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STATUTORY INSTRUMENTS

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**1993 No. 1520**

**FOOD**

**The Egg Products Regulations 1993**

<i>Made</i>	- - - -	<i>10th June 1993</i>
<i>Laid before Parliament</i>		<i>23rd June 1993</i>
<i>Coming into force</i>	- -	<i>14th July 1993</i>

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Health and the Secretary of State for Wales, acting jointly, in relation to England and Wales, and the Secretary of State for Scotland in relation to Scotland, in exercise of the powers conferred on them by sections 16(1) and (3), 17(1), 26 and 48(1) of, and paragraphs 1 and 4(b) of Schedule 1 to, the Food Safety Act 1990<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Regulations, after consultation in accordance with section 48(4) of the said Act with such organisations as appear to them to be representative of interests likely to be substantially affected by the Regulations:—

**Title and commencement**

1. These Regulations may be cited as the Egg Products Regulations 1993 and shall come into force on 14th July 1993.

**Interpretation and application**

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Food Safety Act 1990;

“appropriate Minister” means as respects England, the Minister of Agriculture, Fisheries and Food, and as respects Scotland or Wales, the Secretary of State;

“approval” means, in relation to an establishment, an approval granted by a food authority under regulation 5(2);

“approved”, in relation to an establishment, means an establishment approved by the food authority for the area in which it is situated;

“batch” means a quantity of egg products which have been prepared under the same conditions and in particular treated in a single continuous operation;

“cracked eggs” means eggs with a damaged but unbroken shell, with intact membranes;

“egg” means an egg laid by a hen, duck, goose, turkey, guinea fowl or quail;

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(1) 1990 c. 16; “the Ministers” is defined in section 4(1) of the Act.

“egg products” means products obtained from eggs, their various components or mixtures thereof, after removal of the shell and outer membranes, intended for human consumption, and includes such products when partially supplemented by other foodstuffs and additives and such products when liquid, concentrated, crystallised, frozen, quick-frozen, coagulated or dried, but does not include finished foodstuffs;

“egg products establishment” means any establishment at which egg products are treated, handled or obtained for the purpose of sale for human consumption;

“food authority” means—

(a) in relation to England and Wales—

- (i) as respects each district or London borough, the council of that district or borough;
- (ii) as respects the City of London (including the Temples), the Common Council;
- (iii) as respects the Inner Temple or the Middle Temple, the appropriate Treasurer; and

(b) in relation to Scotland, the islands or district council,

and in relation to England and Wales includes a port health authority;

“handling” includes manufacturing, preparing, processing, packaging, wrapping or re-wrapping;

“incubated eggs” means eggs from the time of insertion in the incubator as defined in Council Regulation 1907/90/EEC<sup>(2)</sup> as amended<sup>(3)</sup> on certain marketing standards for eggs;

“occupier” means in relation to any person carrying on a business as a manufacturer of egg products, that person or his duly authorised representative;

“sell” includes offer, handle, or expose, or have in possession for sale or supply in the course of a business;

“supply” means supply otherwise than by sale;

“whole egg” means a mixture of yolk and albumen.

(2) The following provisions of the Act shall apply for the purposes of these Regulations as they apply for the purposes of section 8, 14 or 15 of the Act and unless the context otherwise requires any reference in them to the Act shall be construed as a reference to these Regulations—

- (a) section 2 (extended meaning of “sale” etc.);
- (b) section 3 (presumption that food intended for human consumption);
- (c) section 20 (offences due to fault of another person);
- (d) section 21 (defence of due diligence);
- (e) section 22 (defence of publication in the course of business);
- (f) section 30(8) (which relates to documentary evidence);
- (g) section 33 (obstruction etc. of officers);
- (h) section 36 (offences by bodies corporate);
- (i) section 44 (protection of officers acting in good faith).

(3) Section 8(3) (which makes presumptions in the case of batches of food) of the Act shall apply to food which it is an offence to sell under these Regulations as it applies to food which fails to comply with food safety requirements.

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(2) OJ No. L173, 6.7.90, p.5.

(3) Commission Regulation 1274/91/EEC (OJ No. L121, 16.5.91, p.11), Commission Regulation 3540/91/EEC (OJ No. L335, 6.12.91, p.12) and Commission Regulation 2221/92/EEC (OJ No. L218, 1.8.92, p.81).

(4) Section 9 (inspection and seizure of suspected food) of the Act shall apply to food which it is an offence to sell under these Regulations as it applies to food which fails to comply with food safety requirements.

(5) Section 34 (which relates to time limits for the commencement of prosecutions) of the Act shall apply in relation to offences under these Regulations as it applies to offences punishable under section 35(2) of the Act.

(6) Any reference in these Regulations to a numbered regulation or Schedule shall be construed as a reference to the regulation or Schedule bearing that number in these Regulations.

### **Preparation requirements for egg products**

3.—(1) Subject to paragraph (4) below, no person shall sell for human consumption, or use in the preparation of food intended for sale for human consumption, any egg products which are a mixture of egg products obtained from more than one species.

(2) Subject to paragraph (3) and (4) below, no person shall sell for human consumption, or use in the preparation of food intended for sale for human consumption, any egg products unless those egg products comply with the requirements specified in Schedule 1 as read with Schedules 2, 3, 4, 5 and 6.

(3) Notwithstanding paragraph (2) above, any egg products which have been prepared in another Member State shall not have to comply with the requirements in Part II of Schedule 2.

(4) Notwithstanding paragraphs (1) and (2) above, egg products—

(a) obtained from eggs of ducks, geese, turkeys, guinea fowl, quail or graded A under Council Regulation 1907/90/EEC(4) as amended(5), or

(b) obtained from eggs containing no crack visible to the naked eye without candling and made into egg products at the farm where those eggs were produced,

may be used in the preparation of food intended for sale for human consumption if—

(i) they are so used at the establishment where they were obtained, whether or not the food is consumed at that establishment, and

(ii) they comply with the requirements of paragraphs 1, 2(a), 3 and 4 of Schedule 1.

(5) No person shall on or after 14th October 1993 sell for human consumption, or use in the preparation of food intended for sale for human consumption, any egg products unless—

(a) in the case of egg products prepared in Great Britain, they were prepared in an approved establishment in accordance with regulation 5; or

(b) in the case of egg products from another part of the Economic Community, they were prepared in an establishment which has been approved in accordance with Article 6 of Council Directive 89/437/EEC(6) as amended(7) on hygiene and health problems affecting the production and placing on the market of egg products.

### **Records**

4. Any person applying heat treatment to egg products shall—

(a) keep accurate records of the results of each test or process carried out by him as specified in Schedule 2 or 3, or in Parts II, III, IV, V or VI of Schedule 4;

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(4) OJ No.L173, 6.7.90, p.5.

(5) Commission Regulation 1274/91/EEC (OJ No.L121, 16.5.91, p.11), Commission Regulation 3540/91/EEC (OJ No.L335, 6.12.91, p.12) and Commission Regulation 2221/92/EEC (OJ No.L218, 1.8.92, p.81).

(6) OJ No.L212, 22.7.89, p.87.

(7) Council Directive 89/662/EEC (OJ No.L395, 30.12.89, p.13) and Council Directive 91/684/EEC (OJ No.L376, 31.12.91, p.38).

- (b) retain such records for a period of not less than two years from the date of the test or process to which the record relates;
- (c) produce such records on request to the appropriate food authority.

### **Approved establishments**

5.—(1) No person shall on or after 14th October 1993 manufacture any egg products or (except in the circumstances referred to in regulation 3(4)) apply heat treatment to any egg products for the purpose of sale for human consumption otherwise than in an establishment approved for the purposes of these Regulations by the food authority and which complies with the appropriate requirements of Schedules 1 and 8.

(2) The food authority on application made to it under this regulation shall issue an approval if it is satisfied that the egg products establishment complies with the requirements of these Regulations.

(3) Each application for an approval of an egg products establishment shall be made in writing under this regulation to the food authority by the owner or occupier of, or a person proposing to occupy the establishment to which the application relates.

(4) The application for the purposes of paragraph (3) above shall contain such information as the food authority may require.

(5) Each food authority shall after an inspection of the egg products establishment consider each application for the approval of any establishment for the purposes of these Regulations and shall approve it only if satisfied that its arrangements at the establishment are such that—

- (a) the storage at and transport from such establishment of egg products will comply with Schedules 5 and 6;
- (b) the requirements of Schedule 8 will not be contravened;
- (c) the packaging of egg products will comply with Schedule 9;
- (d) the marking of egg products from such establishment will comply with Schedule 10.

(6) The food authority shall, not later than 28 days after receipt of the application referred to in paragraph (3) above, notify the applicant in writing of its decision on each application for an approval under this regulation and of the reasons for any refusal to approve such egg products establishment.

(7) Any approval granted in respect of any egg products establishment under this regulation shall be subject to the condition that any alteration to the establishment shall comply, if appropriate, with the requirements of Schedules 1, 5 and 8.

(8) Any person who is aggrieved by the decision of a food authority not to grant an approval or by the imposition of specified conditions, may appeal against that decision in accordance with the provisions of section 37(3) to (6) inclusive of the Act.

(9) The food authority shall allot an approval number to each egg products establishment it approves for the purposes of these Regulations.

(10) Without prejudice to sections 9 to 12 of the Act, where the food authority has refused an approval under this regulation, a person who prior to the commencement of these Regulations, immediately before such refusal had been using an establishment for the handling of egg products, may continue to use it for that purpose, subject to any reasonable conditions imposed by the food authority for the protection of public health, until the time for appeal has expired and, if an appeal is lodged, until the appeal is finally disposed of or abandoned.

### **Revocation of approvals**

6.—(1) The appropriate Minister may revoke an approval granted under regulation 5 in respect of any egg products establishment if, after an inspection of, or an inquiry into, the method of operation of the establishment he is satisfied in respect of the establishment—

- (a) that any of the requirements of these Regulations is no longer being complied with;
- (b) that any of the requirements of these Regulations has not been complied with and no action has been taken to ensure that a similar breach does not occur in future; or
- (c) that any condition of the approval in accordance with regulation 5(7) has not been complied with.

(2) The appropriate Minister shall forthwith notify the owner or occupier in writing of his decision under paragraph (1) above to revoke any approval granted under these Regulations, in respect of any egg products establishment, of the date on which the revocation is to take effect and of the reasons for such revocation and the procedure in respect of any appeal against such revocation shall be that set out in regulation 5(8).

### **Movement between approved establishments**

7.—(1) No person shall despatch a container of non-pasteurised egg products from an approved establishment for treatment at another approved establishment unless he ensures that—

- (a) as soon as the egg products have been obtained after breaking the eggs they shall be stored deep frozen or chilled in accordance with Schedule 5, and
- (b) the egg products comply with the requirements specified in Schedule 1, other than paragraphs 6, 7, 8 and 15, and with the transport requirements specified in Schedule 6.

(2) For the purposes of these Regulations non-pasteurised egg products which satisfy the conditions specified in sub-paragraphs (1)(a) and (b) above shall be deemed to comply with the requirements in paragraphs 6, 7, 8 and 15 of Schedule 1.

(3) Notwithstanding the marking provisions specified in Schedule 10, no person shall despatch a container of non-pasteurised egg products from an approved establishment for treatment at another approved establishment unless he ensures that the container is labelled with the following information—

- (a) the words “non-pasteurised egg products”;
- (b) the words “to be treated at X” where X is the place of destination;
- (c) the date and time of breaking of eggs from which the egg products were made.

(4) Any person who receives from an approved establishment a container of non-pasteurised egg products which has been chilled in accordance with Schedule 5 shall treat such chilled egg products at the approved establishment of destination within 48 hours following the day of the breaking of the eggs from which the egg products were obtained.

### **Supervision by the food authority**

8.—(1) The food authority shall be responsible for the supervision of those establishments approved by it in accordance with regulation 5.

(2) The food authority shall in relation to an approved establishment take any supervision measures considered necessary to ensure that manufacturers of egg products comply with these Regulations and the provisions specified in Schedule 7.

### **Penalties and enforcement**

**9.**—(1) If any person contravenes or fails to comply with any of the provisions of regulations 3(1), (2), (3) and (5), 4, 5(1) or 7(1), (3) and (4), he shall be guilty of an offence and shall be liable—

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale in the case of regulations 3, 4(a), (b) and (c), 5 and 7;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both in the case of regulations 3, 5 and 7 and to a fine in the case of regulation 4(a).

(2) Each food authority shall enforce and execute the provisions of these Regulations in its area.

### **Revocations and transitional provisions**

**10.**—(1) The Regulations specified in columns 1 and 2 of Schedule 11 to these Regulations are revoked to the extent specified in relation thereto in column 3 of that Schedule as from 14th October 1993.

(2) No proceedings shall be instituted in the period between the date these Regulations come into force and 14th October 1993 in respect of any act which is alleged to constitute a contravention of the regulations specified in Schedule 11 where any such act is in compliance with the relevant provisions of these Regulations were they in force.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on

L.S.

10th June 1993.

*Gillian Shephard*  
Minister of Agriculture, Fisheries and Food

Signed by authority of the Secretary of State for Health

8th June 1993

*Cumberlege*  
Parliamentary Under Secretary of State,  
Department of Health

10th June 1993

*John Redwood*  
Secretary of State for Wales

8th June 1993

*Hector Monro*  
Parliamentary Under Secretary of State, Scottish  
Office

SCHEDULE 1

Regulations 3(2), (3) and (4), 5(7) and 7

REQUIREMENTS FOR THE PREPARATION OF EGG PRODUCTS

1. All operations shall be carried out in such a way as to avoid all contamination during the production, handling and storage of egg products.
2. In manufacturing egg products—
  - (a) only non-incubated eggs which are fit for human consumption may be used, and their shells must be fully developed and contain no breaks, and
  - (b) cracked eggs may be used provided that they are delivered directly from packing centres or the farm of production to the approved establishment at which they are to be heat treated, and broken there as quickly as possible.
3. The egg products shall be removed from the shell by a technique in which the eggs are broken in such a way as to avoid as far as possible contamination of the egg contents and which enables the contents of individual eggs to be inspected and if necessary rejected.
4. The egg products shall not be obtained by centrifuging or crushing.
5. Eggs and egg products which are unfit for human consumption shall be removed and denatured in such a way that they cannot be re-used for human consumption. They shall immediately be placed in the room provided for in paragraph 14 of Part I of Schedule 8.
- 6.—(1) Whole egg or yolk shall be pasteurised as specified in Part I of Schedule 2.
  - (2) Whole egg or yolk which is pasteurised by the process specified in sub-paragraph (a) of Part I of Schedule 2 shall satisfy the requirements of Part II of that Schedule.
  - (3) Albumen shall be heat treated as specified in Schedule 3.
7. A sample of the egg products from each batch shall be taken at the establishment at which they have been heat treated. When the sample is tested it shall satisfy the microbiological criteria and tests specified in Parts I to V inclusive of Schedule 4.
8. Batches of egg products shall be sampled at the establishment. When the sample is tested it shall satisfy the criteria specified in Part VI of Schedule 4.
- 9.—(1) Eggs and egg products presented for subsequent treatment at the establishment shall be stored immediately on arrival in the rooms provided for in paragraph 7 of Part I of Schedule 8 until they are processed.
  - (2) The temperature of those rooms shall be appropriate for the storage of eggs and egg products.
  - (3) Trays of shell eggs shall not be placed directly on the floor.
10. Eggs shall be unpacked, and, if necessary, washed and disinfected, in a room which is separate from the breaking room, and packaging material shall not be taken into the breaking room.
11. Eggs shall be broken in the room provided for in paragraph 9 of Part I of Schedule 8.
- 12.—(1) Dirty eggs shall be cleaned before being broken, and this shall be carried out in a room which is separate from the breaking room or from any room where exposed egg contents are handled.
  - (2) Cleaning procedures shall be such as to prevent contamination or adulteration of the egg contents.
  - (3) Shells shall be sufficiently dry at the time of breaking to prevent adulteration of the egg contents by the remains of the cleaning water.

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**13.—(1)** Eggs other than hen eggs or those of turkeys or guinea fowl shall be handled and processed separately.

(2) All equipment shall be cleaned and disinfected when processing of hen eggs and those of turkeys and guinea fowl is resumed.

**14.** The remains of shells or membranes shall be kept out of the egg product as far as possible and shall not exceed the quantity specified in paragraph 20 below.

**15.—(1)** After breaking, all the egg products shall undergo treatment as quickly as possible.

(2) A batch which has been insufficiently treated may immediately undergo treatment again in the same establishment provided either that the new treatment renders it fit for human consumption or that, should it be found to be unfit for human consumption, it is denatured in such a way that it cannot be re-used for human consumption.

**16.** If treatment is not carried out immediately after breaking, the egg contents shall be stored under satisfactory hygiene conditions, either frozen or at a temperature of not more than 4°C. The storage period at 4°C or less shall not exceed 48 hours, except in the case of ingredients to be desugared.

**17.—(1)** Any further processing operations after treatment shall ensure that there is no recontamination of the egg product; liquid egg products or concentrated egg products which have not been stabilised so as to keep at room temperature shall be either dried or cooled to a temperature not exceeding 4°C as quickly as possible, or after undergoing a fermentation process.

(2) Products for freezing shall be frozen immediately after treatment and cooling.

**18.** Egg products shall be kept at the temperatures required by Schedule 5 until they are used for the manufacture of other foodstuffs.

**19.** In establishments approved under regulation 5, the preparation of egg products from raw materials which are not suitable for the manufacture of foodstuffs shall not be carried out, even for non-food purposes.

**20.** The quantity of egg shell remains, egg membrane, and any other particles in the egg product shall not exceed 100 mg/kg of egg product.

**21.** The storage and transport of egg products from the establishment shall comply with Schedules 5 and 6.

## SCHEDULE 2

Regulations 3(2) and (3)

### PART I

#### PASTEURISATION OF WHOLE EGG OR YOLK

Whole egg and yolk shall be pasteurised by being—

- (a) retained at a temperature of not less than 64.4°C for at least 2 minutes and 30 seconds, or
- (b) retained at another temperature and for another period of time to achieve at least the same degree of destruction of vegetative pathogenic organisms as if treated by the process specified in paragraph (a) above,

and then as quickly as possible cooled to a temperature below 4°C and retained at that temperature unless otherwise preserved, save that the temperature of whole egg or yolk may be held above 4°C



solely for the purpose of dissolving added sugar or salt after which the whole egg or yolk shall be immediately cooled to below 4°C.

## PART II

### DETERMINATION OF ALPHA-AMYLASE IN WHOLE EGG OR YOLK

#### *Introduction*

1.—(1) A sample of whole egg or yolk which has been pasteurised by the process specified in sub-paragraph (a) of Part I of this Schedule shall be subjected to the alpha-amylase test to determine the efficacy of the pasteurisation process.

(2) The sample shall be subjected to the test as soon as possible after pasteurisation.

(3) At least one sample from each batch of egg product shall be taken.

#### *Sample preparation*

2. The sample shall consist of not less than 50 g of the whole egg or yolk. The sample to be examined shall be prepared for the test as follows:

(a) for whole egg, the original sample shall be used, save that any dried whole egg shall be reconstituted;

(b) for yolk—

(i) 5 ml yolk shall be diluted with 10 ml water,

(ii) any dried yolk shall be reconstituted before dilution.

#### *Reagents*

3. All reagents shall be of analytical reagent (AR) grade, water for the preparation of reagents shall be distilled or de-ionised, and the reagents shall comprise the following solutions—

(a) starch solution made up as follows—

(i) an amount of soluble starch of known moisture content and of the appropriate grade for the determination of alpha-amylase, equivalent to 0.70 g of dry starch mixed to a thin cream with cold water; transferred to about 50 ml of boiling water, boiled for one minute and then cooled by immersion in cold water; three drops of toluene shall be added and the whole diluted with water to 100 ml in a volumetric flask; the solution shall not be retained for longer than 14 days;

(b) solution of iodine made according to one of the following—

(i) an accurately weighed amount of 0.1269 g of iodine and 3.6 g of potassium iodide dissolved in water such that the final volume of the solution is 1 litre; the volumetric flask containing the solution shall be protected from light and a fresh solution shall be prepared daily;

(ii) the solution described in sub-paragraph (i) diluted from a stronger solution with appropriate adjustment of potassium iodide concentration; or

(c) solution of trichloroacetic acid made up as follows—

(i) 15% (w/v) of trichloroacetic acid dissolved in water.

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### Apparatus

4.—(1) Glassware shall be clean and dry before use and no mouth pipetting shall be carried out, and glassware that has come into contact with whole egg or yolk shall be sterilised after use.

- (2) The components of the apparatus shall be the following:
- (a) *analytical balance*
  - (b) *beakers*: 250 ml glass
  - (c) *volumetric flasks*: 100 ml, 1 litre
  - (d) *flasks*: 100 ml glass
  - (e) *water bath*: capable of maintaining a temperature of  $44^{\circ}\text{C} \pm 0.5^{\circ}\text{C}$
  - (f) *pipettes*: 2 ml, 5 ml, 10 ml, 15 ml glass Grade A
  - (g) *test tubes*: glass
  - (h) *filter paper*: Whatman No 1 or equivalent
  - (i) *Lovibond Comparator*: plus disc 4/26 and 25 mm cell, or any other apparatus which offers the equivalent level of accuracy and performance as described in paragraph 6 of this Part.

### Procedure

5. The test shall be carried out according to the following procedure:
- (a) the sample shall be at room temperature immediately before the test;
  - (b) 15.0 g of the sample shall be put into a small flask, 2.0 ml of the starch solution described in paragraph 3(a) above shall be added and mixed thoroughly;
  - (c) the mixture shall be placed for 30 minutes in a water bath maintained at  $44^{\circ}\text{C} \pm 0.5^{\circ}\text{C}$  and anchored securely; then removed and cooled to room temperature;
  - (d) 5 ml of the mixture shall be added to 5 ml of trichloroacetic acid solution in a test tube fitted with a ground glass joint and suitable stopper (or an equivalent item of equipment) and shaken thoroughly;
  - (e) 15 ml of water shall be added and the mixture shaken again; then it shall be filtered and if the solution is cloudy or turbid, the first runnings shall be rejected;
  - (f) 10 ml of the clear filtrate shall be added to 2 ml of iodine solution contained in a test tube.

### Interpretation

6.—(1) The sample passes the alpha-amylase test if the filtrate in the solution of iodine immediately turns a blue-violet colour.

(2) For this purpose colours more blue-violet than 3 of a standard Lovibond Comparator Disc 4/26, or of a comparable spectrophotometric standard, are taken as satisfactory.

### Quality Control Procedures

7.—(1) The colour shall be compared in an all-purpose Lovibond Comparator using a 25 mm cell.

(2) The reagents and procedure shall be checked by preparing two control tubes at the same time, and in the first of these the egg product shall be replaced with an equivalent amount of water and in the second the starch shall be replaced with an equivalent amount of water.

(3) In order to be satisfactory the first tube should be a deeper blue, and the second tube a lighter blue, than any shade on the disc.

## SCHEDULE 3

Regulations 3(2) and (3) and 4

### HEAT TREATMENT OF ALBUMEN

Albumen shall be heat treated by a process which has been designed to take account of the likely microbiological contamination levels in the untreated albumen and ensures that the treated albumen meets the criteria specified in Schedule 4.

## SCHEDULE 4

Regulations 3(2) and (3) and 4

### PART I

#### MICROBIOLOGICAL CRITERIA

1. For each batch the sample of egg products which is tested shall comply with the following microbiological criteria:—

- (a) salmonellae: absence in 25 g or 25 ml of egg products;
- (b) mesophilic aerobic bacteria:  $M = 10^5$  in 1 g or 1 ml;
- (c) enterobacteriaceae:  $M = 10^2$  in 1 g or 1 ml;
- (d) *Staphylococcus aureus*: absence in 1g of egg products.

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more.

### PART II

#### THE TEST FOR SALMONELLA IN HEAT TREATED EGG PRODUCTS

The sample shall be tested by the method prescribed in “British Standard 5763: Part 4, 1990 (ISO 6579). Methods for microbiological examination of food and animal feeding stuffs. Detection of salmonella”. Duplicate samples shall be examined.

### PART III

#### THE TEST FOR MESOPHILIC AEROBIC BACTERIA IN HEAT TREATED EGG PRODUCTS

The sample shall be tested by the method prescribed in “British Standard 5763: Part 1, 1991. Methods for the microbiological examination of food and animal feeding stuffs. Enumeration of micro-organisms—colony count at 30°C (surface plate technique)” or “British Standard 5763:Part 1, 1979 (ISO 4833). Methods for the microbiological examination of food and animal feeding stuffs. Enumeration of micro-organisms—colony count at 30°C (pour plate method)”.

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## PART IV

### THE TEST FOR ENTEROBACTERIACEAE IN HEAT TREATED EGG PRODUCTS

#### *Method of carrying out the test*

1. Subject to paragraphs 2 and 3 below, the sample shall be tested by the method prescribed in “British Standard 5763: Part 10, 1986 (ISO 7402). Methods for microbiological examination of food and feeding stuffs. Enumeration of enterobacteriaceae”.
2. The “colony count technique” specified in paragraph 9.3 of the British Standard referred to in the preceding paragraph shall be used.
3. For the purposes of inoculation of Petri dishes 1 ml of egg products appropriately diluted shall be transferred into each one of two 90 mm Petri dishes.

## PART V

### THE TEST FOR STAPHYLOCOCCUS AUREUS IN HEAT TREATED EGG PRODUCTS

The sample shall be tested by the method prescribed in “British Standard 5763: Part 7, 1983 (ISO 6888). Methods for the microbiological examination of food and animal feeding stuffs. Enumeration of *Staphylococcus aureus* by colony count technique”.

## PART VI

### OTHER CRITERIA

1. For each batch the sample of egg products which is tested shall comply with the following criteria:—
  - (a) the concentration of 3 OH-butyric acid must not exceed 10 mg/kg in the dry matter of the unmodified egg product;
  - (b) in order to ensure the hygienic handling of eggs and egg products the following standards shall apply—
    - (i) the lactic acid content shall not exceed 1000 mg/kg of egg product dry matter (applicable only to the untreated egg product),
    - (ii) the succinic acid content shall not exceed 25 mg/kg of egg product dry matter.

In the case of fermented products, these values are those recorded before the fermentation process.

## SCHEDULE 5

Regulations 3(2) and (3), 5(5)(a) and (7)  
and 7(1)(a)

## STORAGE

1. Egg products shall be stored in the storage rooms referred to in paragraph 7 of Part I of Schedule 8.

2.—(1) Egg products for which certain storage temperatures are required shall be maintained at those temperatures.

(2) Those storage temperatures shall be recorded continuously, the cooling rate shall be such that the product reaches the required temperatures as quickly as possible and the containers shall be stored in such a way that air can freely circulate round them.

3. The temperature in storage shall not exceed the following values—

- (a) for deep frozen products:  $-18^{\circ}\text{C}$ .
- (b) for other frozen products:  $-12^{\circ}\text{C}$ .
- (c) for chilled products:  $+4^{\circ}\text{C}$ .

## SCHEDULE 6

Regulations 3(2) and (3), 5(5)(a) and 7(1)  
(b)

### TRANSPORT

1. Vehicles and containers for the transport of egg products shall be designed and equipped in such a way that the temperatures required by these Regulations can be maintained continuously throughout the period of transport.

2. Egg products shall be despatched in such a way that they are adequately protected during transportation from anything which may be detrimental to them.

3. The temperatures specified in paragraph 3 of Schedule 5 shall be maintained during transport.

## SCHEDULE 7

Regulation 8

### SUPERVISION OF PRODUCTION IN APPROVED ESTABLISHMENTS

1. Egg products establishments shall be subject to any supervision measures considered necessary by an authorised officer of the food authority, who shall ensure that the requirements of these Regulations are met and in particular—

- (a) check on the origin of eggs, the destination of egg products and on the records referred to in regulation 4;
- (b) inspect eggs intended for the manufacture of egg products;
- (c) inspect egg products on despatch from the establishment;
- (d) verify the cleanliness of the premises, facilities and instruments and staff hygiene;
- (e) take any samples required for laboratory tests to ensure that eggs and egg products comply with the appropriate requirements of Schedule 1 and enter such results in a register and notify them to the person operating the establishment;
- (f) if he considers it appropriate, require the operator of the establishment by a notice in writing to increase the level of sampling referred to in Schedule 4 for a specified period;
- (g) make any other checks he considers necessary to ensure compliance with these Regulations.

2. The authorised officer of the food authority shall have free access at all times to all parts of the establishments to check that these provisions are being complied with.

SCHEDULE 8

Regulations 5(1), (5)(b) and (7)

APPROVAL OF ESTABLISHMENTS USED FOR  
THE MANUFACTURE OF EGG PRODUCTS

PART I

GENERAL CONDITIONS FOR ESTABLISHMENTS

1. In each area where eggs are to be stored or where egg products are to be manufactured or stored the establishment shall possess—

- (a) waterproof flooring which is easy to clean and disinfect, rotproof and laid in such a way as to facilitate the draining of water, with the water channelled towards drains fitted if necessary with gratings and traps to prevent odours;
- (b) smooth, durable, impermeable walls, with a light-coloured, washable coating up to a height of at least two metres and up to at least storage height in chilling or refrigeration rooms and in stores. Wall to floor junctions must be rounded or similarly finished in such a way as to facilitate cleaning;
- (c) doors in material that does not deteriorate and, if of wood, with a smooth and impermeable covering on both sides;
- (d) ceilings which are easy to clean and which have been built and finished in such a way as to prevent the accumulation of dirt and the formation of mould, the possible peeling of paint-work and the condensation of water vapour;
- (e) adequate ventilation and, if necessary, good steam extraction;
- (f) adequate natural or artificial lighting;
- (g) as near as possible to the work stations:
  - (i) an adequate number of facilities for the cleaning and disinfecting of hands and the cleaning of equipment with hot water, with non hand-operable taps;
  - (ii) for the cleaning of hands, hot and cold running water or water premixed to a suitable temperature, cleaning and disinfecting products and hand towels which can be used once only; and
  - (iii) facilities for the disinfecting of tools.

2.—(1) The establishment shall possess an appropriate number of changing rooms, with smooth, impermeable and washable walls and floors, wash basins and flush lavatories.

(2) The lavatories shall not give directly on to the work area.

(3) The wash basins shall have hot and cold running water or water premixed to a suitable temperature, materials for cleaning and disinfecting the hands, and hand towels which can be used once only.

(4) The wash basin taps shall not be hand-operable.

(5) There shall be a sufficient number of wash basins close to the lavatories.

3. The establishment shall possess a separate area and adequate facilities for cleaning and disinfecting fixed and mobile containers and tanks, save that, this area and these facilities shall not be required if there are provisions for the cleaning and disinfecting of containers and tanks at other centres.

4.—(1) The establishment shall, subject to sub-paragraph (2) below, possess facilities for the supply of exclusively potable water within the meaning of Council Directive [80/778/EEC](#)(8) as amended(9) relating to the quality of water intended for human consumption and potable water shall be used for all purposes.

(2) Notwithstanding sub-paragraph (1) above, facilities supplying non-potable water may be used for steam-production, fire-fighting and the cooling of refrigeration equipment, provided that—

- (a) the pipes installed for this purpose preclude the use of such water for other purposes and present no risk of contamination to the egg products,
- (b) the steam and water concerned may not come into contact with the egg products, and are not used for cleaning or disinfecting containers, plant or equipment coming into contact with the egg products, and
- (c) pipes carrying non-potable water are clearly distinguished from those carrying potable water.

5. The establishment shall possess appropriate equipment for protection against pests such as insects and rodents.

6. Within the establishment all equipment, couplings and instruments or their surfaces which are intended to come into contact with egg products shall be made of smooth material which is easy to wash, clean and disinfect, resists corrosion and does not transfer substances to the egg products in such quantities as to endanger human health, cause deterioration in the composition of the egg products or adversely affect their organoleptic characteristics.

7. The establishment shall possess suitable rooms large enough for the separate storage of the eggs and the finished egg products, where necessary, with refrigeration equipment to keep the egg products at the appropriate temperatures, and with all cold stores equipped with a thermometer or a remote recording thermometer.

8. Where dirty eggs are to be used, the establishment shall possess facilities for washing and disinfecting the eggs.

9.—(1) The establishment shall possess—

- (a) a special room with appropriate facilities for breaking eggs and collecting their contents and removing the parts of shell and membrane; and
- (b) a separate room for operations other than those referred to in paragraph (a) above.

(2) Where the egg products are to be heat treated—

- (a) heat treatment may be carried out in the room referred to in sub-paragraph (1)(a) above, when the establishment has a closed heat treatment system;
- (b) in other cases heat treatment must be carried out in the room referred to in sub-paragraph 1(b) above; and
- (c) in any case to which paragraph (b) above applies, every step shall be taken to prevent the contamination of egg products after heat treatment.

10. The establishment shall possess suitable facilities for in-plant conveying of egg contents.

11. The establishment shall possess equipment approved by the food authority for the treatment of egg products, fitted—

- (a) in the case of heat treatment at least with:
  - (i) automatic temperature control,

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(8) OJ No. L229, 30.8.80, p.11.

(9) Council Directive [81/858/EEC](#) (OJ No. L319, 7.11.81, p.19).

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- (ii) recording thermometer,
  - (iii) an automatic safety device preventing insufficient heating; and
- (b) in the case of a continuous heat treatment system, in addition to the items specified in subparagraph (a) above—
- (i) an adequate safety system preventing the mixture of heat treated egg products with incompletely heat treated egg products, and
  - (ii) an automatic safety recording device preventing the aforementioned mixture.
- 12.** The establishment shall possess a room for the storage of other foods.
- 13.** Where the egg products are packed in disposable containers, the establishment shall possess an appropriate and, if necessary, separate area for the storage of such containers and the raw materials intended for their manufacture.
- 14.** The establishment shall possess facilities for the immediate removal and separate storage of empty shells, and of eggs and egg products which are unfit for human consumption.
- 15.** The establishment shall possess suitable equipment for the hygienic packaging of egg products.
- 16.** To carry out analyses and examinations in accordance with the requirements of these Regulations, the establishment either shall possess an appropriate laboratory or shall have arrangements for securing the services of a laboratory that fulfils those requirements and for informing the relevant food authority of the identity of that laboratory.
- 17.** The establishment shall possess, so far as is required for its purposes, suitable equipment for the thawing of frozen egg products which must undergo treatment and further handling.
- 18.** The establishment shall possess a separate room for the storage of cleaning and disinfection products.

## PART II

### HYGIENE REQUIREMENTS RELATING TO THE PREMISES, EQUIPMENT AND STAFF OF ESTABLISHMENTS

- 1.** The highest degree of cleanliness shall be required of staff, premises and equipment at the establishment.
- 2.—(1)** Staff who treat or handle eggs and egg products in the establishment shall wear clean working clothes and headgear, and shall wash and disinfect their hands in the course of each working day and on each resumption of work.
- (2) It shall be forbidden to smoke, eat, spit or chew in areas within the establishment where eggs and egg products are handled or stored.
- 3.** No animals shall be brought into the establishment, and any rodents, insects or other vermin found therein shall be systematically destroyed.
- 4.** Within the establishment—
- (a) premises, equipment and instruments used for working on egg products shall be kept clean and in a good state of repair;
  - (b) equipment and instruments shall be carefully cleaned and disinfected several times if necessary during the working day, at the end of the day's work and before being re-used where they have been soiled;



- (c) closed pipe-line systems for conveying egg products shall be provided with an appropriate cleaning system which ensures their cleaning and disinfection in all parts; and
  - (d) after having been cleaned and disinfected, pipes shall be rinsed out with potable water.
5. Within the establishment premises, instruments and equipment shall not be used for purposes other than the processing of egg products or other foods and all appropriate measures shall be taken to prevent contamination of or adverse changes in the eggs or egg products.
6. Within the establishment detergents, disinfectants and similar substances shall be used and stored in such a way that instruments, equipment and egg products are not adversely affected, and their use shall be followed by thorough rinsing of such instruments and equipment with potable water.
7. Within the establishment persons who are possible sources of contamination shall be prohibited from working with or handling eggs or egg products.
8. Any person employed to work with or handle eggs or egg products in the establishment shall be required to produce a medical certificate to show that there is no reason why he or she should not engage in such work, and any such medical certificate shall be required to be renewed yearly.

## SCHEDULE 9

Regulation 5(5)(c)

### PACKAGING OF EGG PRODUCTS

- 1.—(1) Egg products shall be packaged in satisfactory hygiene conditions so as to ensure that they are not contaminated.
- (2) Containers shall comply with all requirements of hygiene, including the following—
- (a) they shall not be such as to impair the organoleptic characteristics of the egg products,
  - (b) they shall not be capable of transmitting to the egg products substances harmful to human health, and
  - (c) they shall be strong enough to protect the egg products adequately.
2. The room in which containers are stored shall be dust and vermin free, and materials for making disposable containers shall not be stored on the floor.
3. Containers used for egg products shall be clean prior to being filled, and re-usable containers must be cleaned, disinfected and rinsed before being filled.
4. Containers shall be brought into any work room in a hygienic manner and shall be used without undue delay.
5. Immediately after packaging, the containers shall be closed and placed in the storage rooms referred to in paragraph 7 of Part I of Schedule 8.
6. Containers intended for egg products may also be used for other foods if required, but only if they are cleaned and disinfected so as not to contaminate the egg products.
7. Containers which are to be used for the transport of egg products in bulk shall comply with all requirements of hygiene, and in particular the following—
- (a) their inside surfaces and any other part which may come into contact with any egg product shall be made of a smooth material which is easy to wash, clean and disinfect, resists corrosion and does not transfer substances to the egg product in such quantities as to endanger human health, cause deterioration in the composition of the egg product or adversely affect its organoleptic characteristics,

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- (b) they shall be designed so that the egg product can be removed completely and, if they are fitted with taps, these shall be easy to remove, dismantle, wash, clean and disinfect,
- (c) they shall be washed, cleaned, disinfected and rinsed immediately after each use and, if necessary, before re-use,
- (d) they shall be appropriately sealed after being filled and remain sealed during transportation until they are used, and
- (e) they shall be reserved for the transport of egg products.

## SCHEDULE 10

Regulations 5(5)(d) and 7(3)

### MARKING OF EGG PRODUCTS

**1.**—(1) Without prejudice to the requirements of the Food Labelling Regulations 1984(**10**) and the Food Labelling (Scotland) Regulations 1984(**11**), every consignment of egg products that leaves an establishment shall have a label bearing the three relevant particulars referred below.

(2) The first of those relevant particulars comprises—

(a) either:

- (i) on the upper part, the letters UK, followed by the approval number of the establishment, and
- (ii) on the lower part, one of the following sets of initials: CEE, EEC, EEG, EOK, EWG, EøF;

(b) or:

- (i) on the upper part, the name of the consigning country in capitals,
- (ii) in the centre, the approval number of the establishment, and
- (iii) on the lower part, one of the following sets of initials: CEE, EEC, EEG, EOK, EWG, EøF.

(3) The second of those relevant particulars comprises the temperatures at which the egg products are required to be maintained and the period during which their conservation may thus be assured.

(4) The third of those relevant particulars comprises an indication of the percentage of egg ingredients which the consignment contains when they are partially supplemented by other foods.

**2.** The label referred to in paragraph (1) above shall be legible, indelible and in easily decipherable characters.

**3.** The transport documents for the consignment shall include—

- (a) the nature of the products with an indication of the species of origin;
- (b) the batch numbers;
- (c) the place of destination and the name and address of the first addressee.

**4.** The information required by this Schedule and any information contained in any mark of wholesomeness shall be given in the official language or languages of the country of destination.

(10) S.I. 1984/1305, relevant amending instruments are S.I. 1985/67 and 71, 1987/1986, 1988/2112, 1989/768 and 2321, 1990/607, 2486, 2488 and 2489 and 1991/1476.

(11) S.I. 1984/1519, relevant amending instruments are S.I. 1985/71 and 1068, 1987/2014, 1988/2084, 1989/809, 1990/1, 816, 2505, 2506 and 2625 and 1991/1476.

## SCHEDULE 11

Regulation 10

## REVOCATIONS

Column 1 Regulations	Column 2 References	Column 3 Extent of revocation
The Liquid Egg (Pasteurisation) Regulations 1963	S.I. <a href="#">1963/1503</a>	All the Regulations
The Liquid Egg (Pasteurisation) (Scotland) Regulations 1963	S.I. <a href="#">1963/1591</a>	All the Regulations
The Food (Revision of Penalties) Regulations 1982	S.I. <a href="#">1982/1727</a>	The reference in Schedule 2 to the Liquid Egg (Pasteurisation) Regulations 1963
The Food (Revision of Penalties) Regulations 1985	S.I. <a href="#">1985/67</a>	The reference in Part II of the Schedule to the Liquid Egg (Pasteurisation) Regulations 1963
The Food (Revision of Penalties and Mode of Trial) (Scotland) Regulations 1985	S.I. <a href="#">1985/1068</a>	The reference in Schedule 1 to the Liquid Egg (Pasteurisation) (Scotland) Regulations 1963

**EXPLANATORY NOTE***(This note is not part of the Regulations)*

These Regulations revoke the Liquid Egg (Pasteurisation) Regulations 1963 and the Liquid Egg (Pasteurisation) (Scotland) Regulations 1963 and implement in part Council Directive [89/437/EEC](#) (OJNo. L212, 22.7.89, p.87) as amended by Council Directive [89/662/EEC](#) (OJ No. L395, 30.12.89, p.13) and Council Directive [91/684/EEC](#) (OJ No. L376, 31.12.91, p.38) (collectively referred to as “the Directive”) on hygiene and health problems affecting the production and placing on the market of egg products.

In general the Regulations make provision in Great Britain for the preparation and manufacture of egg products used in food intended for sale for human consumption, including the process of pasteurisation, and prohibit the manufacture of egg products otherwise than in an approved establishment.

The Regulations require egg products sold or used in the preparation of food to comply with specified requirements as to heat treatment, sampling, storage and transport (regulation 3; articles 3 and 11 of the Directive). A record must be kept of results of heat treatment tests applied to egg products (regulation 4; article 4 of the Directive).

On and after 14th October 1993 the manufacture and heat treatment of egg products for the purpose of sale for human consumption may be carried out only at an establishment approved by a food

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authority (regulation 5; articles 4 and 6 of the Directive). Each food authority is responsible for establishments which it has approved (regulation 8). Only the Minister can revoke any approval granted by a food authority (regulation 6).

The Regulations also require egg products which are moved between approved establishments to be properly stored, transported and labelled (regulation 7) and make provision for penalties and enforcement by each food authority within its area (regulation 9).

Information as to British Standards referred to in these Regulations can be obtained by post from the British Standards Institution at Milton Keynes or from any of the Institution's sales outlets.