

Regulation (EC) No 852/2004 of the European Parliament and
of the Council of 29 April 2004 on the hygiene of foodstuffs

CHAPTER V

FINAL PROVISIONS

Article 13

Amendment and adaptation of Annexes I and II

[^{F1} Annexes 1 and 2 may be adapted or updated by the appropriate authority taking into account—

- a the need to revise the recommendations set out in Annex 1. Part B, paragraph 2;
- b the experience gained from the implementation of HACCP-based systems pursuant to Article 5;
- c technological developments and their practical consequences and consumer expectations with regard to food composition;
- d scientific advice, particularly new risk assessments;
- e microbiological and temperature criteria for foodstuffs.]

[^{F2} Derogations from Annexes 1 and 2 may be prescribed by the appropriate authority, in particular in order to facilitate the implementation of Article 5 for small businesses, taking into account the relevant risk factors, provided that such derogations do not affect the achievement of the objectives of this Regulation.]

[^{F3} Nothing in this Regulation prevents the appropriate authority from using any power which the appropriate authority has to make subordinate legislation adapting the requirements set down in Annex 2 where that legislation does not compromise the achievement of the objectives of this Regulation and—

- a the adaptations have the aim of—
 - i enabling the continued use of traditional methods, at any of the stages of production, processing or distribution of food; or
 - ii accommodating the needs of food businesses situated in regions that are subject to special geographical constraints;
- b in cases not involving the matters at (a), the adaptations apply only to the construction, layout and equipment of establishments.]

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Textual Amendments

- F1** [Art. 13\(1\)](#) substituted (31.12.2020) by [The General Food Hygiene \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/642\)](#), regs. 1, **12(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 852/2004 of the european parliament and of the council, Article 13. (See end of Document for details)

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| F2 | Art. 13(2) substituted (31.12.2020) by The General Food Hygiene (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/642) , regs. 1, 12(b) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F3 | Art. 13(3) substituted (31.12.2020) by The General Food Hygiene (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/642) , regs. 1, 12(c) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F4 | Art. 13(4)-(7) omitted (31.12.2020) by virtue of The General Food Hygiene (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/642) , regs. 1, 12(d) ; 2020 c. 1, Sch. 5 para. 1(1) |

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 852/2004 of the european parliament and of the council, Article 13.