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COMMISSION OF THE EUROPEAN COMMUNITIES

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Draft

**COMMISSION REGULATION (EC) No .../..**

**of [...]**

**laying down specific conditions for the antimicrobial treatment of food of animal origin**

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**COMMISSION REGULATION (EC) No .../..**

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**laying down specific conditions for the antimicrobial treatment of food of animal origin**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin<sup>1</sup>, and in particular Article 3(2) thereof,

Whereas:

- (1) No other substance than potable water shall be used to remove surface contamination from products of animal origin, unless the use of the substance has been approved.
- (2) The scientific committee on veterinary measures relating to public health (SCVPH) issued an opinion on 30 October 1998 on benefits and limitations of antimicrobial treatments for poultry carcasses and recommended that before any decontamination compound or decontamination technique is authorised for use, it should be fully assessed.
- (3) The SCVPH issued an opinion on 14-15 April 2003 on the evaluation of antimicrobial treatments for poultry carcasses and concluded that decontamination can constitute a useful element in further reducing the number of pathogens provided an integrated control strategy is applied throughout the entire food chain, including hygienic measures applied on the farm, during transport and in the slaughter- and processing plant.
- (4) Disease control programs at the primary production stage targeted at specific pathogens will be initiated in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council on the control of salmonella and other specified food-borne zoonotic agents<sup>2</sup>.
- (5) Following a thorough assessment specified antimicrobial agents can be used for decontaminating specified products of animal origin.

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<sup>1</sup> OJ L 226, 25.6.2004, p. 22.

<sup>2</sup> OJ L 325, 12.12.2003, p.1

- (6) The SCVPH concluded that the toxicological effects of several antimicrobial agents used simultaneously or consecutively has not been properly evaluated.
- (7) The SCVPH concluded that labelling requirements and consumer information must be considered.
- (8) No reaction products are formed due to the induction of chemical changes in the food of animal origin following contact with the antimicrobial substance.
- (9) A risk assessment should be undertaken by the European Food Safety Authority before any substance other than potable water can be approved for use on food of animal origin.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health Committee.

HAS ADOPTED THIS REGULATION:

*Article 1*

For the antimicrobial treatment of food of animal origin the substances as mentioned in Annex I can be used, provided that:

- a) the conditions of use specified in Annex I, in particular the specific dilutions, are respected;
- b) the substance is applied in the correct manner using the prescribed temperature, pH and time requirements and according to the manufacturer's instructions;
- c) the substance is used only on those products of animal origin mentioned in Annex I (2);
- d) microbiological monitoring of the food of animal origin and the environment is performed by the food business operator according to the legal requirements;
- e) no simultaneous or consecutive application of more than one substance is used;
- f) measures are taken to guarantee the operational safety for slaughterhouse staff handling and applying the substances;
- g) measures are taken to minimise the environmental effects following the disposal of waste water;
- h) rinsing with potable water is performed at such a point in the production process following the application of the antimicrobial substance to ensure that it is removed to such extent that the substance will not have a technological function in the final product.

## *Article 2*

Antimicrobial treatment of foods of animal origin shall not be used as the primary or only pathogen reduction measure, but should be part of an effective hazard analysis and critical control points programme.

## *Article 3*

1. Whenever the substances mentioned in Annex I are used for treatment of food of animal origin, the food business operator shall ensure that the consumer is informed by appropriately labelling the food and products made thereof.
2. The labelling shall be simple, clear and unambiguous as specified for individual products in Annex II.

## *Article 4*

1. The competent authority shall verify that application of the antimicrobial substance is in accordance with the conditions as laid down in this Regulation.
2. The competent authority shall take appropriate action if one or more of the conditions for application of the antimicrobial substance have not been fulfilled.

## *Article 5*

This Regulation shall enter into force on the 20<sup>th</sup> day after that of its publication in the *Official Journal of the European Union*.

It shall apply no earlier than 1 January 2006.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

*For the Commission*

[...]

*Member of the Commission*

## ANNEX I

1. The substances permitted for use are the following:

1) chlorine dioxide

at a maximum 3 mg/kg of residual chlorine dioxide in water used for poultry processing.

2) acidified sodium chlorite

- in poultry processing waters applied as pre-chiller or chiller solutions at concentrations between 50 and 150 mg/kg of sodium chlorite combined with an acid permitted for food use that achieves a pH between 2.8 – 3.2 in the solution;
- in poultry processing waters applied as spray or dip solutions at concentrations between 500 and 1200 mg/kg of sodium chlorite combined with an acid permitted for food use that achieves a pH between 2.3 – 2.9 in the solution. This use requires a 5-8 second immersion dip or 15 seconds spray, either prior to immersion or in a pre-chiller or chiller tank.

3) trisodium phosphate

at concentrations from 80 g/kg to 120 g/kg. The solution shall be maintained at a temperature of 7 to 13 °C and applied by dipping or spraying of uncooled carcasses for up to 15 seconds. It is critical that the concentration is maintained above 80 g/kg.

2. The substances mentioned in point 1 are permitted for use on intact poultry carcasses only.

## *ANNEX II*

Labelling instructions for individual products of animal origin:

1) intact poultry carcasses or fresh pieces thereof

- shall be labelled as follows: “anti-microbial treatment for reducing contamination has been used”.
- labelling will no longer be required :
  - (i) following the removal of the skin or
  - (ii) following processing into a meat product or a meat preparation.