

Regulation (EC) No 853/2004 of the European Parliament and of the Council
of 29 April 2004 laying down specific hygiene rules for food of animal origin

[^{X1}CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1 This Regulation lays down specific rules on the hygiene of food of animal origin for food business operators. These rules supplement those laid down by Regulation (EC) No 852/2004. They shall apply to unprocessed and processed products of animal origin.

2 Unless expressly indicated to the contrary, this Regulation shall not apply to food containing both products of plant origin and processed products of animal origin. However, processed products of animal origin used to prepare such food shall be obtained and handled in accordance with the requirements of this Regulation.

3 This Regulation shall not apply in relation to:

- a primary production for private domestic use;
- b the domestic preparation, handling or storage of food for private domestic consumption;
- c the direct supply, by the producer, of small quantities of primary products to the final consumer or to local retail establishments directly supplying the final consumer;
- d the direct supply, by the producer, of small quantities of meat from poultry and lagomorphs slaughtered on the farm to the final consumer or to local retail establishments directly supplying such meat to the final consumer as fresh meat;
- e hunters who supply small quantities of wild game or wild game meat directly to the final consumer or to local retail establishments directly supplying the final consumer.

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- a Unless expressly indicated to the contrary, this Regulation shall not apply to retail.
- b However, this Regulation shall apply to retail when operations are carried out with a view to the supply of food of animal origin to another establishment, unless:
 - (i) the operations consist only of storage or transport, in which case the specific temperature requirements laid down in Annex III shall nevertheless apply;
 - or
 - (ii) the supply of food of animal origin from the retail establishment is to other retail establishments only and ^{F2}... is a marginal, localised and restricted activity.
- c [^{F3}The appropriate authority] may adopt ^{F4}... measures to apply the requirements of this Regulation to retail establishments ^{F4}... to which it would not apply pursuant to subparagraphs (a) or (b).

6 This Regulation shall apply without prejudice to:

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 853/2004 of the European Parliament and of the Council, CHAPTER I. (See end of Document for details)

- a relevant animal and public health rules, including more stringent rules laid down for the prevention, control and eradication of certain transmissible spongiform encephalopathies;
 - b animal welfare requirements;
- and
- c requirements concerning the identification of animals and the traceability of products of animal origin.

Textual Amendments

- F1** Art. 1(4) omitted (31.12.2022) by virtue of [The Food and Feed \(Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1351\)](#), regs. 1(1), **9(2)**
- F2** Words in Art. 1(5)(b)(ii) omitted (31.12.2020) by virtue of [The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\)](#), regs. 1, **4(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Art. 1(5)(c) substituted (31.12.2020) by [The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\)](#), regs. 1, **4(b)(ii)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in Art. 1(5)(c) omitted (31.12.2020) by virtue of [The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\)](#), regs. 1, **4(b)(ii)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

Article 2

Definitions

The following definitions shall apply for the purposes of this Regulation:

1. the definitions laid down in Regulation (EC) No 178/2002;
 2. the definitions laid down in Regulation (EC) No 852/2004;
 3. the definitions laid down in Annex I;
- and
4. any technical definitions contained in Annexes II and III.]
 5. [^{F5}“appropriate authority” means—
 - (a) in relation to England, the Secretary of State;
 - (b) in relation to Wales, the Welsh Ministers;
 - (c) in relation to Scotland, the Scottish Ministers;
 6. “prescribe” means prescribe by regulations.]

Textual Amendments

- F5** Art. 2(5)(6) inserted (31.12.2020) by [The Specific Food Hygiene \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/640\)](#), regs. 1, **5** (as amended by S.I. 2020/1504, regs. 1(2), **9(3)**); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 853/2004 of the European Parliament and of the Council, CHAPTER I. (See end of Document for details)

Editorial Information

- X1** Substituted by [Corrigendum to Regulation \(EC\) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin \(Official Journal of the European Union L 139 of 30 April 2004\)](#).

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 853/2004 of the European Parliament and of the Council, CHAPTER I.