

Protection of human health: hygiene of foodstuffs

2000/0178(COD) - 28/07/2009

Regulations (EC) No 852/2004, [No 853/2004](#) and [No 854/2004](#) contain the legal requirement for the Commission to submit a report to the European Parliament and to the Council, reviewing the experience gained from their application and, if appropriate, accompanying the report with relevant proposals, not later than 20 May 2009. In addition, Regulation (EC) No 852/2004 requires the Commission to consider if it is desirable and practicable to extend the Hazard Analysis Critical Control Point (HACCP) requirements to food business operators in the primary production area.

This report followed a thorough consultation process. It is based on information received from the competent authorities in the Member States, representatives of the food business operator and consumer organisations at European level, and the Commission's Food and Veterinary Office.

Conclusion: the report aims at presenting factually the experience gained, including the difficulties encountered, in 2006, 2007 and 2008 from the implementation of the hygiene package by all interested actors. It concludes that **overall Member States have taken the necessary administrative and control steps to ensure compliance** but that there is still room for improvement in relation to implementation. These conclusions are supported by the findings of audits and inspections carried out by the Commission's Food and Veterinary Office. Consulted stakeholders consider that the new principles and requirements introduced by the hygiene package have had a positive impact. It also indicates the clear position expressed by the Member States and private stakeholders not to extend at present the requirement for HACCP-based procedures to food business operators carrying out primary production.

The **main difficulties** identified are in relation to: (i) certain exemptions from the scope of the hygiene Regulations; (ii) certain definitions laid down in the Regulations and the procedure for adapting those definitions; (iii) certain practical aspects concerning the approval of establishments handling foods of animal origin and the marking of such foods; (iv) the import regime for certain foods; (v) the implementation of HACCP-based procedures in certain food businesses; and (vi) the implementation of official controls in certain sectors.

This report **does not suggest any detailed solutions to the difficulties reported** and is, therefore, not accompanied by proposals. However, on the basis of the difficulties identified, the Commission will consider the need for any proposals to improve the food hygiene package.