

Health policy: animal by-products not intended for human consumption, animal proteins in animal feed

2000/0259(COD) - 19/01/2005 - Implementing legislative act

ACT: Commission Regulation 92/2005/EC implementing Regulation 1774/2002/EC of the European Parliament and of the Council as regards means of disposal or uses of animal by-products and amending its Annex VI as regards biogas transformation and processing of rendered fats.

CONTENT: Regulation 1774/2002/EC provides for rules concerning the means of disposal and uses of animal by-products. It also provides for the possibility for additional means of disposal and uses of animal by-products to be approved following consultation of the appropriate scientific committee.

The Scientific Steering Committee (SSC) issued an opinion on in April 2003 on six alternative processing methods for safe treatment and disposal of animal by-products according to which five processes are considered as safe for the disposal of and/or uses of Categories 2 and 3 material under certain conditions.

The SSC issued a final opinion and report in April 2003 on a treatment of animal waste by means of high temperature and high-pressure alkaline hydrolysis, providing guidance on the possibilities to use alkaline hydrolysis and on its risks for the disposal of Categories 1, 2 and 3 material.

Five processes may, therefore, be approved as alternative means for the disposal and/or uses of animal by-products in line with the SSC opinions, in addition to those processing methods already provided for by the Regulation. It is also appropriate to lay down the conditions for the use of those processes. The Commission has asked some of the applicants for approval of the processes to submit further information regarding the safety of their processes for the treatment and disposal of Category 1 material. That information is to be forwarded to the European Food Safety Authority for evaluation in due course. Pending that evaluation, and considering current SSC opinions that tallow is safe as regards TSE, especially if it is pressure-cooked and filtered to remove insoluble impurities, it is appropriate to approve one of the processes, which processes animal fat into biodiesel, also for treatment and disposal, under strict conditions, of most Category 1 material, except for the most risky. In that case, it should be made clear that the treatment and disposal may include the recovery of bioenergy.

The approval and the operation of such alternative means should be without prejudice to other applicable EU legislation, in particular environmental legislation, and therefore the operating conditions established in this Regulation should, where applicable, be implemented according to the provisions of Art 6 of Directive 2000/76/EC on the incineration of waste.

For processes approved for the treatment of Category 1 animal by-products, and as a surveillance measure complementary to the regular monitoring of processing parameters, the efficacy of the process, together with its safety with regard to animal and public health, should be demonstrated to the competent authorities by testing in a pilot plant during the first two years following the implementation of the process within each Member State concerned.

It is appropriate to amend Annex VI, Chapters II and III of Regulation 1774/2002/EC as a consequence of approving the transformation of Category 1 animal by-products.