

Commission Regulation (EC) No 2074/2005 of 5 December 2005 laying down implementing measures for certain products under Regulation (EC) No 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No 854/2004 of the European Parliament and of the Council and Regulation (EC) No 882/2004 of the European Parliament and of the Council, derogating from Regulation (EC) No 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No 853/2004 and (EC) No 854/2004 (Text with EEA relevance)

[^{F1} Article 1

**Requirements concerning food chain information
for the purpose of Regulation (EC) No 853/2004**

Requirements concerning food chain information as referred to in Section III of Annex II to Regulation (EC) No 853/2004 are set out in Annex I to this Regulation.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2019/1139 of 3 July 2019 amending Regulation \(EC\) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow's milk \(Text with EEA relevance\).](#)

[^{F1} Article 2

**Requirements concerning fishery products for
the purpose of Regulation (EC) No 853/2004**

Requirements concerning fishery products as referred to in Article 11(9) of Regulation (EC) No 853/2004 are set out in Annex II to this Regulation.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2019/1139 of 3 July 2019 amending Regulation \(EC\) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow's milk \(Text with EEA relevance\).](#)

Status: Point in time view as at 14/12/2019.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2074/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

^{F1}Article 3

Recognised testing methods for marine biotoxins for the purpose of Regulation (EC) No 853/2004

The recognised testing methods for detecting marine biotoxins as referred to in Article 11(4) of Regulation (EC) No 853/2004 are as set out in Annex V to Implementing Regulation (EU) 2019/627.]

Textual Amendments

- F1** Substituted by [Commission Implementing Regulation \(EU\) 2019/1139 of 3 July 2019 amending Regulation \(EC\) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow's milk \(Text with EEA relevance\).](#)

Article 4

Calcium content of mechanically separated meat for the purpose of Regulation (EC) No 853/2004

The calcium content of mechanically separated meat as referred to in Article 11(2) of Regulation (EC) No 853/2004 is as set out in Annex IV to this Regulation.

^{F2}Article 5

[^{F2}Lists of establishments for the purpose of Regulation (EC) No 882/2004]

Textual Amendments

- F2** Deleted by [Commission Implementing Regulation \(EU\) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation \(EU\) 2017/625 of the European Parliament and of the Council and amending Commission Regulation \(EC\) No 2074/2005 as regards official controls \(Text with EEA relevance\).](#)

^{F3}Article 6

[^{F3}[^{F4}Model health certificates and documents for imports of certain products of animal origin for the purpose of Regulations (EC) Nos 853/2004 and 854/2004]]

Status: Point in time view as at 14/12/2019.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2074/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F3** Deleted by Commission Implementing Regulation (EU) 2019/628 of 8 April 2019 concerning model official certificates for certain animals and goods and amending Regulation (EC) No 2074/2005 and Implementing Regulation (EU) 2016/759 as regards these model certificates (Text with EEA relevance).
- F4** Substituted by Commission Implementing Regulation (EU) No 809/2011 of 11 August 2011 amending Regulation (EC) No 2074/2005 as regards documentation accompanying imports of frozen fishery products directly from a freezer vessel (Text with EEA relevance).

[^{F1}Article 6a

Testing methods for raw milk and heat-treated cow's milk

The analytical methods set out in Annex III to Implementing Regulation (EU) 2019/627 shall be used by food business operators to check compliance with the limits set out in Part III of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004 and to ensure appropriate application of a pasteurisation process to dairy products as referred to in Part II of Chapter II of Section IX of Annex III to that Regulation.]

Textual Amendments

- F1** Substituted by Commission Implementing Regulation (EU) 2019/1139 of 3 July 2019 amending Regulation (EC) No 2074/2005 as regards official controls on food of animal origin in relation to requirements concerning food chain information and fishery products and to the reference to recognised testing methods for marine biotoxins and to testing methods for raw milk and heat-treated cow's milk (Text with EEA relevance).

^{F2}Article 6b

[^{F2}[^{F5}Requirements concerning official controls for the inspection of meat for the purpose of Regulation (EC) No 854/2004]

Textual Amendments

- F2** Deleted by Commission Implementing Regulation (EU) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No 2074/2005 as regards official controls (Text with EEA relevance).
- F5** Inserted by Commission Regulation (EC) No 1244/2007 of 24 October 2007 amending Regulation (EC) No 2074/2005 as regards implementing measures for certain products of animal origin intended for human consumption and laying down specific rules on official controls for the inspection of meat (Text with EEA relevance).

Status: Point in time view as at 14/12/2019.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2074/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

^{F2}Article 6c

[^{F6}Requirements concerning the official controls on fishery products caught by vessels flying the flag of Member States entering the Union after being transferred in third countries with or without storage]]

Textual Amendments

- F2** Deleted by [Commission Implementing Regulation \(EU\) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation \(EU\) 2017/625 of the European Parliament and of the Council and amending Commission Regulation \(EC\) No 2074/2005 as regards official controls \(Text with EEA relevance\).](#)
- F6** Inserted by [Commission Regulation \(EU\) 2017/1973 of 30 October 2017 amending Regulation \(EC\) No 2074/2005 as regards official controls on fishery products caught by vessels flying the flag of a Member State and introduced into Union after being transferred in third countries and establishing a model health certificate for those products \(Text with EEA relevance\).](#)

Article 7

Derogation from Regulation (EC) No 852/2004 for foods with traditional characteristics

1 For the purposes of this Regulation, ‘foods with traditional characteristics’ means foods that, in the Member State in which they are traditionally manufactured, are:

- a recognised historically as traditional products, or
- b manufactured according to codified or registered technical references to the traditional process, or according to traditional production methods, or
- c protected as traditional food products by a Community, national, regional or local law.

2 Member States may grant establishments manufacturing foods with traditional characteristics individual or general derogations from the requirements set out in:

- a Chapter II(1) of Annex II to Regulation (EC) No 852/2004 as regards the premises where such products are exposed to an environment necessary for the part-development of their characteristics. Such premises may in particular comprise walls, ceilings and doors that are not smooth, impervious, non-absorbent or of corrosion-resistant material and natural geological walls, ceilings and floors;
- b Chapter II(1)(f) and Chapter V(1) of Annex II to Regulation (EC) No 852/2004 as regards the type of materials of which the instruments and the equipment used specifically for the preparation, packaging and wrapping of these products are made.

The cleaning and disinfecting measures for the premises referred in (a) and the frequency with which they are carried out shall be adapted to the activity in order to take account of their specific ambient flora.

The instruments and equipment referred to in (b) shall be maintained at all times in a satisfactory state of hygiene and be regularly cleaned and disinfected.

Status: Point in time view as at 14/12/2019.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EC) No 2074/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

3 Member States granting the derogations provided for in paragraph 2 shall notify the Commission and the other Member States of this no later than 12 months after granting individual or general derogations. Each notification shall:

- a provide a short description of the requirements that have been adapted;
- b describe the foodstuffs and establishments concerned; and
- c give any other relevant information.

Article 8

Amendments to Regulation (EC) No 853/2004

Annexes II and III to Regulation (EC) No 853/2004 are amended in accordance with Annex VII to this Regulation.

Article 9

Amendments to Regulation (EC) No 854/2004

Annexes I, II and III to Regulation (EC) No 854/2004 are amended in accordance with Annex VIII to this Regulation.

Article 10

Entry into force and applicability

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2006, except for Chapters II and III of Annex V, which shall apply from 1 January 2007.

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

Status:

Point in time view as at 14/12/2019.

Changes to legislation:

There are outstanding changes not yet made to Commission Regulation (EC) No 2074/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.