



Notification Number: 2016/360/E

Order of the Minister for Economic Development and Competition and of the Minister for Health, adopting the draft Order for specific technical standards for the adaptation of the health and hygiene requirements for dairy products and ice creams.

Date received : 15/07/2016

End of Standstill : 17/10/2016

Message

Message 002

Communication from the Commission - TRIS/(2016) 02189

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2016/0360/E

No abre el plazo - Nezaħajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201602189.EN)

1. Structured Information Line

MSG 002 IND 2016 0360 E EN 15-07-2016 E NOTIF

2. Member State

E

3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación de Políticas Comunes y de Asuntos Generales de la Unión Europea.

Secretaría de Estado para la Unión Europea.

Ministerio de Asuntos Exteriores y de Cooperación.

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3. Originating Department

Gobierno Vasco.

Departamento de Desarrollo Económico y Competitividad.

Dirección e Calidad e Industrias Alimentarias.

4. Notification Number

2016/0360/E - C00A

5. Title

Order of the Minister for Economic Development and Competition and of the Minister for Health, adopting the draft Order for specific technical standards for the adaptation of the health and hygiene requirements for dairy products and ice creams.

6. Products Concerned

PRODUCTS MADE FROM PROCESSED MILK:

- Pasteurised milk.
- Fermented milk: yoghurts, curds, kefir
- Fresh and semi-hard cheeses.
- Butters, creams, curd cheeses.
- Other.

PRODUCTS MADE FROM RAW MILK:

- Cheeses with a minimum curing period of 60 days

ICE CREAMS

7. Notification Under Another Act

- Regulations (EC) No 852/853/854/2004 on the hygiene of foodstuffs
- Directive 94/62/EC on packaging and packaging waste
- Directive 2000/13/EC on the labelling, presentation and advertising of foodstuffs
- 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, introducing exceptions to the provisions of 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.

8. Main Content

The standard establishes the health and hygiene conditions and specific requirements that must be met by NON-INDUSTRIAL establishments that prepare dairy products (products obtained by processing raw milk) and ice creams in the Basque Country:

Location and access roads



Layout, design and dimensions of the buildings and premises
Internal structures of the premises
Water supply
Effluents and waste water
Lighting
Ventilation
Equipment and utensils
Hygiene services and changing rooms
Personal hygiene
Cleaning and disinfection
Pest control
Storage, handling and disposal of waste, non-edible by-products and returns
Means of transport
Operational Hygiene (Products and Processes)
Handler training
Packaging and wrapping
Labelling and Traceability
Self-checking system

9. Brief Statement of Grounds

The "hygiene package" comprises six Regulations that harmonise and simplify 17 directives, making up a single, transparent food hygiene policy that has been applicable to all foodstuffs since 1 January 2006. The Regulations that make up the hygiene package are:

- Regulation (EC) 178/2002
- Regulation (EC) 852-853-854/2004
- Regulation (EC) 882/2004
- Regulation (EC) 183/2005

The products covered by the hygiene package include all foodstuffs, although there are also specific standards for food of animal origin.

As an exception, the aforementioned EC standards are not applied in their entirety to:

- Primary food production for private use
- Small quantities of primary production destined directly for the final consumer or retail outlets, where the national standards will be applicable.

The applicability of special health and hygiene standards for this kind of product is laid down in 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, establishing exceptions to the provisions of 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.

Primary responsibility for compliance with the specific hygiene standards for these products falls to the food business operator, while verification is the responsibility of the relevant authority.

The objective basis for the draft order presented in this report is based on two pillars, which are the focal points and the reason that gives rise to it and underlies it.

Firstly, there is the need to implement, in the Autonomous Community of the Basque Country, 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, establishing exceptions to the provisions of 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.

Determining the health and hygiene requirements for the primary production of certain products produced by small farms that sell their output directly or in short supply chains, and where applicable, their potential adaptation, makes it necessary to establish some minimum parameters that the requirements must contain and on which the adaptation must be based. In the Order which is being processed, the aforementioned requirements on dairy products and ice cream.

Secondly, the implementation of Decree 76/2016 of 17 May, laying down the conditions for the adaptation of the health and hygiene requirements for various types of agricultural production in the Basque Country, in particular its Article 6.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): Decree 76/2016 of 17 May, laying down the conditions for the adaptation of the health and hygiene requirements for various types of agricultural production in the Basque Country.

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft has no significant impact on international trade.



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

European Commission

Contact point Directive (EU) 2015/1535

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