) in each cut is given by  $aP_1/100$  and the weight of protein (RP) by  $bP_1/100$ , both of which are expressed in grams.

The sums of the weights of water (W<sub>5</sub>) and the weights of protein (RP<sub>5</sub>) in the five cuts analysed are determined.

(b) In the case of a composite sample analysis, the average content of water and protein from the two samples analysed is determined to give a % and b %, respectively. The weight of the water (W<sub>5</sub>) in the five cuts is given by  $aP_5/100$ , and the weight of protein (RP<sub>5</sub>) by  $bP_5/100$ , both of which are expressed in grams.

6.2. The average weight of water (W<sub>A</sub>) and protein (RP<sub>A</sub>) is calculated by dividing W<sub>5</sub> and RP<sub>5</sub> respectively, by five.

6.3. The mean physiological W/RP ratio as determined by this method is as follows:  
 chicken breast fillet:  $3,19 \pm 0,12$ ,  
 chicken legs and leg quarters:  $3,78 \pm 0,19$ ,  
 turkey breast fillet:  $3,05 \pm 0,15$ ,  
 turkey legs:  $3,58 \pm 0,15$ ,

*Status: Point in time view as at 02/02/2023.*

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deboned turkey leg meat:  $3,65 \pm 0,17$ .

- 6.4. Assuming that the minimum technically unavoidable water content absorbed during preparation amounts to 2 %, 4 % or 6 %<sup>(8)</sup> depending on the type of products and chilling methods applied, the highest permissible W/RP ratios as determined by this method are as follows:

	<b>Air chilled</b>	<b>Air-spray chilled</b>	<b>Immersion chilled</b>
<b>Chicken breast fillet; without skin</b>	3,4	3,4	3,4
<b>Chicken breast; with skin</b>	3,4	3,5	3,6
<b>Chicken thighs, drumsticks, legs, legs with a portion of the back, leg quarters, with skin</b>	4,05	4,15	4,3
<b>Turkey breast fillet; without skin</b>	3,4	3,4	3,4
<b>Turkey breast, with skin</b>	3,4	3,5	3,6
<b>Turkey thighs, drumsticks, legs, with skin</b>	3,8	3,9	4,05
<b>Deboned turkey leg meat, without skin</b>	3,95	3,95	3,95

In case of other chilling methods or a combination of two or more of the methods defined in Article 10, the unavoidable water content is assumed to amount to 2 % and the highest permissible W/PR ratios are those fixed for the air chilling method in the table above.

If the average  $W_A/RP_A$  ratio of the five cuts as calculated from the values under point 6.2 does not exceed the ratio given in point 6.4, the quantity of poultry cuts subjected to the check is considered up to standard.]

## ANNEX IX

### CHECK ON ABSORPTION OF WATER IN THE PRODUCTION ESTABLISHMENT (Slaughterhouse test)

- At least once each working period of eight hours:  
select at random 25 carcasses from the evisceration line immediately after evisceration and the removal of the offal and fat and before the first subsequent washing.
- If necessary, remove the neck by cutting, leaving the neck skin attached to the carcass.
- Identify each carcass individually. Weigh each carcass and record its weight to the nearest gram.

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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 consists of the first 20 carcasses recovered. They are re-weighed. Their weight to the nearest gram is recorded against the weight recorded on first weighing. The test is 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. Instead of manual weighing as described under points 1 to 8, automatic weighing lines may be used for the determination of the percentage moisture absorption for the same number of carcasses and according to the same principles, provided that the automatic weighing line is approved in advance for this purpose by the competent authority.
  10. The result must 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 %,
    - air-spray : 2,0 %,
    - chilling
    - immersion : 4,5 %,
    - chilling
- [<sup>F82</sup>11. In cases where carcasses are chilled with an other chilling method or a combination of two or more of the methods defined in Article 10, the maximum percentage of water content shall not exceed 0 % of the original weight of the carcass.]

#### Textual Amendments

- F82** Inserted by [Commission Implementing Regulation \(EU\) No 1239/2012 of 19 December 2012 amending Regulation \(EC\) No 543/2008 laying down detailed rules for the application of Council Regulation \(EC\) No 1234/2007 as regards the marketing standards for poultrymeat.](#)

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## <sup>F83</sup> ANNEX X

### INDICATIONS REFERRED TO IN ARTICLE 16(6)

#### Textual Amendments

**F83** Annex 10 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(24)**; 2020 c. 1, Sch. 5 para. 1(1)

## <sup>F84</sup> ANNEX XI

### LIST OF NATIONAL REFERENCE LABORATORIES

#### Textual Amendments

**F84** Annex 11 omitted (31.12.2020) by virtue of The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy (Miscellaneous Amendments etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/1422), regs. 1, **8(24)**; 2020 c. 1, Sch. 5 para. 1(1)

## ANNEX XII

Tasks and organisational structure of the board of experts in monitoring water content in poultrymeat

The board of experts referred to in Article 19 is responsible for the following tasks:

- (a) supplying information on analytical methods and comparative testing regarding the water content of poultrymeat to the national reference laboratories;
- (b) coordinating the application by the national reference laboratories of the methods referred to in (a), by organising comparative testing, and proficiency testing in particular;
- (c) supporting the national reference laboratories in proficiency testing by providing scientific support for statistical data evaluation and reporting;
- (d) coordinating the development of new analytical methods and informing the national reference laboratories of progress made in this area;
- (e) providing scientific and technical assistance to the Commission, especially in cases where the results of analyses are contested between Member States.

The board of experts referred to in Article 19 shall be organised as follows:

*Status: Point in time view as at 02/02/2023.*

*Changes to legislation: Commission Regulation (EC) No 543/2008 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

The board of experts in monitoring water content in poultrymeat shall consist of representatives of the Directorate-General Joint Research Centre (JRC) — Institute for Reference Materials and Measurements (IRMM), of the Directorate-General for Agriculture and Rural Development and of three national reference laboratories. The representative of IRMM shall act as the chairperson of the board and shall appoint the national reference laboratories on a rotational basis. The Member State authority responsible for the national reference laboratory selected shall subsequently appoint individual experts in monitoring water content in food to serve on the board. Through annual rotation, one participating national reference laboratory shall be replaced at a time, so as to ensure a degree of continuity on the board. Expenses incurred by the Member States' experts and/or the national reference laboratories in the exercise of their functions under this Section of this Annex shall be borne by the respective Member States.

Tasks of national reference laboratories

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

- (a) coordinating the activities of the national laboratories responsible for analyses of water content in poultrymeat;
- (b) assisting the competent authority in the Member State in organising the system for monitoring water content in poultrymeat;
- (c) participating in comparative testing (proficiency testing) between the various national laboratories referred to in (a);
- (d) ensuring that the information supplied by the board of experts is disseminated to the competent authority in the relevant Member State and to the national laboratories referred to in (a);
- (e) collaborating with the board of experts and, if appointed to join the board of experts, preparing the necessary test samples, including homogeneity testing, and arranging appropriate shipping.

#### <sup>F85</sup>ANNEX XIIa

#### <sup>F85</sup>Templates referred to in Article 18(1)]

##### Textual Amendments

**F85** Deleted by Commission Regulation (EU) No 557/2010 of 24 June 2010 amending Regulations (EC) No 1518/2003, (EC) No 596/2004, (EC) No 633/2004, (EC) No 1345/2005, (EC) No 2014/2005, (EC) No 239/2007, (EC) No 1299/2007, (EC) No 543/2008, (EC) No 589/2008, (EC) No 617/2008 and (EC) No 826/2008 as regards the notification obligations within the common organisation of agricultural markets.

[<sup>F85</sup> .....

<sup>F85</sup> .....

<sup>F85</sup> .....

<sup>F85</sup> .....]



*Status: Point in time view as at 02/02/2023.*

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## ANNEX XIII

## CORRELATION TABLE

<b>Regulation (EEC) No 1906/90</b>	<b>Regulation (EEC) No 1538/91</b>	<b>This Regulation</b>
	Article 1	Article 1
	Article 1a, introductory phrase	Article 2, introductory phrase
Article 2(2), (3) and (4)		Article 2(a), (b) and (c)
Article 2(8)		Article 2(d)
	Article 1a, first and second indents	Article 2(e) and (f)
	Article 2	Article 3(1) to (4)
Article 4		Article 3(5)
	Article 3	Article 4
	Article 4	Article 5(1)
Article 5(1) to (4)		Article 5(2) to (5)
Article 6		Article 5(6)
	Article 5	Article 6
	Article 6(1), introductory phrase	Article 7(1), introductory phrase
	Article 6(1), first to sixth indents	Article 7(1), points (a) to (f)
	Article 6(2), introductory phrase	Article 7(2), introductory phrase
	Article 6(2), first to fourth indents	Article 7(2), points (a) to (d)
	Article 7(1)	Article 8(1)
	Article 7(3)	Article 8(2)
	Article 7(4)	Article 8(3)
	Article 7(5)	Article 8(4)
	Article 7(6)	Article 8(5)
	Article 8(1)	Article 9(1)
	Article 8(2)	Article 9(2)
	Article 8(3), introductory phrase	Article 9(3), introductory phrase
	Article 8(3), first indent	Article 9(3), point (a)
	Article 8(3), second indent	Article 9(3), point (b)

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	Article 8(4), first subparagraph, introductory phrase	Article 9(4), first subparagraph, introductory phrase
	Article 8(4), first subparagraph, first to third indents	Article 9(4), first subparagraph, points (a) to (c)
	Article 8(4), second subparagraph	Article 9(4), second subparagraph
	Article 8(5) to (12)	Article 9(5) to (12)
	Article 8(13), first subparagraph	—
	Article 8(13), second subparagraph	Article 9(13)
	Article 9	Article 10
	Article 10	Article 11
	Article 11(1), introductory phrase	Article 12(1), introductory phrase
	Article 11(1), first to fourth indents	Article 12(1), points (a) to (d)
	Article 11(2)	Article 12(2)
	Article 11(2a)	Article 12(3)
	Article 11(2b)	Article 12(4)
	Article 11(3), introductory phrase	Article 12(5), introductory phrase
	Article 11(3), first to fourth indents	Article 12(5), points (a) to (d)
	Article 11(4)	Article 12(6)
	Article 12	Article 13
	Article 13	Article 14
	Article 14a(1) and (2)	Article 15
	Article 14a(3) to (5)	Article 16(1) to (3)
	Article 14a(5a)	Article 16(4)
	Article 14a(6)	Article 16(5)
	Article 14a(7), first subparagraph, introductory phrase	Article 16(6), first subparagraph
	Article 14a(7), first subparagraph, indents	Annex X

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	Article 14a(7), second and third subparagraphs	Article 16(6), second and third subparagraphs
	Article 14a(8) to (12)	Article 17(1) to (5)
	Article 14a(12a)	Article 18(1)
	Article 14a(13)	Article 18(2)
	Article 14a(14)	Article 19
	Article 14b(1)	Article 20(1)
	Article 14b(2), first subparagraph, introductory phrase	Article 20(2), first subparagraph, introductory phrase
	Article 14b(2), first subparagraph, first to third indents	Article 20(2), first subparagraph, points (a) to (c)
	Article 14b(2), second subparagraph	Article 20(2), second subparagraph
	Article 14b(3) and (4)	Article 20(3) and 4)
	Article 15	—
	—	Article 21
	—	Article 22
	Annex I	Annex I
	Annex Ia	Annex II
	Annex II	Annex III
	Annex III	Annex IV
	Annex IV	Annex V
	Annex V	Annex VI
	Annex VI	Annex VII
	Annex VIa	Annex VIII
	Annex VII	Annex IX
	Annex VIII	Annex XI
	Annex IX	Annex XII
	—	Annex XIII

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- (1) [OJ L 299, 16.11.2007, p. 1](#). Regulation as last amended by Regulation (EC) No 470/2008 ([OJ L 140, 30.5.2008, p. 1](#)).
- (2) [OJ L 173, 6.7.1990, p. 1](#). Regulation as last amended by Regulation (EC) No 1029/2006 ([OJ L 186, 7.7.2006, p. 6](#)).
- (3) [OJ L 143, 7.6.1991, p. 11](#). Regulation as last amended by Regulation (EC) No 1474/2007 ([OJ L 329, 14.12.2007, p. 14](#)).
- (4) [OJ L 46, 21.2.1976, p. 1](#). Directive as last amended by Directive 2007/45/EC of the European Parliament and of the Council ([OJ L 247, 21.9.2007, p. 17](#)).
- (5) [OJ L 139, 30.4.2004, p. 55](#). Corrigendum published in [OJ L 226, 25.6.2004, p. 22](#).
- (6) 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 produce changes:
  - in the original colour (mostly getting paler), or
  - in flavour and smell (flavourless or rancid), or
  - in texture (dry, spongy).
- (7) [<sup>F79</sup>Calculated on the basis of the carcase, exclusive of absorbed extraneous water.]
- (8) [<sup>F79</sup>Calculated on the basis of the cut, exclusive of absorbed extraneous water. For (skinless) fillet and deboned turkey leg meat, the percentage is 2 % for each of the chilling methods.]

#### Textual Amendments

- F79** Substituted by [Commission Implementing Regulation \(EU\) No 1239/2012 of 19 December 2012 amending Regulation \(EC\) No 543/2008 laying down detailed rules for the application of Council Regulation \(EC\) No 1234/2007 as regards the marketing standards for poultrymeat.](#)

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