

Protection of human health: hygiene of foodstuffs

2000/0178(COD) - 29/04/2004 - Final act

PURPOSE : to lay down general rules for food business operators on the hygiene of foodstuffs.

LEGISLATIVE ACT : Regulation 852/2004/EC of the European Parliament and of the Council on the hygiene of foodstuffs. (Corrigendum to the Regulation published in OJ L139 of 30 April 2004).

CONTENT : this Regulation imposes a requirement on food business operators to

ensure that all stages of production, processing and distribution of food under their control satisfy the relevant hygiene requirements laid down in this Regulation.

The Regulation lays down general rules for food business operators on the hygiene of foodstuffs, taking particular account of the following principles:

- primary responsibility for food safety rests with the food business operator;
- it is necessary to ensure food safety throughout the food chain, starting with primary production;
- it is important, for food that cannot be stored safely at ambient temperatures, particularly frozen food, to maintain the cold chain;
- general implementation of procedures based on the HACCP principles, together with the application of good hygiene practice, should reinforce food business operators' responsibility.

Food safety is a result of several factors. This legislation lays down minimum hygiene Requirements. It also states that official controls should be in place to check food business operators' compliance and food business operators must operate food safety programmes and procedures based on the HACCP principles.

This only applies to food business operators carrying out any stage of production, processing and distribution of food after primary production and those associated operations listed in Annex I.

The HACCP principles consist of the following:

- identifying any hazards that must be prevented, eliminated or reduced to acceptable levels;
- identifying the critical control points at the steps at which control is essential to prevent or eliminate a hazard or to reduce it to acceptable levels;
- establishing critical limits at critical control points which separate acceptability from unacceptability for the prevention, elimination or reduction of identified hazards;
- implementing effective monitoring procedures at critical control points;
- establishing corrective actions when monitoring indicates that a critical control point is not under control;
- establishing procedures to verify that the measures outlined above are working effectively; and - establishing documents commensurate with the nature and size of the food business to demonstrate the effective application of the measures outlined above.

Member States must encourage the development of national guides to good practice for hygiene and for the application of HACCP principles. Community guides will be developed. The dissemination of both national and Community guides will be encouraged. Nevertheless, food business operators may use these guides on a voluntary basis.

Every food business operator must notify the appropriate competent authority

of each establishment under its control that carries out any of the stages of

production, processing and distribution of food, so that each such establishment might be registered.

Operators must ensure that establishments are approved by the competent authority, following at least one on-site visit, when approval is required by national or Community law.

Food imported and exported is to comply with the general requirements laid down in Regulation 178/2002 or satisfy rules that are equivalent to Community rules. This Regulation defines certain specific hygiene requirements for imported and exported food. This Regulation replaces Directive 93/43/EEC, which is repealed.

ENTRY INTO FORCE : 20/05/2004. The Regulation shall apply no earlier than 01/01/2006.