

Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal by-products Regulation)

## TITLE II

### OBLIGATIONS OF OPERATORS

#### CHAPTER I

##### General obligations

##### Section 3

##### **Own checks and hazard analysis and critical control points**

###### *Article 28*

##### **Own checks**

Operators shall put in place, implement and maintain own checks in their establishments or plants in order to monitor compliance with this Regulation. They shall ensure that no animal by-products or derived products suspected or discovered not to comply with this Regulation leave the establishment or plant, unless destined for disposal.

###### *Article 29*

##### **Hazard analysis and critical control points**

1 Operators carrying out one of the following activities shall put in place, implement and maintain a permanent written procedure or procedures based on the hazard analysis and critical control points (HACCP) principles for the:

- a processing of animal by-products;
- b transformation of animal by-products into biogas and compost;
- c handling and storage of more than one category of animal by-products or derived products in the same establishment or plant;
- d manufacturing of pet food.

2 Operators as specified in paragraph 1 shall in particular:

- a identify any hazards that must be prevented, eliminated or reduced to acceptable levels;
- b identify the critical control points at the step or steps at which control is essential to prevent or eliminate a hazard or reduce it to acceptable levels;
- c establish critical limits at critical control points which separate acceptability from unacceptability, for the prevention, elimination or reduction of identified hazards;
- d establish and implement effective monitoring procedures at critical control points;

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EC) No 1069/2009 of the European Parliament and of the Council, Section 3. (See end of Document for details)

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- e establish corrective action when monitoring indicates that a critical control point is not under control;
  - f establish procedures to verify that the measures outlined in points (a) to (e) are complete and working effectively. Verification procedures shall be carried out regularly;
  - g establish documents and records commensurate with the nature and size of the businesses to demonstrate the effective application of the measures set out in points (a) to (f).
- 3 When any modification is made to a product, process or any stage of production, processing, storage or distribution, operators shall review their procedures and make the necessary changes.

[<sup>F14</sup> The appropriate authority may, by regulations, make such provision as the appropriate authority considers necessary or expedient to facilitate the implementation of this Article.]

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**Textual Amendments**

- F1** Art. 29(4) substituted (31.12.2020) by [The Animals \(Legislative Functions\) \(EU Exit\) Regulations 2019 \(S.I. 2019/588\)](#), regs. 1, **8(17)** (with reg. 12); 2020 c. 1, Sch. 5 para. 1(1)

*Article 30*

**National guides to good practice**

- 1 Where necessary, competent authorities shall encourage the development, dissemination and voluntary use of national guides to good practice in particular for the application of HACCP principles as referred to in Article 29. Operators may use such guides on a voluntary basis.
- 2 The competent authority shall assess national guides to ensure that:
- a they have been developed in consultation with representatives of parties whose interests may be substantially affected, and have been disseminated by sectors of operators; and
  - b their contents are practicable for the sectors to which they refer.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1069/2009 of the European Parliament and of the Council, Section 3.