
STATUTORY INSTRUMENTS

2022 No. 1351

**The Food and Feed (Miscellaneous
Amendments) Regulations 2022**

PART 3

Amendment of retained direct EU legislation

Amendment of Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin

9.—(1) Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽¹⁾ is amended as follows.

(2) Omit Article 1(4).

(3) In Article 10—

(a) after paragraph 1 insert—

“**1A.** Amendments under paragraph 1 may, in particular, prescribe—

- (a) the requirements on the identification marking of products of animal origin;
- (b) the objectives of HACCP-based procedures;
- (c) the requirements on the food chain information;
- (d) the specific hygiene requirements for the premises, including means of transport, where products of animal origin are produced, handled, processed, stored or distributed;
- (e) the specific hygiene requirements for the operations involving the production, handling, processing, storage, transport or distribution of products of animal origin;
- (f) the rules for the transport of meat while it is warm;
- (g) the health standards or checks, where there is scientific evidence indicating that they are necessary to protect public health;
- (h) the extension of Annex III, Section VII, Chapter IX (specific requirements for pectinidae, marine gastropods and echinoderms which are not filter feeders harvested outside classified production areas), to live bivalve molluscs other than pectinidae;
- (i) the criteria for determining when epidemiological data indicate that a fishing ground does not present a health hazard with regard to the presence of parasites and, consequently, for determining when the competent authority may authorise food business operators not to freeze fishery products in accordance with Annex III, Section VIII, Chapter III, Part D (requirements concerning parasites);

(1) EUR 2004/853, amended by S.I. 2019/640.

- (j) the additional health standards for live bivalve molluscs in cooperation with the relevant reference laboratory, including:
 - (i) limit values and analysis methods for other marine biotoxins;
 - (ii) virus testing procedures and virological standards; and
 - (iii) sampling plans and the methods and analytical tolerances to be applied to check compliance with the health standards.”;
- (b) in paragraph 2—
 - (i) for “exemptions” substitute “derogations”;
 - (ii) after “Annexes 2 and 3” insert—

“taking into account the relevant risk factors and provided that such derogations do not affect the achievement of the following objectives of this Regulation:

 - (a) to facilitate the fulfilment, by small businesses, of the requirements laid down in the Annexes;
 - (b) to enable the continued use of traditional methods at any of the stages of production, processing or distribution of food;
 - (c) to accommodate the needs of food businesses situated in regions that are subject to special geographic constraints;
 - (d) to facilitate the work of establishments producing raw material which is intended for the production of highly refined food products and which has undergone a treatment ensuring its safety”.
- (4) In Article 11, in the words before point 1, omit “to Annex 2 or 3”.