

## Summary Of Comments Received From The Consultation On The Proposal to Consolidate EU Hygiene Legislation by the Final Response Deadline of 20/10/00 (England). [Inclusive of initial summary of comments ]

Organisation	Summary of Comments
Alnwick District Council.	<p>Possible over reliance on HACCP. Inspection should be as vigilant even with the introduction of HACCP. The role of EHO as hygiene specialist must be preserved. HACCP may well be too expensive for small rural businesses to implement. Full HACCP may not be necessary for SMEs, pursuing the requirements of hazard analysis with documentation could be sufficient. Members against reduction of ante and post-mortem inspections in SMEs.</p> <p>Relying solely on HACCP instead of independent inspection of carcasses would be a backward step. Inspection needed to prevent escalation of black market sales. Complaint about FSA's misleading use of quarterly and informal sampling returns.</p>
Anderley Associates	<p>Proposal creating climate of insecurity. The policy and strategy of HACCP implementation should be based upon the licensed professional food manager. All aspects of the industry should be consulted, particularly on the implementation. Regulation on the hygiene of foodstuffs supported but may not allow flexibility. Registration implies approval, ignoring professional competence. Key tests for a food business is the management of hygiene. Raises questions on the current butchers licensing system and local enforcement authority resources. Language and literacy problems in the food industry, highlighted. Catering premises present a higher risk to public health than butchers' premises. Should butchers licensing be extended to cover the catering industry in light of this higher risk? Could training act as an alternative to legislation? Will the present and developing competence of EHOs be sufficient to meet future needs? Should the route of licensing food managers be taken? An EU standard for training covering all member states suggested. Designated competent food managers allow for flexibility and will help in</p>

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	<p>the area of traditional production methods, geographical constraints and local markets. Attention drawn to the USA experience of implementing HACCP to raise the question of a time-scale for implementation. The commission has not provided evidence that higher food safety will be achieved. Licensed food managers will increase consumer confidence. Training essential for those who need to implement HACCP regimes. The FSA should advise on training policy and strategy. Government should fund training programmes. These provisions should be in place before SMEs can meet the challenge of the proposals. Cost of implementation difficult to quantify. Deregulation and subsidiarity has prevented a common set of standards across EU member states. Suspicion raised about the emphasis on training in the proposal. Five suggestions for achieving recognition of human intellectual investment within the industry.</p>
Association of Convenience Stores	<p>Welcome the proposal and the move towards a comprehensive framework as opposed to product specific.  A 'farm to fork' approach will result in a more level playing field.  HACCP will ultimately benefit small retailers. Formalising HACCP will help small retailers to ensure their own systems for a basis for due diligence defence. Businesses will be free to decide how best to comply with the legislation and not be forced to introduce inappropriate controls. A more regular audit and less intrusive inspections are anticipated. Assistance for compliance requested from enforcement agencies. The national food agency should develop training and best practice schemes under an EU requirement. Anxious to ensure that the definition of 'retail level' remains that of Article 2 and includes wholesalers and self-distributors. ACS supports the implication that the responsibility for traceability should rest with food</p>

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	producers and manufacturers. They believe that small retailers should be exempt from all requirements relating to traceability. Do not believe that the cost implications of the proposals will be significant.
Association of Private Market Operators	Considers that 'farmers' markets and 'French' markets are not receiving enough EHO attention.
Automatic Vending Association.	Welcome measures commensurate with the size and nature of food businesses. HACCP welcomed, but seen as a paper exercise unless more health officers are provided to regulate and monitor the regulation.

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Bakers Slaughtering Services	<p>A large number of concerns; Primary production - prejudging the risks. Assessment should be conducted on the effect the new legislation will have on food poisoning. Phasing out the MHS suggested. HACCP inappropriate for most food operations. Critical control points cannot always be identified.</p> <p>Point made about the presence of Zoonotic pathogens. Abattoirs to be treated as primary producers would solve the problem of identifying CCPs. Comments made on risk assessment for food poisoning. New legislation welcome, but its basic assumptions questionable. Enforcement regimes must be changed. Funding by industry to provide controls is unacceptable. Compliance costs need clarifying. Cost benefit analysis in the Regulatory Impact Assessment dismissed.</p>
BCVA Surveillance Group	Supports the presentation of clean animals for slaughter. General overall support.
Borough of Poole	<p>Proposal good overall and progressive. The practicalities of enforcement need resolving to avoid national inconsistencies. SMEs need definitive advice.</p> <p>Shift of responsibilities to producers generally supported, as it will remove over prescriptive legislation. Financial support for training should be made available. Training best supplied by the relevant trade sector. Ethnic needs should be considered. Assurance required that legislation will be applied consistently across EU. Favour regional enforcement and no reduction in inspection programmes. Should be adequate controls on third country imports.</p> <p>Strong enforcement, with equally punitive sanctions needed to stop 'cowboy traders'. Consolidation favoured. Will lead to equal playing field across EU.</p> <p>Financial support needed in the producing of HACCP plans.</p>
Brewers & Licensed Retailers	Supports basing the new proposal on Directive 93/43 and the extension of industry

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Association	<p>guides to other industry sectors. Suggest the UK regulations on temperature control be used for the EU model. Welcomes recognition of the needs of SMEs. Pointed out that licensing and registration are very distinct. Further comments to follow.</p>
British Egg Industry Council	<p>In general BEIC welcome the proposal. Support introduction of HACCP. Account needs to be taken for different sized enterprises. Support the emphasis for food operators to take responsibility for food safety procedures. Express a wish to be consulted during the development of FSOs. Proper control on imports into the EU should be put into place. Clarification requested, as to what level of hygiene is required at the farm. Support a risk-based system at primary production level. Flexibility is welcome as long as food safety is not compromised. Accept categorisation of eggs and egg products. With regards to import from third countries, competent authorities should be sufficiently resourced to make necessary checks. Where price becomes a significant factor following the Liberalisation of world trade, competent authorities must ensure food safety standards are maintained.</p> <p><b>On the hygiene of foodstuffs.</b></p> <p>Article 9.1; Registration carried out by MAFF EMI from farm to retail.</p> <p><b>Specific hygiene rules for food of animal origin.</b></p>

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	<p>Section X; Eggs and Egg Products.</p> <p>Point 2. - Seek confirmation that Council Decision 94/371/EC will be superseded to allow for flexibility in the storage period.</p> <p>The Regulation must provide flexibility in light of new developments while maintaining flexibility.</p> <p>Support the introduction of full traceability. Unnecessary overlap with existing legislation must be avoided. E.g. registration of egg packing centres, documentation. Clarification required on who will enforce the egg legislation, EMI or Local Authority. Competent authorities will need proper resources to ensure imports meet EU hygiene standards. Food business operators will need 'considerable education' about the 'farm to table' principle. A Regulation will prevent distortion of competition between Member States.</p>
British Egg Products Association	Supportive of proposals.
British Goat Society	<p>Cost of recasting the hygiene legislation unjustifiable. Doubts that simplification of legislation will be achieved. HACCP documentation an intolerable burden for small businesses. Flexibility, guidelines and codes create uneven and unnecessary enforcement. Unsure about the categorisation of dairy products. Uncertainties in implementation must be avoided.</p>

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British Hospitality Association	<p>Support basing the new regulation of the philosophy of Council Directive 93/43 and the proposed utilisation of industrial guides. There is a requirement for subsidiary legislation to spell out responsibilities.</p> <p>Preamble:</p> <p>Page 18, Para 3. Would not wish to see due diligence defence abolished.</p> <p>Article 2 'Small business' should be included in the list of Definitions. Street markets appear to have been excluded.</p> <p>Article 5. Full 7 point HACCP for catering establishments should be resisted. The requirement under Directive 93/43, Article 3 should be retained. Documentation should relate to food safety and be kept to a minimum. National guidance should be provided to ensure consistency of enforcement.</p> <p>Article 9. Current food promises registration requirements are sufficient.</p> <p>Annex II Concern that the proposal is specifying the need for visible indication of temperatures and continuous monitoring. Such a requirement would result in huge costs.</p>
British Meat Federation	<p>MHS supervision and HACCP are incompatible and will cause duplication and conflict. Transitional period necessary. Independent official inspection at odds with new legislation.</p> <p><b>Additional comments submitted 13 October.</b></p>

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	<p>The spreading of responsibility for food safety broadly welcomed. Difficult to reconcile flexibility with consistent application of the legislation across the EU. Strongly urge periodic review of the finalised legislation with a facility for rapid updates. The new legislation must not be overlaid on existing meat hygiene inspection policy. Any savings and benefits made possible by simplification must be reflected in new inspection regimes. No justification for treating meat different from other foods. Would like to move to new inspection regime as soon as possible. Existing regime seen as outdated, restrictive and expensive. Costs and responsibilities are concentrated in abattoirs and cutting plants but could be spread to reflect responsibility across food chain.</p> <p><b>Regulatory Impact Assessment.</b></p> <p>Para 1.3, pg. 2.                      Totally supports.            Para 1.4 to 1.6, pg. 3            HACCP will need to be applied to livestock on farms, not just from slaughterhouses onwards.            Para 1.6, pg. 3                    Shift in responsibility to producers interpreted as meat plants employing their own meat inspectors as part of safety team.                Accept the need for independent inspectors under the MHS, not reflected in 2000/0180(COD), Annex 2, page 113.                Suggest a rewording of Annex 2, para 2.            Para 3.2, pg. 6.                    1. Should include feedstuffs and livestock farms.                4. Catering establishments should be included as 'critical parts</p>

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	<p>of food production process'.</p> <p>6. Need for actual reduction in inspection costs. Should be achieved by redistribution of costs and improved use of resources. Accredited plants should need less supervision.</p> <p>Para 4.3, pg. 7. Hope that introduction of HACCP will be supported by Government funding.</p> <p>Para 4.4, pg. 8. Extra costs envisaged in demonstrating effective HACCP system to auditors. Auditing staff will need better training. Support the derogations on full time veterinary supervision. Derogations should be available to plants of all sizes. Derogations do not sit comfortably with the concept of EC Regulation which promotes uniformity of application.</p> <p>Para 5 &amp; 8, pg. 8 &amp; 10 Short term compliance cost must be offset by savings on meat inspection.</p> <p>Para 9, pg. 10 Should be commitment to review legislation every 10 years. Need fast track review for rapidly changing circumstances.</p> <p><b>Explanatory Memorandum</b></p> <p>Supports summary at Chapter I.</p> <p>Chapter II, Para 1, pg3 Codes would relieve the need for inclusion of detailed requirements. e.g. 2000/0179(COD) Annex 2, Section 1, Ch 4, para 2b.</p> <p>Para 1.c, pg. 5 Reference to registration and approval is not clear. No</p>

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	<p>mention of sanctions on failure to comply.</p> <p>Para 1.f, pp.5 &amp; 6 Believe that a risk based assessment on farms will reduce costs for abattoirs and livestock producers. Do not see why formal HACCP is not foreseen for farms. Need to ensure that legislation covering animal feed is seen to be effective.</p> <p>Para 1.g, p.6 Derogations will lead to different interpretations across MS. Automatic relaxation for SMEs should no been seen as a right. Derogation will distort competition.</p> <p>Para 2.b, p.8 Should include fresh meat and meat preparations.</p> <p>Para 2.d, p.9 Approval and health marking must be maintained. Plant Numbers are a way of ensuring traceability. OVS Responsibility for health marking is an area for debate.</p> <p>Para 2.e, p.9 Absence of codes of practice would not create a Vacuum for the meat industry.</p> <p>Para 2.g, p.10 Existing work on transportation and temperature of Storage should be fed into EC Scientific committees. Acknowledged need for review of chapter IX, 2000/0179, Annex 2, section 1.</p> <p>Para 2.h, p.10 No definition of the size of Small Production Units. Needs clarification as SPUs present greatest risk to food poisoning.</p> <p>Para 2.j, p. 11 Support differentiation between quality and hygiene.</p> <p>Chapter III, p.11 Anomaly - cancelled directives. Includes 94/65 but not</p>

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	<p>80/215.</p> <p>Chapter IV, p.12 Support need to amend traditional meat inspection.</p> <p>Chapter V, p.13 Unable to find 'revision clause to formalise' need to adapt legislation.</p> <p>Chapter VII, p.14</p> <p>b) HACCP principles would surely cover 'retail sale'.</p> <p>e) Clarity requested in the difference between licensing, approval, registration. Sanctions for non compliance and withdrawal of I licences/approval/registration need clarifying. Will closure follow from serious or repeated offence.</p> <p>Chapter IX, p.16 Directives would be preferable to regulation especially as MS are being allowed derogations.</p> <p><b>On the hygiene of Foodstuffs.</b></p> <p>Support principles of food safety.</p> <p>'Article 2. p.21 'Foodstuff' is not defined. Refer to draft food directive.</p> <p>Article 6. p.25 Delete article 6 and move the contents to Articles 5,7 &amp; 8.</p> <p>Article 8, p.27 Para 4 No reason for distinction of reference between article 7 or 8.</p> <p>Article 10, p.27 Addition to first sentence suggested. Delete last sentence, not current practice.</p> <p>Annex I, Chapter II, Para 2, Important to keep any suspect animals out of the</p>



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	<p>with broken leg.</p> <p>Para 2      Could be transferred to code of practice.</p> <p>Sect 1, Ch VII      If traceability can be maintained, review of health Marking supported.</p> <p>Ch IX      Specific temperatures should not be the subject of Legislation.</p> <p>Replace cutting plants with de-boning plants.</p> <p>Para 4      No justification to restrict transport as defined.</p> <p>Sect V, Ch I,      Para 2      Suggested text replacement.</p> <p>Ch II,      Para 3 &amp; Ch III, Para 6, Amend to allow chilling before wrapping.</p> <p>Para 6      Derogations fit more with a directive.</p> <p>Sect VI, Ch I,      Needs review and redrafting to clarify which items Are 'unfit for human consumption'.</p> <p>Ch II      Urge that registration be accompanied by Approval. Distinctions unclear.</p> <p>Sect XIII,      Para 1      12 Hours for collection and rendering of raw materials is too restrictive.</p> <p><b>Official Controls on Products of Animal Origin.</b></p> <p>Whereas (6)      Conflict between FSA intentions, RIA, EM and risk assessment of current inspection procedures.</p> <p>Annex I, Para 1(a)      Support controls on farms.</p>

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	<p>Annex II, Para 2 &amp; 3 (a)      No logic in derogations for plants of different sizes which have not been defined.</p> <p><b>Repealing and Amending directives.</b></p> <p>Page 160 –167      Opposed to directive. Gives UK option not to repeal, creating potential inconsistency across EU.</p> <p>Review      Should make reference to periodic review and fast-track amendment.</p> <p>Impact Assessment, Para 4      Registration needs clarification.</p>

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British Retail Consortium	<p>Broadly welcome initiative. Concern that a lack of consistency in the enforcement across EU will undermine proposal.</p> <ol style="list-style-type: none"> <li>1. Welcome the inclusion of supermarket distribution depots in the definition of retail trade and their exclusion for detailed rules.</li> <li>2. Concerned that in places the commission reverts to prescriptive controls, e.g. 0179's microbiological criteria.</li> <li>3. Concern that 7 point HACCP will distract SMEs from applying the 5 point risk based approach in the general food hygiene legislation. All operating 5 point HACCP is better than some operating 7 point HACCP. Clarification on the nature and depth of documentation that will be required. MS should be considering what monies will be available for HACCP training. Poor and inconsistent Local Authority knowledge of hazard analysis needs addressing.</li> <li>4. More appropriate to address traceability and registration in a General Food Law Directive. Simplistic use of registration for traceability and recall may undermine more sophisticated company withdrawal systems. Registration should be separated from traceability. Health marking should be disbanded.</li> <li>5. Licensing should be severely limited.</li> <li>6. Welcome further guides. Central control to ensure consistency of content for guides. National guides should be used as building blocks for EU guides.</li> </ol>

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	<p>7. Clarity on what constitutes serious risk is needed.</p> <p>8. Flexibility on temperature control will allow for automatic and manual checking. Automatic temperature monitoring equipment would pose difficulties for SMEs.</p> <p>9. Inappropriate to set labelling requirements in a hygiene regime.</p> <p>10. Changes to this regulation should be subject to full consultation of relevant stakeholders.</p>
British Soft Drinks Association	Proposals welcomed, Flexibility requested, Ink jetting systems already used.
British Veterinary Association	General support for simplified legislation based on best scientific advice. Supports legislation based on risk and the application of HACCP. Supports FARM to Fork approach. Solid consultation required.
British Waterfowl Association.	<p>The position of small undertakings should not be overwhelmed. Shift toward a regulation is retrograde. Little confidence in SVC.</p> <p>More explanation of the effects of HACCP required. Opposes usurpation of sovereign power. Supports inspections by auxiliaries. Welcomes relaxation for low capacity abattoirs and that Avian flu and Newcastles are on the list of diseases.</p>
Burnley Borough Council	Consolidation proposal welcomed. Clear legal obligations and rules needed for

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	industry and enforcement. Suggested that premises be issued with registration or approval numbers but not both. Supermarkets seem to be outside of retail definition. Specific tolerances for temperature control should be included in the regulations. Definition of Dairy establishments not adequate to include farm bottled raw milk
Campbell Grocery Products Ltd	Proposal generally welcomed. Main concerns about the cost and implementation of traceability, and the difficulties of implementing HACCP in SMEs.

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Chartered Institute of Environmental Health	<p><b>General Comments;</b></p> <p>Welcomes the proposals.            Commission has missed the opportunity to include legislation on BSE. Separate directives for food on animal origin and other food is irrelevant Since contaminants apply to both. Historical precedents should not influence the decision-making processes. Removal of this division would take the proposal forward positively.            Opportune moment for considering the introduction of HACCP at abattoirs. Inspectors would be responsible for frequent inspections to ensure full application of HACCP. Sampling of Microbiological criteria might be included. Necessary for Commission to ensure full implementation of HACCP before removing veterinary supervision. Enhanced auditing would be required to address consumer concerns. Move towards de-regulation must be avoided. Consumers must be protected by food businesses with confused objectives, i.e. profit over safety.            Welcomes the introduction of HACCP, the keeping of records and carrying out checks. Recognises the need for flexibility in the implementation HACCP. Recommends, translation of community guides into all MS languages and exchange of information between food businesses across EU to remove inconsistencies and help small businesses. Consumers can only be protected by licensing of food businesses. 'Prior approval' of food businesses seen as bonus. Commission may wish to allow SMEs to apply full HACCP or prescriptive EU legislation. Flexibility will increase the difficulties for consistent enforcement. Suggest the development of consistent guidelines for official control bodies. Timely for Commission</p>

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	<p>to require minimum standards of service by competent authorities, possibly audited by FVO. Excellent levels of control of third imports should now be considered, especially for those MS where borders are extensive. Commission should consider, on the basis of scientific advice, levels of sampling at points of entry to EU. Exemplary emergency recall system required and tested at regular intervals. Statement that HACCP is not a means for self-regulation would be welcome. Commission urged to look at measures to ensure SMEs receive adequate information and training about the implementation of HACCP.</p> <p><b>On the hygiene of foodstuffs.</b></p> <p>Welcomes and supports the principles of this proposal.</p> <p>Article 2. Definitions should be cross-referenced. 'food business operator should be any person having management of control of the food business. Scope of retail trade should include new technologies.</p> <p>Article 5. Guidance required from competent authority on suitable application of enforcement. Application of HACCP should be consistent.</p> <p>Section 4. Change in wording suggested.</p> <p>Article 9. Without criteria for prior approval, registration is a waste of</p>

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	<p>resources. Registration number used for recall systems considered an excellent requirement. The exemption of retail food businesses queried. Urges Commission to introduce licensing in light of recent food crises.</p> <p>Article 8. Commission should keep register of guides and translate them for MS. This will create a level playing field for all food businesses in the EU. Allows for comparing, contrasting standards and sharing good practice. There should be no inconsistencies between Community and National guides.</p> <p>Article 10. Competent Authority should be notified of all withdrawals. Definition and guidance needed for 'serious risk'. Suggest, specific requirement to keep records of premises supplied and distributions patterns. Link between provisions of Article 10 and 'rapid alert system' recommended.</p> <p>Article 11. Welcome the requirement for food businesses to give all assistance to competent authorities. Would also like added a requirement for them to make available person(s) for interview.</p> <p>Article 15. CIEH does not consider SVCs to be fully transparent or accountable. Reasons given. Tendency for SVCs to stray into policy areas should be guarded against.</p>

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	<p>Annex I. Chapter 1, para 2 should make reference to environmentally friendly food production. See no reason why HACCP should not be applied to primary production. Proviso made. Prevention of biological and chemical contamination through the use of untreated waste, fertiliser or irrigation water should be mentioned in para 2.</p> <p>Annex II. Chapter 1. Section 4. Textual changes suggested. Section 8 should include prevention of the spread of aerosols.</p> <p>Chapter 2. Section 1. 'excluding dining areas' should be clarified. Section 1(c). Delete 'undesirable'. Sections 2&amp;3, Provide proper trapped foul drainage system.</p> <p>Annex II. Chapter 3. Suggested textual changes.</p> <p>Annex II. Chapter IV. Suggest the use of a vehicle log of previous consignments and cleaning treatments. Logs should be available for inspection. Chapter VI, VII, VIII, suggests textual changes. Chapter IX, Sections 4 &amp; 5, Consistency may be achieved by giving examples of time and temperature or references. Some of the wording is unclear and provides scope for different implementations. Chapter X, Section 3, Should be noted that packaging is not always done outside the packing room. Section 4, suggested textual changes.</p>

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	<p>Chapter XI, Wording changes suggested to accommodate the need for post package integrity testing.</p> <p>Chapter XII, Welcomes the requirement for training. suggests adding note on level of responsibility.</p> <p><b>Laying down specific hygiene rules for food of animal origin.</b></p> <p>Recital 18 p.46      No reason for food on animal origin to be regulated separately. Additional controls should be in the form of an annex. Commission should reconsider, grounds for consistency and the freedom of MS to define specific hygiene rules.</p> <p>Recital 19 p.46      Fully supported.</p> <p>Recital 22 p.46      Reiterates concern over SVC involvement. Section on the transportation of live ungulates should be included.</p> <p>Article 5 p.47      Lack of clarity around ensuring uniform implementation of annexes. Minimum standard of service for enforcement recommended.</p> <p>Chapter III p.57      Welcomes exclusion of food from animals dying prior to transit or slaughter. Clarity needed about animals which have undergone emergency slaughter. Chapter order suggested clarifying this. No reason why full HACCP should not be applied to slaughterhouses. Reasons given.</p>

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	<p>Chapter VI p.60 Welcomes exclusion of animals undergoing emergency slaughter who have suffered physiological and functional problems.</p> <p>Annex III. p.102 Third country importers should implement HACCP. Their HACCP plans to be inspected by the Commission.</p> <p>Provision (xii) p.103 Feedingstuffs legislation in third countries should be checked and their application audited. Particularly with respect to the use of antibiotics.</p> <p><b>Organisation of Official controls on products of animal origin.</b></p> <p>Annex 1. 'appropriate action' needs to be explained as it will be inadequate for ensuring consumer protection. Records of drugs used for treatment and in feedingstuffs recommended.</p> <p><b>Production, Placing on the Market and Importation of products of animal origin.</b></p> <p>Article 6 p.148 Results of audits/inspections should be published on website, in each Member States language. Precautionary principle and rapid alert system should be applied to incidents where there is a link between animal health and public health should be clearly stated.</p>

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<p>Chartered Institute of Environmental Health Hants &amp; IOW Food Advisory Committee.</p>	<p>Support the principle and application of HACCP. Difficulties for SMEs foreseen. Measures in Article 5, para 6 are significant in this respect. Guidance for SMEs is needed. Difficult to persuade SMEs to keep extensive records.</p> <p>Phase implementation is hoped for. Pre-publicity and training for SMEs considered important.</p> <p>Opportunity to introduce mandatory licensing has been missed.</p> <p>Registration of food businesses needs further thought.</p> <p style="padding-left: 40px;">Mechanics of registration are unclear. Competent authorities will need guidance on the criteria for approvals. Costs should not be underestimated.</p> <p>Clarity on the benefits for small businesses needed.</p>

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CIEH Yorkshire & Humberside.	<ol style="list-style-type: none"> <li>1. Welcomes the principle of rationalising EU hygiene legislation together with a review of how the legislation should be drafted.</li> <li>2. Page 6. Control systems should relate to risk rather than geographical constraints.</li> <li>3. Page 8. Retail sale seems to contradict the current prescriptive butchers' licensing regulations.</li> <li>4. Page 10. Queried where the detailed rules for small production units will be located.</li> <li>5. Page 14. Recommend that the UK temperature provisions are used as a model.</li> <li>6. Page 14. Inconsistency in calling for 7 point HACCP and allowing flexibility for SMEs.</li> <li>7. Page 19. Para 12, Official controls at all stages at odds with the principle of HACCP.</li> <li>8. Page 19. Clarification on what is meant by end product testing in relationship to HACCP.</li> <li>9. Page 20. Concern over costs to conform to pathogen reduction targets and performance standards. Unclear on whom the cost burden will fall.</li> <li>10. Page 21. Should the food hygiene definition include a definition of adverse health effects?</li> <li>12. Page 22. To whom does the definition of competent authority refer?</li> <li>13. Page 22. Concern over the scope of the definition of 'final consumer'.</li> <li>14. Page 22. Definition of 'food business operator' needs clarifying.</li> <li>15. Page 22. Concern that the definition of contaminants <i>does not</i> conflict</li> </ol>

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Organisation	Summary of Comments
	<p>with that in the Food Safety Act.</p> <p>16. Page 22. Concerned that 'marketing' is the introduction of a new term.</p> <p>17. Page 24. Urges the consideration of resources for the introduction of HACCP. Time-scale for implementation should be realistic.</p> <p>18. Page 24. Appropriate to keep records for 1 year rather than for the shelf life of a product. More practical for auditing short shelf life products.</p> <p>19. Page 25. Para 5. Hope that this paragraph enables resources to be provided for implementation of the proposals.</p> <p>20. Page 25. Article 6. Concerned that this section will become prescriptive.</p> <p>21. Page 26. Do UK guides come under the aegis of a national standards institute?</p> <p>22. Page 27. The existence of national and community guides could cause confusion. Uniformity must be ensured.</p> <p>23. Page 27. Concern over the scope of registration and who will be the competent authority in this country. Will competent authorities receive funding to maintain a registration database? Will change in ownership result in re-registration. In the absence of licensing the proposals fall short of preventing of unsuitable businesses. Are the butchers' licensing regulations to become redundant?</p> <p>Is an internationally based database feasible? Is it the intention for retailers to be exempt from identifying their products with a Registration number.</p> <p>24. Page 28. Suggested rephrasing.</p>

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Organisation	Summary of Comments
	<p>25. Page 28. Is there a conflict here with primary legislation?</p> <p>26. Page 29. Article 14. Suggested word change.</p> <p>27. Page 32. Duplication of legislation should be avoided.</p> <p>28. Page 33. Chapter III. Should this chapter include GM foods?</p> <p>29. Page 34. Chapter I para 2(c). Cleaning materials and equipment should be included in the wording.</p> <p>30. Page 35. Paragraph 3. Clarification of the term 'lavatory' needed. Definition of 'handling of food' should be taken from the Dairy Products Regulations.</p> <p>31. Page 35. Paragraph 4 still appears to allow washbasins to be used for activities other than personal hygiene.</p> <p>32. Page 35. Chapter II paragraph 1. No definition of treated.</p> <p>33. Page 35. Chapter II para 1. 'Durable' should be included in the description of 'acceptable surface finishes'.</p> <p>34. Page 35. Chapter I. Would like to see reference to 'close fitting doors' for pest exclusion.</p> <p>35. Page 36. Chapter II, para 2. Suggest amendment to exclude 'wood' from the options.</p> <p>36. Page 38. Chapter VI, 'environmentally friendly way' too broad a statement.</p> <p>37. Page 39. Chapter VIII paragraph 2. Recommends that the food business operator should notify the competent authority of an employees illness.</p> <p>38. Page 39. Chapter IX, paragraph 1. Appears to allow unfit food to be sorted, treated and passed as fit.</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
	<p>39. Page 40. Chapter IX, paragraph 6. Pollution risk to be avoided. Suggests word change.</p> <p>40. Page 40. Chapter X, paragraph 3. Textual change.</p> <p>41. Page 41. Chapter XI, 'hurdles' to be defined.</p> <p>42. Anomalies and duplication still appear: Manually operated taps page 81, storage and filleting of fishery products, page 84, uncertainty of the definition of wild salmon. These should be removed.</p>

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Organisation	Summary of Comments
Clinical Services Committee AMM	The non-prescriptive nature of the legislation welcomed. Questions on responsibility for verification on controls. Members involvement in competent scientific committees.
Consumer's Association	<p>Proposals broadly welcome. HACCP should be applied across food chain, 'plough to plate'. Traceability essential. Concern about the possible shift to deregulation. Responsibility of enforcement should not be reduced. Inspections on a regular basis will still be required. Accepts the importance of clear food safety objectives. In the interim a level of prescription in the legislation should be retained.</p> <p><b>The proposal for a regulation on the hygiene of foodstuffs:</b></p> <p>Article 1. Each part of the food chain should recognise its responsibility. Article 3. Effective checks on food businesses needed. Article 4. Exemptions should still be made on a risk-based approach. Requirements under the exemptions should be clear and specific. Article 5. HACCP should be extended to primary producers. Important for HACCP procedures to be verified by enforcement officers. Records may need to be kept longer than the shelf life of the product. Guides to be produced under consultation with relevant parties. Article 6. Agrees with the need for microbiological criteria. Performance targets for implementation suggested. Article 7. Guides should meet standards practicable to the business sector they refer; relevant sectors consulted, in line with Codex, suitable for compliance with the provisions of articles 3 &amp; 4, comprehensive and user-friendly, reviewed regularly. Article 8. Community guides should help with consistency across MS. Guides to be promoted. Developed under the same conditions as for national guides. Article 9. Favour system of licensing or conditional registration. Present system inadequate. Knowledge of HACCP should be a precondition. Would prefer a license number for</p>

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Organisation	Summary of Comments
	<p>product identification to ensure traceability. Penalties should be imposed for non-compliance. Licensing to be at EU level to ensure consistency. Article 10. inadequate procedures for product recall essential. Clarification on how recall procedures relate to Rapid Alert System. Effective dissemination of information about recalled products essential for consumers. Full ingredients labelling and country of origin requested. Important that labelling ensures that the product liability directive can be enforced. Welcome further proposals for increased traceability. Article 11. Concerned about insufficient emphasis on enforcement. Regulation should set standards for training. Article 12. Welcome proposal for imports. Clarity needed over the term 'equivalent'. Article 15. SVC should be more open and transparent. Article 16. Seven years too long a time period for review. Annex II - Chapter 12. Current level of training can be inadequate. Training on the implementation of HACCP required.</p> <p><b>Regulation laying down specific hygiene rules for food of animal origin.</b> High level of prescription should be retained. Labelling on raw milk suggested. Co-operation between animal health and public health specialists will be important. Microbiological criteria should aid monitoring and raise standards. Recital 18 does not adequately recognise the need for comparable standards across industry. Uniform procedures on imports of POAO should be introduced to ensure equivalence. Swedish and Finnish standards, if higher, should be adopted. TSE measures should be incorporated into the regulation. Article 5. Annexes and measures should be alterable. Annex 1. Definition of meat different to that used for labelling. Differences could be explained. Annex II - Record of replacement of Health mark should be kept to ensure traceability. Traditional products should be assessed on a risk basis. Section 1 - Chapter VI - Emergency slaughter should not</p>

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	<p>be used as a loophole - Chapter VII, 'Low capacity establishments' needs clarification. Chapter II - Minced meat with salt added should be classed 'meat preparation'.</p> <p><b>Proposal for regulation laying down detailed rules for the organisation of official controls on POAOs...</b></p> <p>Caution against deregulation. Deregulation seen as source of many food safety problems. Annex II - Essential meat inspections independent and the frequency based on the level of risk. The requirement 'at least once a day' for the presence of meat inspection team is meaningless. The specific purpose of inspections should be made clear. Chapter II - BSE measures should be incorporated into regulation. Chapter III - Clarification of representative number of birds and random sample needed.</p> <p><b>Proposal laying down the animal health rules...</b></p> <p>Support harmonisation. Welcome simplification conditional on maintaining level of food safety. Prompt action needed for infringements and placing of restrictions. Clear communication to consumers about health risks of purchased products essential. Community audits essential for uniform application of provisions. Audits should be published, penalties strictly enforced. Third country products should pose no animal health hazard. Support procedures for epizootic diseases and list of permitted, importing third countries. Consideration should be given to third country controls. Community audits of third countries and their publication suggested.</p>

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Organisation	Summary of Comments
Consumers in Europe Group	<p>Warmly welcome the principles of the proposal. Would like to see environmental contamination of foodstuffs included within the scope of the regulation.</p> <p><b>On the hygiene of foodstuffs:</b></p> <p>Supports harmonisation and farm to fork approach. Welcome the traceability approach in identifying food hazards. Fully support implementation of HACCP.</p> <p>Article 1. - Welcome the broad scope of the regulation. Would like to see reference in the scope to environmental contamination.</p> <p>Article 2. - Definitions need to be cross referenced to those in other Food law legislation.</p> <p>Article 4. - Would like to know what situations would require exemptions. Exemptions unnecessary if HACCP applied flexibly.</p> <p>Article 5. - Would like to see a statement that HACCP is not a means for self-regulation or substitute for official controls. Concerned about the possible administrative burden on SMEs - some points made below.</p> <p>Para 3, page 24. Further clarification of documentation commensurate with nature and size of food business needed. Differences in requirements for SMEs must be stated clearly. Consumer choice will be affected if the implementation of HACCP causes SMEs to close. What is important is that staff understand the principles of good food hygiene.</p> <p>Para 5, page 25. Commission measures to facilitate implementation of Art 5. should be made more transparent and open.</p>

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	<p>Statement that competent authorities will inspect to ensure the correct implementation of HACCP should be added. The same should be included in the General Food Law directive.</p> <p>Article 6. - Change 'may' to 'will' for the adoption of microbiological criteria. Clarity on 'targets' and/or 'performance' being proposed. When will these be introduced?</p> <p>Article 7. - Suggest rewording to make clear that national guides and guides on the application of HACCP are one and the same. MS should note the substantial increase in workload consumer groups experience in the development of guides. Many have limited resources.</p> <p>In para 2 the words 'and consumer groups' should be added. Supports Commission held register of all national guides. The register should be made easily available. Would like to see translations of MS guides for comparisons to be made.</p> <p>Article 8. - European guides should be used as prototypes and made available on internet. EU and national guides should be consistent.</p> <p>Article 10. - Clarity on the link between proposal and Rapid Alert System requested. RAS should be referred to in this article.</p> <p>Article 11. - Cross reference should be made to all legislation on official controls.</p> <p>Article 12. - Clearer explanation of the procedure for equivalence with third countries needed.</p>

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	<p>Article 15. - The work of the SVC should be transparent and accountable. Standing committees straying into the policy arena considered undemocratic. It is not appropriate for Veterinarians to have influential policy role.</p> <p>Chapter 1 - Page 31. Add chemical and biological contaminants o list of hazards.</p> <p>Chapter 3 - Page 33. Would like to see under point No.3 reference made to the avoidance of contaminating land with biological hazards, e.g. 'untreated sewage. More research on survival of pathogens in soil and the treatment of sewage needed.</p> <p>Chapter 12 A reminder that HACCP training is not just the domain of supervisors.</p> <p><b>Laying down of specific hygiene rules for food of animal origin.</b></p> <p>Recital 13. Page 45. Welcomes principle objective.</p> <p>Recital 18. Would like greater detail and explanation and examples of exempt establishments. Clarification of the 'tools' being given to MS for Defining specific rules.</p> <p>Recital 19. Fully supported.</p> <p>Recital 22. Concern over the lack of transparency and consumer Representation of Scientific committees. CEG does not consider that Committees are fully transparent And accountable to consumers.</p>

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Organisation	Summary of Comments
	<p>Recital 23 Page 46. Regulations should be able adaptable to scientific Advances in testing.</p> <p>Article 5. - Clarification of implementing measures requested. Change of wording suggested. A system of control and surveillance needed to ensure industry compliance.</p> <p>Chapter III Can animals having undergone emergency slaughter be used for human consumption? Chapter VI should go before chapter III. Transportation of live domestic ungulates should be dealt with in the proposal for consistency.</p> <p>Chapter VI Supported.</p> <p>Annex III - Commission inspectors should ensure that third countries follow a HACCP approach.</p> <p>Provision (iv) Full transparency of guidelines for establishing equivalency. Guidelines should be in the proposal.</p> <p>Provision (xII) Supported. Legislation applied, on use of antibiotics should be inspected. Supports lists of establishments.</p> <p><b>Laying down rules for the organisation of official controls on POAO.</b></p> <p>Recitals - Page 107. Two new recitals suggested. One to specify that official controls cover the implementation of HACCP and the second to provide a clear link to the Rapid Alert System.</p>

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Organisation	Summary of Comments
	<p>Article 5. - Would like to see reflected in this article the involvement of the Standing Committee for Foodstuffs.</p> <p>Annex 1. - Detail as to what comprises 'appropriate action' required. Rules should include use of veterinary drugs, antibiotic injection sites and record keeping of veterinary drugs.</p> <p>Article 5. - Should be explicitly mention that HACCP covers the marketing of food products.</p> <p><b>Laying down the animal health rules governing production...</b></p> <p>Article 6. - Para 2. Audits and inspections should be made publicly available.            Para 7. Sentence should be added invoking the Rapid Alert System and applying precautionary principle.</p> <p>Concerned if implementation goes beyond 2004.</p>
CWS - CO-OP	<p>Inappropriate to extend provisions of product specific directives to distribution depots. Future proposed developments should be incorporated at this stage. Duplication of registration and health marks anticipated. Concern for smaller businesses implementing HACCP, particularly small retail shops. Radical reconsideration of microbiological criteria needed. Is traceability a hygiene issue? Endorses continuity with current legislation on registration but adds this should not mean charging food operators. Which registration numbers should be</p>

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	<p>added to foodstuffs, primary production or retail? A decision on health marking needs to be made now. Health Marking should be dispensed with. Assurance wanted that licensing will not be introduced. Definition of 'serious risks' needed. Encourages consistency with the General Product Safety directive. Automatic cooling equipment too big a burden for small operators.</p> <p>Monitoring should not be a statutory requirement. Wording should allow for manual temperature checking. 'Wholesomeness' should be replaced with a reference to fitness of human consumption. Annex II product specific requirements too detailed for general hygiene rules. Does Ch IX 4 apply to wrapping operations in-store? Definition of 'Hermetically Sealed Container' needs expanding in line with the meat products directive. Changes to the regulations should go to full consultation not be left to committee procedure. Articles do not refer to a requirement for health marks, clarification needed. Note on the use of 'present Annex', 'present' should be removed. Definition of 'retail sales unit' needed. Labelling requirements should be removed to avoid confusion in future changes.</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
Dairy Industry Federation	<p><b>On hygiene of foodstuffs.</b></p> <p><b>Recitals</b></p> <p>12 Indent 4 In order to give flexibility to operators, the principles of HACCP should be referred to.</p> <p>18 Indent 5 DIF would be willing to take the lead in drawing up codes. Concerns about special allowances for traditional methods of production.</p> <p>22 Recital needs to be more precise. i.e. food business or establishment registered.</p> <p>25 Flexibility for exports to meet third country requirements.</p> <p>Article 2. Food hygiene, clarification on the inclusion of adulteration required. Food safety, Scope very wide, clarification needed. Who is meant by final consumer. Retail trade, wide scope welcomed. Unprocessed product, presume this includes raw milk. Processed product, presume this includes pasteurised milk. What about thermised milk.</p> <p>Article 3 Clarification of 'all stages for which they are responsible' needed.</p> <p>Article 4.4 Reservations about deviations from hygiene rules.</p>

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Organisation	Summary of Comments
	<p>Article 5            Why will HACCP not be applied at primary production?            Clarification of enforcement measures to ensure common HACCP standard required.            Food safety should not be compromised in facilitating the implementation of HACCP in small businesses.</p> <p>Article 7.            DIF prepared to take lead on guide for good practice for dairy sector.</p> <p>Article 8.            Question the desirability of community guides. Propose legislation adopted where necessary.</p> <p>Article 9.            Not convinced about the usefulness of registration numbers in the context of product withdrawal.            Registration numbers should be on public list.            Retail should be included where manufacturing is taking place.</p> <p>Article 10            Clarification of 'serious risk' and internal withdrawals needed.</p> <p><b>Annex 1</b></p> <p>Chapter 1                    'Where appropriate' should be deleted as HACCP does not apply to primary production.</p> <p>Chapter II,1                What is the situation if codes of good practice do not exist?</p> <p>Chapter II, 2 Indent 2, presumes vet to keep accessible records.</p> <p>Chapter III, 1              Simpler to require HACCP at primary production level.</p>

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	<p><b>Annex II</b></p> <p>Chapter VIII Note absence of health certification for food handlers.            Chapter IX. Does the section on the cold chain contradict itself?            Chapter XI Lack of requirement for safety devices on pasteurisers could make enforcement difficult. Question the limiting of integrity checks.            Chapter XII Competent authorities should be trained commensurate with their work activity.</p> <p><b>Annex I</b></p> <p>5.1 'free from colostrum' should be deleted. Reasons given.            5.2 Why a different definition from Directive 92/46/EEC has been considered?            5.4 Suggest adding 'or other milk products'.            7.1 Definition not identical to that in Article 2.            7.5/8.1 Unclear why yoghurt with additives remains a milk product and cheese, fromage frais is not. Cream should be added to the list. Differentiation between milk and composite products unsatisfactory. All dairy products, regardless of composition and made in the same establishment should be in the same category. Clarification of 'reconstituted drinking milk' is a product required.</p> <p><b>Annex II</b></p>

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Organisation	Summary of Comments
	<p>Preface</p> <p>1. Question need for final sentence.</p> <p>3 (a) Do establishments need registration and approval number? With registration numbers products should not need health marks. Approval numbers should be on public list. Would a milk transfer station be classed as a wholesale market?</p> <p>4. Final paragraph open to interpretation. Should be completely unambiguous.</p> <p>6. Special provisions should not compromise food safety.</p> <p>Section IX, Chapter I</p> <p>I I(a)(ii) Clarification of 'any symptoms' requested.</p> <p>2(b)(i) Evidence that maturing cheese for 2 months is effective against brucellosis.</p> <p>2(b)(ii) If heat treatment is because of dangers of spreading infection, how is this overcome in 2(b)(i).</p> <p>III Does the derogation apply to by-products and what is the scientific basis for the derogations? How will 'repeatedly or excessively' be defined? Request standards of raw milk for other species.</p> <p>Chapter II</p> <p>I Special conditions questioned.</p>

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	<p>II Detailed requirements on specific safeguards for pasteurisers needed. Comment on 300,000ml requirement.</p> <p>III Suggest combining with section II</p> <p>V Support replacement of approval number. Costs significantly increase if packaging is site specific.</p> <p>VI Opposed to the less stringent rules for establishments serving local markets.</p> <p><b>Importation of animal origin intended for human consumption.</b></p> <p>Question scientific basis in respect to foot and mouth. Requirements for sterilisation and UHT differ from 'hygiene of foodstuffs' regulation. Products under the latter regulation would not conform with the requirements for foot and mouth. Single heat treatment asked for.</p>
<p>Devon CEHOs Food Safety Sub Group. Torbay Council</p>	<p>New requirements for local authorities will have resource implications. Additional funding must be ring fenced.</p> <p><b>Initial regulatory impact assessment.</b></p> <p>Page 3 1.5. Compulsory registration welcomed. Unique reference number to accompany all food is an enhanced requirement. Retrospective allocation of numbers will have resource and ongoing maintenance cost implications.</p>

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Organisation	Summary of Comments
	<p>1.6 Opinion that food business operators have always had the onus of food safety.</p> <p>1.8 HACCP based inspections have resource implications, taking longer to audit.</p> <p>Page 5 3.1 HACCP is not a form of self-regulation which requires little enforcement input.</p> <p><b>Hygiene of Foodstuffs.</b></p> <p>Page 4 II (a) Para 2. Documentation requirement conflicts with previous.</p> <p>Page 4 II(b) SMEs have little understanding of HACCP principles. Flexible food safety objectives must not be seen as deregulation.</p> <p>Page 5 II (c) Without operating a batch system, SMEs will have difficulty in operating an effective recall system. Open food products will be difficult to identify.</p> <p>Page 5 II (f) Clarification on who will carry out enforcement on farms and primary producers.</p> <p>Page 9 (d) Some type of health mark will be needed for traceability. Confusion will arise if establishments continue to use health marks.</p> <p>Page 14 (c)</p>

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Organisation	Summary of Comments
	<p>Clarification needed on whom has responsibility for quality issues. Should quality be combined with hygiene?  Page 19 (15)  How do you control hygiene without specific regulations?  Page 20 (20)  Concerned about increased sampling activity on local authorities  Page 20 (22)  Will local authorities be able to refuse to register establishments? Will establishments be charged.  Page 22  Definition of 'final consumer' conflicts with current UK definition.  Page 23, Article 4 para 4.  Concerned that this section will lead to inequalities across MS. Variations may be exploited.  Page 24, Article 5, para 3.  Records should be kept significantly longer.  Page 28, Article 10, para 2  Potential additional burden on SMEs.  Page 35 Chapter 1, para 4 and Chapter 2, para 2.  Should include reference to 'appropriately mixed'.  Page 35 Chapter 1, para 9  Clearer requirement than 'as necessary' needed.  Page 39, Chapter VIII, para 2  Are there any human rights issues for people with chronic illness?  Page 42, Chapter XII, Para 2</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
	<p>How will business access this new training and to what level will HACCP training be required?  Page 55, (g)  This section gives the impression that two health marks are required.  Page 63, (7)  'nearby' needs clarifying.  Page 68, What level of training will hunters require?  Page 70, Chapter IV, 1 &amp; 2.  This appears to be a new requirement.  Page 72, Para 5  Not a clear description, by volume/weight for 1% salt.  Page 80, Chapter VIII, Para 2  Clarification of type and length of re-immersion needed.  Page 83, para 5,  Definition of clean seawater needed.  Page 83 Chapter II Para 3(a)  This section does not prohibit smoking in and auction establishment.  Page 87, Chapter VII 1 (a)  Clarification requested on the temperature of melting ice.  Page 87, Chapter VIII,  Separation of approved and registered facilities compromises existing approved status.  Page 91 III  Implications for dairy products such as clotted cream and green top milk  Page 93 Chapter IV</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
	Implications for traditional products. Page 93 Chapter V Derogation from health marking is unclear and may lead to confusion. Page 140 Annex IV Frequency of sampling is not specified.

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Organisation	Summary of Comments
Devon Sea Fisheries Committee	<p>Implementation of HACCP will add additional costs to small-scale producers. Testing for viruses in the shellfish greatly welcomed. Present system is not protecting the consumer. Producers being responsible for testing of shellfish will impose heavy financial burden. More work needed on the depuration of viruses before move to virus testing. Inconsistency with water quality and microbiological safety under current shellfish legislation highlighted. Review is now appropriate. The specific regulations relating to the trade in live animals need to be considered. Shellfish as farmed animals need to be considered separately. Exemptions and grey areas should be kept to a minimum to avoid manipulation of the legislation.</p>
Dr Richard North	<p><b>Principled objections</b></p> <ol style="list-style-type: none"> <li>1. The objection is not to the HACCP system, <i>per se</i>. It is to its compulsory implementation and, therefore, its incorporation in the regulatory system.</li> <li>2. The Commission is requiring the adoption of one specific system, which is neither the only nor even the best system for all circumstances. There is not necessarily a relationship between food safety and the operation of a HACCP system in a food operation. Without such evidence, there is no legitimacy in requiring the adoption of HACCP as specific system, to the exclusion of all others.</li> </ol> <p><b>The effect of compulsion</b></p> <ol style="list-style-type: none"> <li>3. Many managements are not committed to the HACCP principles. They have little or no technical support and minimal resources will be allocated. Staff will be</li> </ol>

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Organisation	Summary of Comments
	<p>unenthusiastic and even completely ignorant of the rationale for the system, regarding the documentation requirements as an unnecessary burden. Many will either copy “hazard analyses” from booklets, pamphlets or instruction leaflets, or employ consultants (the cheaper the better) to do the hazard analyses for them and prepare the accompanying documentation. The result is ritual and uncomprehending implementation, conferring little in the way of improved food safety.</p> <p>4. When adoption of the HACCP system becomes compulsory, documentation, instead of being a by-product of the system, becomes the central part of it. Since deficiencies in recording – which will be monitored – rather than deficiencies in the actual conduct of proceedings – which will not be detected with the same facility, if at all – can form the basis of criminal charges, managements keen on avoiding prosecution will ensure, above all else, that records are maintained to the standards required by officials. 5. Records would cease to be an accurate reflection of the performance of the system. Enforcement officials would have no means of knowing whether records are accurate or not and would be presented with the task of first checking the records and then reconciling them with the procedures carried out, to ensure that the one is an accurate reflection of the other and that the procedures are safe.</p> <p><b>Simplifying the system</b></p> <p>6. The central flaw in “simplified” guides to HACCP is that they promote the concept of generic “critical points”. These would have to cover all contingencies.</p>

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	<p>Therefore, they cannot and do not reflect the actuality of risk within any specific operation. They are the very antithesis of HACCP, rendering the system largely meaningless. Inevitably, the generic “critical points” will be accompanied by recommendations for controls which, in differing circumstances, may bear little relevance to food safety.</p> <p><b>Application to catering</b></p> <p>7. Essentially, the basis of catering management is a well-established organisational method known as the <i>partie</i> system. In a fully developed system, the kitchen head is the <i>chef de cuisine</i> and his deputy is the <i>sous chef</i>. Under these will be a number of departments or <i>parties</i>, each headed by their own departmental chefs, or <i>chefs de partie</i>, each, in turn assisted by their <i>commis chefs</i>, the whole making up the “brigade</p> <p>8. Imposition of the HACCP system in turn cuts across the traditional <i>partie</i> lines, which means that, if that system is implemented, the kitchen then has imposed on it two, conflicting management systems. This conflict is irreconcilable and, when the pressure is on production, as it always is, the HACCP regime will be suppressed. In short, HACCP cannot survive without fundamental changes in the management system of a kitchen. Furthermore, since most kitchens are designed to accommodate the <i>partie</i> system, fundamental changes in design will also be needed</p> <p><b>Cost implications</b></p>

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	<p>9. It is estimated by FSA that some 400,000 businesses “will have no documented HACCP system and very little knowledge of how HACCP operates”. The government therefore estimates that short-term compliance costs for implementation of the Commission’s proposals could be “significant” for SMEs, although it falls short of providing an estimate.</p> <p>10. Not least of the costs is in training management and key staff. From experience of current course costings, the charge for a suitable HACCP course will be unlikely to be less than about £300 per trainee, and it can be assumed that an average of two people per establishment will be required to attend. Add wage costs for, typically, an eight-day course, and the basic training costs will be in the order of £2,000.</p> <p>11. Estimates for the time taken to implement a HACCP system vary widely, but may range from about 20 hours for a simple system in a retail premises with very little high-risk food, to 2-300 for a medium-sized manufacturing plant, or a restaurant. For those operators who lack the confidence – or the time – to devise their own systems, consultants may be employed. Either way, it is not unrealistic to assume that system implementation costs will average about £2,000.</p> <p>12. Additional to that, operators find that they are often required to provide monitoring equipment, such as electronic thermometers, at up to £100 a time, and some are being required to provide data loggers with a desktop computer to process the data. To enable controls identified in the hazard analysis to be implemented, a</p>

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	<p>wide range of work is often required, from provision of extra sinks, colour-coded knives and cutting boards, separate processing equipment, and even structural works. The costs involved here are impossible to determine with any precision, as they may range from £100s to tens of thousands. However, it is not at all unreasonable to estimate that operators will have to find on average at least £1000 for “incidentals” related to HACCP implementation.</p> <p>13. On this basis, an average cost of HACCP implementation – and related works – will be £5,000. This amounts to £2 billion costs, for SMEs alone.</p> <p>14. That, however, is only the start of a considerable commitment. In order to continue with the system, the documentation will have to be maintained, staff training will have to be updated, and the hazard analyses will have to be reviewed from time to time. Costs here will range from a few hundreds to £15-20,000 a year – the latter involving the employment of staff specifically to maintain the system. Even at a relatively modest average £500 per unit, this still amounts to £200 million per year.</p> <p>15. To this must then be added enforcement costs, in which context there can be no doubt that additional costs here will also be “significant”. Even if the total cost per unit is a mere £100 per annum this still adds £40 million to the enforcement bill. Taking all these estimates together, the initial costs of implementation will be in the order of £2 billion, with an additional annual cost of £240 million.</p> <p>16. It is questionable whether the Commission should be allowed to ignore the</p>

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	<p>broader question of whether any such increased expenditure is justified, in comparison with the expected result. The Commission should be required to ascertain whether similar or greater improvements in food safety could be achieved with less expenditure</p> <p><b>Enforcement difficulties</b></p> <p>17. These requirements will add considerable complexity to the inspection process, substantially increase the time needed and require a massive increase in food safety inspectors. The level of skill required of inspectors successfully to complete this complex and demanding process far exceeds current levels. Implementation of HACCP, therefore, would impose a considerable training burden on enforcement authorities, for which no provision has yet been made. The indications are that the resources and skills to ensure proper supervision by the regulatory officials will not be in place, and monitoring will be ineffective. In fact, the argument has already been put that monitoring by external assessors cannot be effective</p> <p>18. This requirement will inevitably reduce the amount of time which can be spent reviewing the physical standards of premises and the conduct of operations. It has by not been demonstrated that time spent on auditing documentation will provide a better safeguard than routine “eyeball” inspections. Nor that a documentation-orientated review, as opposed to the traditional “eyeball” inspection, will necessarily detect more potential (or actual) food safety problems.</p>

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	<p><b>Ethnic operations and literacy skills</b></p> <p>19. This situation in SMEs will be further complicated by the presence in the market of a substantial number of “ethnic” operators whose English language skills are poor. Given the current preoccupation of legislators with “equal opportunities” and the avoidance of racial discrimination, it is hard to see how the authorities can avoid permitting HACCP documentation to be produced in languages other than English.</p> <p>20. Additionally, a large number of food operators have limited English literary skills. In fact, the food trades – being essentially practically orientated - have become a repository for workers of low educational attainment. The implementation of HACCP systems, and the maintenance of the associated documentation, would be entirely beyond the capability of many of these workers. Those unable to cope would either have to be excluded from these trades, or be excluded from management roles which required the higher levels of literacy needed to implement HACCP. Many, in fact, would be dissuaded from working in the food trades altogether, restricting their employment opportunities.</p> <p><b>A license for over-zealousness</b></p> <p>21. With a prescriptive code, operators at least have defences against over-zealousness. They can refer to the code and check whether the measures being demanded by enforcement officers are mandatory. If they are not, the operator can refuse to adopt them. In effect, compulsory HACCP becomes a license for over-</p>

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	<p>zealousness.</p> <p><b>Judicial implications</b></p> <p>22. In the UK, the arbiter of whether a difference of opinion between a food business operator and an enforcement official constitutes a criminal offence will, in the first instance, be the Magistrates. Whether a lay panel, or stipendaries, the question must be raised as to whether either are capable of the highly technical function of assessing the adequacy of HACCP systems.</p> <p><b>Due diligence</b></p> <p>23. Also in the judicial context, the implementation of HACCP systems will provide <i>de facto</i> evidence of any food business operation's "due diligence" measures. This will create problems for enforcement officers, in that their auditing of any particular system – and subsequent absence of adverse comment - will be taken as their approval of that system, even where formal approval mechanisms are not in place. This "approval" will effectively validate the system, making it very difficult for prosecutions to succeed against operations in which subsequently food poisoning outbreaks arise. With greater involvement by the regulatory authorities in vetting systems, the food business operator actually takes <i>less</i> responsibility. If an approved system fails, the enforcement officials take part of the blame.</p> <p><b>Alternative strategies</b></p>

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	<p>24. Risk assessment is not necessarily effective in identifying less obvious risks and, in some cases, can produce a contrary effect, where the analysis is flawed.</p> <p>25. Another valid alternative to the Commission’s proposals is the use of expert inspection as part of the control regime, employing either or both public sector or private inspectors. Traditionally, local authority inspectors have routinely inspected food premises to determine food poisoning risks, and many companies – including most of the major retailers – have employed their own inspectors for like purposes, with considerable success.</p> <p>26. The majority of failures would not be addressed by the HACCP system, or they would represent management faults which could only be detected by the skilled application of conventional inspection techniques. On this basis, risk-driven inspection might well be better focused on detecting and dealing with the issues most likely to cause food poisoning, rather than simply verifying that HACCP systems are in-place.</p> <p>27. Even if the compulsory HACCP system were workable, the Commission’s proposal would still be misplaced. There are a number of management systems and control strategies available, most of which, most of the time, are implemented to such good effect that food safety is maintained.</p> <p>28. All the Commission can offer by way of justification for its proposal is that it will “...bring Community legislation into line with the principles of food hygiene laid down by the Codex Alimentarius”. For such a profound – and expensive change -</p>

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	<p>this simply is not good enough. Nor is the bland – yet unsupported - assertion that “the correct application of the system will increase consumer protection”.</p> <p>29. Inevitably, assessing the safety of an operation relies on the skill and integrity of the inspector. It defies standardisation. Essentially, the food safety monitoring system will rely on trusting the judgement of the officials employed in it, on their professionalism and competence.</p> <p>30. The Commission does not address the competence or training of enforcement officials, other than veterinary auxiliaries employed in slaughterhouses. It lays down no standards for inspection procedures, for the monitoring of inspections, or the methodology to be adopted. Instead, it relies on its own inspectors of the Food and Veterinary Office (FVO), the majority of whom have no formal training in inspection techniques and little enforcement experience. And, in the context of slaughterhouse and meat cutting plants, it insists on the “competent authority” in the UK employing veterinary officials who have no formal qualifications in food law enforcement, inspection techniques or food safety monitoring - many of whom are demonstrably incompetent.</p>
<p>EXE Trawlermen's Association On behalf of East Devon's Fishermen Association.</p>	<p>No advantage gained by forcing registration of fishing vessels. Registration of prime sources needs further consideration.</p> <p>The industry cannot sustain extra financial burden. Registration is disproportionate in cost and practicability. Who would mark individual fish?</p> <p>Damaged fish are withdrawn at market making traceability to the net unnecessary.</p> <p>Fishing vessels should be removed from the scope of the regulation.</p>

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Farm Animals Department RSPCA	Question the ability of farm assurance schemes to improve animal welfare. Record keeping in relation to animal welfare welcomed. More detail on the format of animal welfare records required. Clarity about the position of Annex1 in relation to the regulation requested.
Food Additives and Ingredients Association - Flavouring Section	General information on flavourings for consideration in the context of the proposal.
Food Additives and Ingredients Association	Agreeable with the HACCP principle in the draft proposal. The draft will presumably cover Food Additive producers and sellers. The proposals do not note that additives are often produced from non-food materials. Safety is given by a combination of HACCP and adherence to legal specifications. Often the source materials are traded internationally, making traceability almost impossible. Therefore, registration of suppliers is unrealistic. An example would be in the case of seaweed gathered from the ocean or phosphate rock mined in parts of the world. Registration of all suppliers seems to be unrealistic.
Food and Drink Federation.	More scope for simplification and consolidation. Food Safety objectives should provide further simplification. 7 Year time frame for review, too long. 'Where

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	<p>appropriate' &amp; 'Where necessary' should apply to whole of regulation. Provisions for derogation introduce doubt about the efficacy of HACCP. Traceability should be linked to food safety objectives and not be determined prescriptively. Guidance needed on the recall of foodstuffs. Imports should meet the receiving country's standard. Exemptions would be handled by HACCP. In view of HACCP, the value of guides to good practice is questioned.</p> <p>National guides should be subordinate to Community guides. Reiteration of definitions in each section suggested. Delegation of competence should steer clear of impartiality. Businesses should have right to compensation? Clarification sought on a number of other issues.</p> <p><b>Additional comments received 20 October.</b></p> <p>Specific Comments            Support: retention of national derogations for minced meat and the extension of HACCP to primary production.</p> <p>FDF Concerns.            Definition of 'composite product' is unclear.            Raises ambiguities with fish processing, raw and non-pasteurised milk and meat preparations.            That consumer groups should develop industry guides in association with food business sectors.</p> <p>Aspects of proposal that needs clarification.</p>

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	<p>Definition of 'equivalent' needed in the context of imports.            Whether MS can grant derogations to enable MSM to be used.            Food of animal origin, Annex II Chapter IV, point 3, current exemption for sausages and sausage meat in Directive 94/65 needs to be retained.            Need to clarify how average dietary levels of contaminants are to be calculated and controlled (Annex IV - Official controls).</p>
Food and Nutrition Information Service	Concerns regarding proportionality of enforcement, adequacy of training, contaminants, the funding of research and difficulty of traceability.
Food Licensing and Occupational Health – Canterbury	Query on Regulatory Impact Assessment speculated costs. Clear guidance is imperative. The practicability of training hunters questioned.
The Forum of Private Business	<p>The following attachments were presented as a response;            Research Report - Food Sector Survey October 2000.            Position paper on the White Paper on Food Safety (04/2000).</p> <p>Forum considers that funding of expert panels by the FSA is needed.            Require clarification of the FSA's relationship with the commission.            Considered better that UK associations and food businesses operate through EU agencies and institutions.</p>

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Gedling Borough Council, Nottingham.	Happy with the format and content of the proposal. Farm to fork principle welcomed. Concerned about resource implications of implementing HACCP, for both industry and local authorities.
Glynis Brown	What is the definition of 'best scientific advice' and how will it be made available. Suspicious of large businesses conveying food safety risks to the factory floor. Food handlers rely too much on antiseptic wipes and not enough basic hygiene. Costs should not be borne by the producers. Animal welfare issues raised. Concern about consistency of application across the EU, especially with respect to beef.
Grimsby Fish Dock Enterprises.	Response to coincide with the SeaFish industry comments.

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The Halal Food Authority	<p>Labelling is to be part of the requirements for food of animal origin to differentiate slaughter methods. HACCP should be compulsory for restaurants, take-aways and other sectors preparing food. Approval and registration should be compulsory for processing, manufacturing, distribution and preparation sectors of the food industry, regardless of size and output. The remits of these parts of the industry should include slaughterhouses, cutting, boning and de-boning plants and mincing meat premises.</p> <p>Annex I - general rules for 'primary production' should be made explicit. The elements of Annex II should be strictly implemented and appraised periodically. Inclusion of a definition of 'kosher' and 'halal' meat in Annex I would be advantageous. Sections dealing with meat hygiene issues should be deemed to be more than flexible rules. Approval and registration for meat sector industries should be compulsory, licensed and inspected regularly. Chapters IV to VIII of the rules for Food of Animal Origin should be made into compulsory regulations with establishments and plants pre-approved and registered. Special emphasis on training should be made within such establishments.</p> <p><b>Milk Products:</b>            Establishments must comply with hygiene rules and implement HACCP.            Microbiological criteria should be established for raw and finished milk.            Requirements for heat-treated drinking milk should always be in force.            Approval and registration should be a condition of operation.            Health marking and labelling should be mandatory.</p> <p><b>Official Controls:</b></p>

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	<p>Ante-mortem and post-mortem inspections should be compulsory and routinely monitored. Meat fit for human consumption should be certificated</p> <p><b>Imports of POAOs:</b> Health checks for diseases specified in Annex I should be as stipulated. Annex III should refer. Constant inspection of the originating country's hygiene and animal husbandry regimes should be carried out. Veterinary certification of imports from third countries should accompany consignments with any further checks deemed necessary. Simplification should not result in deregulation. Breaches of legislation should be penalised. For the sake of consumer satisfaction, authenticity of health inspection should be in the form of labelling.</p>
HMS Limited	<p>Approved codes of practice would help to overcome objections. Simpler language on the training in food hygiene matters needed.</p> <p>Concern with statutory requirements for records and documentation in small or low risk businesses.</p> <p>The type of traceability needed in restaurants raised. Food poisoning in the catering industry - higher profile in the legislation. Difficulties already with training under the 'Butchers Licensing' regime.</p>
Holchem Laboratories Ltd	<p>General agreement with the principles of the proposal. In particular HACCP approach welcomed. Question raised about the level of understanding of HACCP by enforcement officers. Additional training may be required. Traceability seen to be very important. Supports industry guides.</p>

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Holstein UK and Ireland	Details on controls requested. Is the UK on a level playing field and who will police the new regulations? Query raised on the import of primary products
Health and Safety Executive	Conflicts and overlap with UK legislation. Section V: Chapter I: para 1: potential conflict over workroom temperatures. Section V: Chapter IV: para 2b: 12 <sup>o</sup> C in conflict with Workplace directive/UK regs. Hygiene of foodstuffs, Article 5, May overlap with COSHH Annex II: may overlap. Laying down specific hygiene rules for food of animal origin; conditions for slaughterhouses and slaughter hygiene.
Hull and Goole Port Health Authority.	Nothing on international ferries or cruise ships. Code of practice could be issued. Timescale for inspection of fishing vessels non-sensical.
Humane Slaughter Association.	Lairage floors should be non-slip. The end of the slaughter operation should err towards the welfare of the animal.
Haemolytic Uraemic Syndrome Help (HUSH)	Supports any legislation that helps to reduce E.Coli 0157 poisoning. Expresses opinion that UK has not addressed E.Coli 0157 issues and is consequently concerned that the same issues cannot therefore be addressed in the EU. Asks for indication as to what the UK negotiating position will be with regards to E.Coli 0157. Clarification of the FSA's scope of responsibility with respect to E.Coli 0157. Unconvinced about the ability to reduce cases of E.Coli 0157 poisoning. Clarification of the problems with HACCP identified by Dr Norman Simmons

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	(ACMSF). Traceability welcomed. The regulatory impact assessment failed to mention costs for E.Coli 0157 cases. HUSH is even more expensive to treat. Surprised at the lack of inclusion of such costs.
Infant and Dietetic Foods Association	Food safety non-negotiable for any size of business. Review period of 7 Years too long. Questions the value of guides to good practice. Guides if used ought to be European in scope and context otherwise conflicts across the EU could arise. The definition of traceability should include upstream and downstream traceability.

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Organisation	Summary of Comments
Institute of Food Research	<p>Comments on microbiological aspects. Insufficient information given to SMEs. Food Safety Objectives, Performance Criteria and Process Criteria not defined in proposal on hygiene of foodstuffs and the proposal laying down specific hygienic rules for food of animal origin. Definitions of these terms provided and their use discussed. These definitions should be included in the regulations. Performance and Process criterion would facilitate compliance for large and small businesses. Post processing contamination must be prevented. Verification by end-product microbiological criteria may be used to meet the FSO.</p> <p><b>Proposal 0178.</b> Item 20, page 20, 'The implementation...procedures for that purpose.' is unclear.</p> <p><b>Proposal 0179.</b> Item 10 page 45, After 'hazards', the following should be added, 'and to ensure that relevant FSOs are met'.</p> <p>Processed Products. List of dairy products does not include dairy ice cream of cream. Omission of these excludes provision for a specification of their pasteurisation.</p> <p>Section IX, para. III, page 91, Suggested rewording of statement under the Microbiological Criteria for Raw Milk. See original Comments. Rewording necessary because it is not possible to ensure microbiological safety of raw milk by Microbiological testing. Process criteria, GMP and HACCP are more effective in controlling the microbiological safety of food. Chapter II - lack of requirements for pasteurisation and sterilisation for dairy ice cream and cream.</p> <p>Section X, page 95 Section 5. Need to state processes used for pasteurisation of egg products. Process criterion needs to specified.</p>

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	COM (2000) 438 final page6, item g. Same requirements in the form of FSOs, Performance Criteria, Process Criteria and food hygiene should apply to small companies as they apply to large companies.
Institute of Food Science & Technology Trust Fund	Proposal should make explicit the need for businesses to have trained personnel with food safety experience. Registration should apply to food premises.

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Institution of Professional, Managers and Specialists. (IPMS)	<p>General Points:            Welcomes the proposal and recognises the benefits of HACCP. CCPs will need to be carefully identified, e.g. raw meat.</p> <p>Specific Points.            Paragraph 3.2. Supports the proposals support of 'due diligence' for UK legislation. The legislation must allow for national differences.            Paragraph 3.3, Cost savings should be used for extended monitoring.</p>
J G Quicke & Partners	<p>Concerned that HACCP will be made compulsory: Causes less effective inspection; paperwork distracts from real food safety; could cause a false impression of the safety of a system when new pathogens emerge. HACCP has been presented as a means to support due diligence. Prescriptive codes provide a clearer way to compliance. Auditing of food safety systems can deteriorate into an inspection of the paperwork.</p> <p>Food safety will suffer as a result of insisting on HACCP. HACCP considered to be inappropriate as a mandatory system.</p>
JPG Services	<p>One page of positive comments about the proposals. Reservations about divergence of food standards and traceability of ingredients.</p> <p>Traceability considered to be a 'burdensome imposition on industry'. A more flexible approach to traceability suggested.</p>
J Sainsbury PLC	<p>Support the comments submitted by BRC.</p> <p>HACCP will only be affective if sufficient resources are made available to communicate requirements across MS and ensure consistent application.</p>

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	<p>Welcomes the move toward hazard analysis. Questions the appropriateness of technical committees having power to amend the final Regulation. Clarification of how industry expertise is to be accounted for.</p> <p><b>On the hygiene of foodstuffs.</b></p> <p>Article 7. HACCP is not infallible for two reasons. HACCP requirements not properly implemented and wrong CCPs identified. Extension to Codex 7 point approach will solve neither problem. Such problems can only be resolved by employing appropriate staff.</p> <p>HACCP will have significant implications for SMEs with no additional benefits to consumers.</p> <p>Inconsistent interpretation of the Butcher's Licensing legislation by local authorities, highlights how inconsistency of interpretation of implementing HACCP could arise in the EU.</p> <p>A requirement for robust training framework is preferable to a move to 7 point HACCP. Local Authorities should be able to demonstrate their own competence is assessing HACCP regimes.</p> <p>Specific microbiological standards and product shelf life undermines the principle of risk based analysis. Specifying maximum shelf Lives for products could potentially reduce the life of a safe product. This will be exacerbated as technology improves. Indiscriminate end product microbiological standards may increase cost to industry without benefits to consumers. Concern is further increased over the role of technical committees to update standards without consultation.</p>

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	<p>Article 9. Prior approval or licensing will slow down the opening or expanding of food businesses. Guidance is needed to determine food business Competence. Little confidence in licensing given the current problems with Butcher's Licensing.</p> <p>Articles 9.2 &amp; 10. Registration numbers superfluous where traceability is part of a product management system. Clarification of the role of registration numbers where comprehensive traceability systems are in place.</p> <p>Would like to see more to ensure consistency in interpretation and enforcement of legislation.</p>



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Kingston upon Hull City Council	Welcome the proposal, in particular the 'farm to fork' principle and the inclusion of primary producers. Registration must be linked with the need to maintain standards as well as facilitating recall. The requirements on traceability are welcomed. Full HACCP seen as inevitable as General Food Hygiene requirements difficult to enforce. HACCP creates serious resource implications, especially in the time taken to carry out inspections and in particular with those whose first language is not English.
Kirklees Metropolitan Council	Questioned the scope of HACCP and the implications for small businesses. Concerned about proposal derogations.
Kleencare Hygiene	Statement made on Farm Hygiene - without farm hygiene, food safety improvements difficult to realise. Concern that the big retailers will have disproportionate influence if the legislation does not consider their influence in the market place. Who will be considered for registration and what will be the criteria? Scope of HACCP – does this include spoilage organisms? HACCP across the food chain supported. Who will audit HACCP systems? Questions the proposal's representation of HACCP. The number of adequately trained specialists is insufficient. Vet not required for certain meat industry processes if trained HACCP auditor present. Specification of HACCP accreditation needed in the legislation. Regulatory Impact Assessment cost model does not reflect food producers.

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Organisation	Summary of Comments
KRAEBER (UK) Ltd	Technical questions relating to the definition of processed products.
LACOTS	<p>Generally welcomes the proposals. Concern how HACCP would be applied to smaller businesses. Implementing HACCP should focus on the outcome not the focus. Asked for justification as to why primary production should be exempt from HACCP documentation. Inflexible application of HACCP would increase costs. Inspections will be lengthier, increasing their cost. Small business culture will take more than five years to adapt. Registration of food businesses welcomed. Licensing/prior approval would be supported. Industry guides welcomed as long as general agreement by all sections of industry. Clear scopes should translate across Member state boundaries. Retail sales exemptions should be carefully considered. Where does the proposal place ready-to-eat foods?</p> <p><b>Additional comments received 23 October.</b></p> <p><b>General:</b> European partners encouraged to work together on industry guidance should the final regulations contain little detail. Separation legislation will be needed for butcher's licensing and BSE controls if these are not covered by the proposal. The approval system for POAO, which is mirrored by the proposal, may amount to a missed opportunity to discuss a risk based system of approvals. The three broad aims in the EM welcomed.</p> <p><b>Hygiene of foodstuffs:</b></p>

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	<p>Clarification sought on the reason for exempting primary producers from the 'documented' system. Consistency is needed. Consideration should be given to practicalities of including primary production under the general requirements: Vagaries in the definition of primary production exists. Resources for policing this area need to be considered. Some Local Authorities (LAs), on the basis of existing difficulties, express doubt that full compliance with a HACCP approach can be achieved. LAs foresee difficulties justifying HACCP for SMEs. Other effective options should be considered. Inflexibly applying HACCP will increase costs maintenance, regulation and inspections significantly. The lead in period of three to five years considered insufficient to achieve culture change for SMEs to effectively implement HACCP. More information about the setting of food safety objectives needed and how interested parties would be involved.</p> <p>Registration for traceability welcomed. Linking proposals to existing requirements for registration would reduce costs. Considerable LA resources for policing registration will be used. Further details on the implementation of registration needed. Stricter controls through licensing/approval supported. LAs should be involved in establishing a practical and workable system of approval. Guidance will need to clarify conditions for approval/registration. Discussion needed to avoid overlap or confusion with the existing POAO approval/health marking system. Requirement linked to 'approval' useful for raising standards. Competent authorities should be informed of the withdrawal of products as soon as possible. 'Serious risk' needs further definition. Industry guides will be essential if consistency is to be achieved, particularly in terms of HACCP. To produce practical and workable guides SMEs should be involved in the drafting stages. Industry guides need to be broadly consistent across the EU. How to achieve consistency should be explored.</p>

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	<p>Flexibility may create inconsistency and compromise food safety across the EU. Clear rules for flexibility need to be established. The consolidation provides the Opportunity to examine the wording of certificates for imports from third countries. All MS should examine standard wording. Confused over the place of ready-to-eat foods. Are they raw or processed? Detailed comments on the annexes to follow.</p> <p><b>Specific rules for food of animal origin.</b></p> <p>Rules for limited capacity production noted: Clear guidance needed to avoid inconsistent interpretation. How will current controls for wild game fit in to proposed system? Note that the wild game production complying with suggested standards will cause the game industry difficulties. Needs discussion. Clarity needed on the extent to which the change in scope of 'final consumer' will overlap with requirements for registration. Further detailed comments on wording to follow.</p>
LBL (Cooked Meats) Limited	A small business who will comment through the trade associations.
LHM Customs and Excise	HM Customs and Excise have no interest in this proposal. A question raised about Imported Food Regulations 1997.
Local Authorities Catering Association.	Public education needed. Records for shelf life of product is unworkable. Clarification about HACCP versus Assured Safe Catering would be helpful. Exemptions to registration of food businesses frowned on. Costs for registration rejected.

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Local Government Services Group	<p>Privatisation of meat inspection not supported. Opposes removal of independent on-line meat inspection.</p> <p>Consumer interest must drive modernisation. Modernisation of meat inspection must be mutually exclusive of discussion on proportionality of controls. HACCP in the abattoir needs more research. Scientific risk analysis should be conducted as 1st step in modernisation. Scientific method of analysing risks needed. EC proposal needs to justify the removal of prescriptive controls. Transfer of responsibility to food operators in the meat sector considered out of place. Farm to fork approach supported with independent on farm inspection.</p> <p>Primary producers not subject to full HACCP - Why?</p>
London Borough of Enfield	<p><b>General comments:</b></p> <p>Concern that the proposals are presented as Council Regulations. Further consultation considered necessary. Request FSA to hold a public meeting.</p> <p>Welcomes farm to fork principle. Greater emphasis on risk based controls at primary production needed. Staged introduction of hazard analysis would benefit agriculture industry. Would like to see formal HACCP at primary production stage.</p> <p>Issue raised about FSA's role in ensuring consumer protection in the areas of prophylactic use of antibiotics and pathogen resistance. Welcomes reduction in number of food hygiene related legislation. HACCP will assist enforcement.</p> <p>Caution voiced on the implementation of HACCP with SMEs. Many SMEs struggle with HACCP concepts resulting in resource implications for local authorities in training and enforcement. Ring-fenced resources should be made available to implement HACCP provisions. Lead in period for implementation of HACCP in SMEs should be considered, in particular those businesses where English is not the</p>

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	<p>first language. Suggest national strategy to ensure effective implementation of HACCP, overseen by FSA. Lip service to HACCP compliance is onerous. A culture change with resources to effect this, is needed. Food Safety Objectives unlikely to help SMEs. For consistent enforcement, clear guidance on FSOs and the scientific basis is required. Welcomes the emphasis on the precautionary principle. EU Food Agency should ensure consistent enforcement across EU. Proposals fall short of their intention to simplify. Suggest two-tier approach to guidance to cover large and small enterprises respectively. Legal status of Codes of Practice needs to be clarified. Recall requirements welcomed. Prior vetting before licensing should be actively considered. Proposals do not address inconsistencies and difficulties in the interpretation of product specific legislation - more detail required. HACCP definition should be replaced with the Codex version. Absence in the proposal of due diligence noted. The requirement for HACCP training welcomed. Requirements for POAO should follow the format in the Annexes in general food hygiene regulations. Lack of uniformity for product specific categories noted. Review of controls welcomed. Would like to see more risk based controls.</p> <p><b>Specific Comments:</b></p> <p><b>On the hygiene of foodstuffs;</b></p> <p>Definition of food hygiene narrower than that currently used. Definition covers only one of the requirements in the Food Safety Act.            Definition of 'food business operators' could create difficulties in identifying responsible persons. 'Competent authority' needs clarifying. Definition of</p>

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	<p>'contamination' only relates to the 'fitness of food' and excludes reference to fitness for human consumption.</p> <p>Paragraphs 1 &amp; 2 of article 9 are welcomed. Benefit of registration number being added to foodstuffs questionable. Improved traceability covered by Food Labelling regulations. Enhancement to Food Premises (registration) regulations suggested. In favour of prior approval and annual licensing. Fees ring-fenced to LA enforcement work. Registration should not be automatic. Suggests registration certificates to enable public monitoring. Suggest a requirement to notify LA after trading ceases. Various benefits discussed.</p> <p>Annex II Chapter 1, Para 2(a); The standard specific could force small catering operations out of business.</p> <p style="padding-left: 40px;">Para 4; Washbasins need to be in close proximity.</p> <p style="padding-left: 40px;">Para 8; Should read, 'designed, maintained'.</p> <p>Chapter VI, Paras 2&amp;3; Duplication of requirements, 'environmentally friendly way' is inappropriate in hygiene legislation.</p> <p>Chapter XI, para 3 and Chapter I 2(c); Pest control and proofing should be moved into separate paragraph.</p> <p>Chapter VIII, para 2; Suggest that food-handlers do not lose pay.</p> <p>Chapter IX, para 4; 'limited periods outside temperature control is permitted...' is too vague and open to interpretation. Specific time exemptions would be better.</p> <p>Chapter IX, para 6; Welcomed.</p>

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	<p><b>Specific hygiene rules for food of animal origin.</b></p> <p>Annex I; Definition of 'fresh meat' should include raw meat. Recent litigation referred to.            Definition of a 'meat product' is too vague with respect to treatment. Litigation referred to.</p> <p>Section V; Requirement for microbiologically safe products is too vague. Consider raw/partly cooked products.</p> <p>Chapter II. Low capacity establishments should be defined.            There should be specific requirements for meat products.</p> <p>Section VIII; The recent amendments to the Fishery Products Regulations should be added to the proposals.</p>
London Borough of Tower Hamlets	Halal butchers inability to implement full HACCP have raised doubts about its practicability. Language and literacy cause many problems. Expense and trouble seen to be unjustifiable for small, low risk businesses. Revision of existing registration regulation? Recent amendments to Fishery legislation not included in proposal.

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Meat Hygiene Service	<p>COM (2000) 438 final.            Page 9 (2d) - Health marking for red meat slaughterhouses could be extended .            .            Health marking for cutting onward problematic.            Health marking for of bulk containers of poultry, weak and poorly applied.            Page 10 (2h) - Amendment of final sentence.            Page 11 (2k) - Question raised about the incorporation of bone and meat dust.</p> <p>0178 (COD)            Article 2 Definitions            Amendment to 'food safety' suggested to allow for different interpretations in different countries.</p> <p>0179 (COD)            Annex II, Page 56, Chapter I            Para 3 - Amendment suggested.            2(b) - New point suggested.            Page 57, Chapter III, 3.            - Does the definition of competent authority allow ante-mortem by non-vets?            5.1 - Note on ritual slaughter and emergency slaughter.            9. Para 2- Does 'parts' include those not for human consumption.            Page 59 Chapter V, 1st para            - Loophole of two-hour journey needs to be closed.</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
	<p>Page 60 Chapter VI</p> <p>2. - Where the animal is marked is immaterial if fit or unfit for human consumption.</p> <ul style="list-style-type: none"> <li>- Addition to second paragraph suggested</li> <li>- To eviscerate on the spot could cause considerable contamination.</li> <li>- Clarification of extensively in the third paragraph asked for.</li> <li>- Para 5, suggests 'always bacteriological'.</li> </ul> <p>3. - By whom is meat submitted.</p> <p>Page 60 Chapter VII</p> <ul style="list-style-type: none"> <li>- Has 'low capacity' been defined before and is 'local market' defined.</li> </ul> <p>Page 61 Chapter VIII</p> <ul style="list-style-type: none"> <li>- Amendments to 2 &amp; 4 suggested. Each piece must be stamped and label affixed but not printed.</li> </ul> <p>Chapter IX</p> <p>1 - Question raised; when does transport begin?</p> <p>5. - Containers needs a more specific definition.</p> <p>6. - What constitutes adequate physical separation?</p> <p>Page 62 Chapter II</p> <p>1. - Amendment ' under adequate lighting' suggested</p> <p>Page 65 Chapter IV</p> <p>9. - Does the regulation allow for the common practice of chilling whole birds to 7<sup>0</sup> C, wrapped and chilled to 4<sup>0</sup> C.</p> <p>Page 66 Chapter VI</p> <p>1. - 2500 would be more appropriate.</p> <p>Page 72 Chapter II</p>

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	<p>6. - Derogations are considered here to be dangerous.</p> <p>0180 (COD) Page 113 Chapter I</p> <p>- Any situation that means vets play a lesser role in Ante-Mortem should be resisted.</p> <p>3(a) - Size should not be the criterion. Criteria specified for full attendance throughout post mortem inspection.</p>
Meat and Livestock Commission	Simplification viewed as limited. A reduction in charges hoped for. Insufficient training expertise available. Use Codex definition of HACCP. Temperature control and HACCP issue raised. Proportionate controls on farm necessary.
Milk for Schools	Raised issues of refrigeration of school milk during delivery.
MOD Defence Catering Group	Units in the field will not be registered. Need to clarify role of Service Environmental Health Officers. Proposals should not affect current practices on board HM Ships with regards to food from other countries. Claim for waivers on Ch's I-VII.
Mr John Adams	Supports the training of Hunters in health and hygiene (e.g. compulsory competence training under National Trust and Arun District council cited). Suggests course as a possible EU model. Vets to undertake post-mortem inspection considered costly and unnecessary. Suggests changing 'Official Veterinarian' to 'Authorised Meat Inspector', see chapter IV. Asks for recognition of

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	<p>UK authorised meat inspectors for the wild game industry, which would be more cost effective. 2000/0178 (COD) - Full HACCP not necessary for all food businesses, unworkable and financially burdensome to small businesses. Authorised meat inspectors would qualify as Veterinary auxiliaries.</p>
<p>National Association of Master Bakers</p>	<p>Broadly welcome the proposals.            Totally support the overarching role of the Hygiene of Foodstuffs regulation, the principle of farm to fork and the need to consolidate and simplify the existing EU hygiene legislation. Full HACCP will cause SMEs significant problems. Implementation date of 1st January 2004 unrealistic. Discussion with FSA requested to identify how other government departments and/or the commission envisage assisting small business to comply with HACCP, e.g. training, funding, and revision of industry guides. Concern that the Commission's committee procedure can change the regulation and hence UK law. Would prefer consultation and debate before any changes made.</p> <p>1. Scope.                Welcome definition of composite products.</p> <p>2. HACCP                Compliance with existing legislation on hazard analysis still poor amongst SMEs. SME compliance to full 7 point HACCP within 3 years is unrealistic. Experience with Butchers' licensing supports the view that the</p>

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	<p>time-scale is inadequate. The FSA have given no indication of how they will help SMEs with the significant training requirement in implementing HACCP. Concerns have been expressed about the quality and standard of training delivered under the Butchers' licensing programme.</p> <p>Other issues raised;</p> <ul style="list-style-type: none"> <li>Sufficient consultant/training providers.</li> <li>Local authorities providing courses?</li> <li>HACCP training to a nationally agreed standard.</li> <li>Accreditation or approval of courses/organisations?</li> <li>Costs to SMEs</li> <li>Availability of government funding.</li> <li>Funding by the Commission for HACCP implementation.</li> <li>Role of industry guides.</li> </ul> <p>Common understanding between SMEs and enforcement authorities on the 7 HACCP principles needed.</p> <p>SMEs require clarification of a number of issues in relationship to HACCP:</p> <ul style="list-style-type: none"> <li>Degree of reliance on sourcing from reputable supplies.</li> <li>What is reasonable and foreseeable with regard to hazard analysis.</li> <li>Suitable &amp; sufficient control?</li> <li>Verification required.</li> <li>Monitoring required.</li> <li>Documentation required.</li> </ul>

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	<p>3. Industry guides.                      Little mention of UK guides in the explanatory memorandum or the regulatory impact assessment as a means towards compliance. Surprising as UK has led on this issue. Presume FSA committed to revision and development of industry guides and to providing necessary resources. Consistent interpretation and presentation of HACCP in the guides is important.</p> <p>4. Registration and Traceability.                      Support the registration of food businesses. Registration is not for providing a means of traceability. Traceability and registration are two separate issues and should be dealt with separately.</p> <p>5. Withdrawal of Products.                      Article 10 - No definition of serious risk.                      Traceability to be dealt with by the General Food Law Directive. Withdrawal should also be dealt with similarly.</p> <p>6 Temperature monitoring.                      No specific requirement at present under the General Food Hygiene Regulations.                      Annex, Chapter 1 para 2 implies some form of automatic monitoring. Should be reworded to allow a variety of methods.                      Chapter IX would be a better place to specify a temperature control provision.</p>

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	<p>Chapter IV, para 6. There is a need to allow for flexibility in temperature monitoring.</p> <p>7. Compliance costs. Costs, including consultancy fees and setting up of sampling controls assumed to apply to meat plant operators.</p>
National Cattle Association (Dairy)	<p>General support. More details of how the proposals will effect farms requested. HACCP needs more promotion throughout the food chain. Is the UK on level playing field with the EU, especially as regards imports?</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
National Game Dealers Association	<p>Endorses pages 1-3 of Gamekeepers Organisation. Appeal for flexibility to be applied to the game industry. The proposed legislation could have severe cost implications and detrimental effects on processing. Introduction of a tagging system for improved traceability would have serious labour and cost implications.</p> <p>0178 (COD) Annex II - Enforcement of guidelines will have serious cost implications.</p> <p>0179 (COD) Section IV - 2(a) Current legislation makes no provision for thoracic viscera, kidneys, live or spleen to accompany animal to processing plant not controlled by MHS.</p> <p>3) Few game shoots have chilled larders.</p> <p>Chapter IV - Endorse comments of NGO on registration of collection centres, suggest restriction to licensed game dealers or shoots. The requirement for approval of handling establishment would result in the demise of small operators.</p> <p>0180 (COD) Annex I, Chapter I - Expect frequency of inspection to be in proportion to throughput of processing plant.</p> <p>Chapter VI - Extending the scope of post mortem inspection will present considerable cost implication.</p> <p>Nothing should make the marketing of game more problematic.</p>

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National Farmers Union	<p>An educational and training package will assist the implementation and reduce costs to small and medium businesses.            FSO's should be established quickly and complemented by consumer advice.            Flexibility will need to be tightly defined, relating more to traditional products.            POAO – harmonisation of rules has not been fully achieved. 'Small establishments' and 'local markets' need to be closely defined. Further consideration of parallel handling of farmed and wild food is needed. Impact assessment on farms with the introduction of registration needed. Sufficient resources should be provided for procedures designed to list third countries. Full consultation for community guides essential. Period of review should be three not seven years. Records to be kept by farmers should not impose an unnecessary burden and procedures should be uniform across all MS. Clearer definition of 'local market' with regards to smaller slaughterhouses required. Using existing meat inspectors will help the survival of small abattoirs.            Final comments received on 20 October.</p> <p>Introduction.            Welcome the proposals and the intent to simplify EU Hygiene legislation. Introduction of HACCP at farm level would at this time not be appropriate. Commendable that proposal recognises the need to assist SMEs and those to which HACCP is new. Existing assurance schemes and codes of practice should be taken into account in the formation of on-farm</p>

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	<p>guidelines in respect to the proposed legislation.</p> <p>Specific points;            Main concerns relate to:                Flexibility, tighter definitions                Registration and red tape.                Guides to good practice.                Level playing field and controls.</p> <ol style="list-style-type: none"> <li>1. Page 3. Introduction of hygiene rules for all food should be accompanied with an educational and training package. This will reduce the cost and disruption.</li> <li>2. Page 4. b) Support the use of food safety objectives (FSOs). Urge their rapid establishment. FSOs should be complemented with advice to consumers. Food hygiene training should form part of MS core educational curriculum.</li> <li>3. Page 6. g) Flexibility desirable but needs to be tightly defined. Should be related more to traditional products than geographical constraints.</li> <li>4. Page 6/7. a) Harmonisation of health rules for placing POAOs on the market has not been fully achieved.</li> <li>5. Page 10. h) 'Small establishments' and 'local markets' will need definition to provide a basis for exemption.</li> <li>6. Page 14. c) Supports separation of safety and quality issues.</li> <li>7. Page 19 (15) There should be further consideration, because of high</li> </ol>

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	<p style="text-align: center;">risk, of the parallel handling of farmed and wild food.</p> <p>8. Page 20. (22) Thorough assessment of the impact on registering farms needed.</p> <p>9. Page 20 (24) Essential that sufficient resources are provided to ensure procedures for drawing up lists of third countries are implemented fully.</p> <p>10. Page 20 (25) Agrees that EU exports must be of an acceptable level of hygiene</p> <p>11. Page 21 (28) Commission intention with WTO and Codex endorsed.</p> <p>12. Page 25 Article 6. Regulatory control of microbiological and temperature criteria needs to be approached in an informed and cautious manner.</p> <p>13. Page 26/27 Article 8. Welcome community guides and application of HACCP principles. Consultation essential to facilitate Development and uptake.</p> <p>14. Page 29 Article 16. Recommend review of regulations by European Parliament report and after three rather than seven years.</p> <p>15. Page 31-33 Annex I Concerned over the records that farmers may need to keep. Unnecessary burden should be imposed. There should be streamlined and uniform procedures across the EU for transfer of records when animals leave for slaughter. 'Suitable cleaning and disinfecting procedures' and 'proper disposal' should be defined.</p> <p>16. Page 55. Traditional production methods should be defined.</p> <p>17. Page 60/61 Chapter VII Clearer definition of 'local market' requested.</p>

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	<p>18. Pages 62-67 Section II 2. Equipment for collecting live birds need only be cleaned when livestock is transported to another farm holding.</p> <p>Page 64 3. Presenting animals to a competent authority before Slaughter imposes unnecessary cost and provides a Mechanism for spreading disease.</p> <p>Page 66 4. Concern over concentration of birds for ante-mortem Inspection. Loading and unloading unacceptable on animal grounds.</p> <p>Page 67 Chapter II Clarification of the registration of 'low capacity establishment' needed.</p> <p>20 Page 112. (b) Code of practice on official visits for the purpose of disease control requested.</p> <p>21 Page 113 I. The provisions for auxiliaries fully supported. Suggest that this be implemented well before 2004. Clarification as to who decides ante-mortem inspection should take place.</p> <p>22. Page 129 4. The requirements for health certificates are impractical.</p> <p>23. Page 131/132 Interpreted as referring to certificates on farm.</p>

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<b>Organisation</b>	<b>Summary of Comments</b>
National Gamekeepers' Organisation	Extensive comments with a number of detailed objections. Accepts, the need to consolidate and the introduction of a HACCP approach. Concerned about the directly applicable regulation. Many of the definitions are inadequate. Concerns regarding traceability of shot game and very concerned about requirement for training of hunters. Concern about lack of flexibility if the proposal becomes a directive. Welcomes flexibility for traditional production and businesses under geographical constraints. Concerned about several definitions, including 'food businesses' and 'primary production'. Welcomes national guides and the need for traceability but concerned about the effect of registration on the game industry.

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National Market Traders' Federation	Concerned over the registration of food premises. No mention in the proposal of the exemption from registration of market stalls. The federation would like to see this exemption continue.
National Pig Association.	<p>Welcomes the general principles.</p> <p>Page 3.1 - SMEs will need training and help. Record systems should not be burdensome.</p> <p>Page 5(c) - Emphasis importance of consistent implementation across EU. Traceability welcomed providing the systems are independently and responsibly audited.</p> <p>Page 5(d) - Adequate monitoring and enforcement of equivalent standards for imports is very important.</p> <p>Page 6(g) - Flexibility needs to be clearly and tightly defined and its application monitored. Subsidiarity may undermine uniformity.</p> <p>Page 6/7 (2a) - Support the simplification of rules applicable to food of animal origin.</p> <p>Page 10 (h) - Support rules for small production units. 'Small establishments' and 'local markets' will need to be defined to identify logical exemptions.</p> <p>Page 20 (22) - Traceability through registration supported.</p> <p>Page 103. - Annex III - Conditions for third country imports should reflect extensive and effective auditing systems and allow for compliance to be verified. Rules on animal welfare should apply to third imports.</p> <p>Page 143 - Support the proposals provisions for preventing the spread of Animal diseases.</p>

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National Sheep Association	<p>Simplification of practice recommended as outcome to the new proposal. Concerns on 'best scientific advice' - practice should be combined with this. False sense of security of consumers raised. Less active immune systems? Costs would have to be passed on to the consumer.</p> <p><b>Additional comments provided on 20 October.</b></p> <p>Welcome linked proposals on food safety and animal health controls. While accepting that the proposal will produce safer food there will be cost implications.</p> <p>Concerned extra costs will be passed on to the primary producer.</p> <p>Expressed view that safer food can result in a reduced ability for natural antibodies to be generated in the immune system.</p> <p>On the basis of this argument there is a limit to how much can or should be done to protect each individual.</p> <p>Traceability of all food and ingredients seen not to be necessary and in some cases impossible to achieve.</p> <p>Consider that the suggestions in the proposal apply to an ideal world, one in which we do not live.</p> <p>Do not consider HACCP to be fool proof, especially as regards cost and the inability to apply it in the home.</p> <p>In favour of extending Industry guides and a degree of flexibility.</p> <p>Content with simplification as long as this does not result in complicated practice.</p>

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	<p>Scientific advice without practical experience is unhelpful.</p> <p><b>The 'farm to fork' approach.</b>            With the impossibility of applying controls at the domestic level and a lack of emphasis on educational curricula a more reasonable, practical and cost effective approach to the farm to fork principle should be adopted.</p> <p><b>Introduction of HACCP principles.</b>            Beneficial if hazard is producer defined rather than regulator defined. However, if this approach is facilitated the risk may be perceived to be smaller by a producer than a legislator. Costs could be a bureaucratic nightmare.</p> <p><b>Cost implications to industry.</b>            Taking costs out of farming has resulted in disadvantages. Amongst which are, increased keeping of livestock and the environmental effect. Incentive for younger farmers is minimal and presents short and long term problems for the industry. Further costs on the industry would exacerbate the situation.</p> <p><b>Comments on the Regulatory Impact Assessment.</b>            1.4 'Farm to fork' could be interpreted as 'Nanny stateism'. Removes responsibility for purchase from end user.            1.5 Begs the question of what constitutes a food business. Does a final product have to carry all registration numbers or traced back to final</p>

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Organisation	Summary of Comments
	<p>supplier.</p> <p>1.6 Responsibility of end user a serious omission. An adequate surveillance and education agency is necessary with the move towards food business responsibility.</p> <p>1.7 HACCP interpretation must take into account business and regulatory requirements.</p> <p>1.9 The interpretation in risk assessment could be variable.</p> <p>1.11 Further breakdown of statistics would be interesting, i.e. fatalities, low level illness and normal hazard.</p> <p>1.12 Cause of cases questioned.</p> <p>3.2 Welcome potential reduction of supervision and inspection costs.</p> <p>4.3 Government assistance makes sense if surveillance costs are reduced.</p> <p>5.1 Could this trigger government aid.</p> <p>5.3 Hard to see how HACCP will reduce the cases of Campylobacter.</p> <p>5.5 Costs in 5.4 meaningless.</p> <p><b>On the Hygiene of Foodstuffs.</b></p> <p>Chapter II. Section I</p> <p>Indent 4. Perceived difficulty in the disposal of dead animals. Cost benefits need to be examined and some real need evaluation carried out.</p> <p>Indent 6. Agreed provided that disease is contagious.</p> <p>Indent 7. Rules should be specific.</p>

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	<p>Chapter II Section II.</p> <p>Indents 1-6 Low incomes means that veterinary visits are reduced to a minimum. The suggestion that vets should assist in the completing of records is therefore unrealistic. 'Surely the farmer is responsible for the animals not the vet'.</p> <p><b>Specific hygiene rules for food of animal origin.</b></p> <p>10. Welcome the removal of inconsistencies in the legislation, provided legislation on species is not transferred to other livestock. Each species of livestock needs to be treated separately.</p> <p>12. Transparency needs clarification.</p> <p>13. Concerned that enhanced consumer protection will be paid for by primary producers.</p> <p>18. Concerned that new divisions created by devolution will impinge on national borders</p> <p>Annex II Chapter III. Interpretation of 'unnecessary risk' must be sensible.</p> <p>Chapter IV Perceived discrimination between SMEs and other food businesses. Meat is either fit or not.</p> <p>Annex III.</p>

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	<p>Care should be taken to accurately assess methods of production and credentials in third countries.</p> <p><b>Official controls on products of animal origin intended for human consumption.</b></p> <p>Annex II.            Concerned that the training of auxiliaries requires familiarisation with the farming industry.            A sensible approach difficult and time consuming for auxiliaries to develop enough knowledge.            Serious reservations over what objective will be satisfied by teaching/familiarising auxiliaries about farming practices.</p> <p><b>Importation of products of animal origin intended for human consumption.</b></p> <p>Concerns about mechanisms preventing imports from third countries, borders cannot be controlled.</p> <p>Chapter I.            Article 3.      2. Products should be obtained from healthy animals not subject to restrictions because of disease.                                     2b. Concerned over negative wording.</p> <p>Concerns about the need to recognise the differences between practices</p>

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	<p>established in some countries on the basis of historic, geographic, climatic, or economic variables.</p> <p>This needs to be appreciated by inspectors.</p>
New Forest District Council	<p>Welcomes consolidation. Raises question on the status of EC Regulation to remove inconsistency across Member States. Care must be taken not to over burden food businesses in the implementation of HACCP. In light of the demands on resources in the auditing of Butcher's licensing documented systems, a careful balance with HACCP implementation has to be struck. The shift from the absolute to acceptable reduction of food hazards (Article 5(b)) begs the question, what is acceptable and to whom - industry or consumer? Local Authorities (LAs) should not be expected to provide training required or suggested by the proposal. LAs providing the training will compromise the EHOs enforcement role. Independent sourcing of training has been shown to be more beneficial - e.g. butcher's licensing. Central government/industry should meet the costs of training. Format for guides should come from the EU. There should be no exemptions under the proposed food business registration. Registration should not become registration of premises.</p>
North Shropshire District Council	<p>Traceability system to be part of HACCP plan. Suggest compulsory licensing. Costs to be borne by Government.</p>
NRI	<ol style="list-style-type: none"> <li>1. Agree that Food Safety Management System should be based on Codex and cover primary production.</li> <li>2. Law should require record keeping.</li> </ol>

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	<p>3. FSOs should be prescriptive until their working in HACCP has been evaluated.</p> <p>4. Traceability should be part of all FSMS</p> <p>5. Hazards at primary production should be considered.</p> <p>6. Flexibility for SMEs is a good policy as long as food safety is not compromised.</p> <p>7. Safety and quality should be treated as separate issues.</p> <p>8. Uniformity in terminology should be considered.</p> <p>2000/0178(COD)</p> <p>9. Word 'to' missing.</p> <p>10. There are no requirements for adequate changing facilities...</p> <p>2000/0179</p> <p>11. P.62, Chapter X note on the word salmonella.</p> <p>12. Supplier quality assurance should cover origin. Section could be read as end product testing.</p> <p>13. As 11.</p> <p>14. Control measures should be mentioned here.</p> <p>15. The monitoring of growing water should be monitored - To prevent harvesting of shellfish in waters with critical levels of algal toxins.</p> <p>16. P.86. Monitoring of temperature would be a HACCP point.</p> <p>17. P.91 III, Statement misleading. Control of production should be part of</p>

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	<p>HACCP plan.</p> <p>18. As 11.</p> <p>19. Critical limits need clarification.</p> <p>2000/0180(COD)</p> <p>22. P.137 Sampling should be used for verification.</p> <p>23. p.138 Should say compliance with HACCP.</p> <p>2000/0182</p> <p>25. SMEs should include HACCP at a level of primary production.</p>
P M Littleton	In general agreement with the principles of the proposal, particularly HACCP.
Rare Breeds Survival Trust	Concern for small business implementing HACCP. How will primary producers implement HACCP? Can savings in official supervision be quantified? Financial support for meat industry requested. Flexibility of implementation for differing farm businesses requested. Concerned about cost of ante-mortem inspections. Raised welfare issues relating to castration.
Rio Pacific Foods Services Ltd	Generally welcomes proposal. Concern about the effect on small to medium businesses. Questions raised about monitoring and enforcement.

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<p>The Royal Association of British Dairy Farmers</p>	<p>Milk production is not our only area of Interest as title suggests. Sizeable number also involved in on-farm processing and Manufacturing.</p> <p>Dairy Farmers have other livestock which will be affected by aspects of this legislation. My response will be on Milk Production and Directive 92/46/EEC. Recognise and accept the basic aims of Proposal. Farm to Fork and traceability all foods and Ingredients. Support the move from prescriptive legislation to an objective based approach, onus placed on food producers. In relation to farms, a HACCP-type approach should be implemented as opposed to full HACCP procedure. Full HACCP principle unworkable in milk production, the RABDF supports this position. Details in Section IX milk and milk products foresee no difficulties as they fulfil requirements of current domestic legislation. Proposal for a reduction in enforcement and greater emphasis on objectivity can lead to differing interpretations of requirements. Currently different interpretations made by different member states of the present legislation both in terms of enforcement frequency and production requirements. Recommend that a consistent approach be adopted by all in the UK and member states.</p> <p>UK milk producers are amongst the most regulated in the EU. Enforcement authorities stringently check farms insuring that legislation requirements are met. Farm assurance schemes and carrying out of inspections for marketing purposes, will add costs to all areas of the industry. The RABDF urges that this new proposal will Consolidate our own domestic practices therefore reducing cost to industry.</p>

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Reading Borough Council	Welcomes the proposal. Documented HACCP is long overdue. Disappointed that documented HACCP will not be extended to primary producers. All producers will be brought to the same level of accountability and ensure that producers take responsibility for their input.
Royal College of Veterinary Surgeons	General agreement with the scope and intention of the proposals.
Seed Crushers' and Oil Processors' Association	Clarification sought on derogation. Explication of a contradiction with existing regulations. 4 Questions asked.

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Silsoe Research Director	Comments on the integrated approach to implementation. HACCP should not be used in isolation.
Simstor	Request to be classified as primary producers because documentation would be unmanageable.
Society and Faculty of Occupational Medicine	Support modern risk based approach. Impact on occupational physicians thought to be limited. Implementation of proposals could impose additional stress on the food industry workforce. Doctors will have to play a significant role in the development of Industry Guidelines. Recommends Association of Medical Officers as a co-ordinating forum. Future guidance should cover the general public's role in ensuring food safety. To ensure minimum food hygiene standards a strong link should be established between risk assessment and the regulations. Guidance on food borne virus infections should be included with scientific evidence in respect to the exclusion of food handlers. Consolidation and simplification not entirely achieved. Derogations introduce an element of unfairness and inconsistency. HACCP welcomed. Removal of detailed and complicated rules welcomed. Supervision of cutting-plants and colds stores by veterinary assistants welcomed. Food safety regulations complete at the first attempt are preferable to an evolving process.
Somerfield Stores Limited.	Generic HACCP suggested for some businesses. Concern about the rigidity of microbiological standards. Position of cold stores and veterinary control discussed. Realistic chilled storage. Uniform approach to enforcement considered important.
South Devon & Channel	Crustacean fishermen's catch of mainly (Crabs and Lobster) is landed live to the

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Shellfishmen	merchants therefore, no alterations seem to be necessary. Traceability in this area is impractical and need only begin with the merchants or processors.
Specialist Cheese Makers Association.	<p><b>On the hygiene of foodstuffs.</b></p> <p>Article 4: Flexibility for traditional methods of production strongly supported.            Article 5: Accept HACCP as preferable to prescriptive legislation.            A 'zero risk' interpretation may however impose unnecessary burdens.            Welcome measures to facilitate implementation of HACCP.            Article 10: Hope that emphasis on traceability will not prove unduly burdensome.            Cheese makers generally source from their own primary production.            Lack of technological resources may place small businesses at a disadvantage.</p> <p><b>Laying down specific Hygiene Rules for Food of Animal Origin.</b></p> <p>Annex II:            Article 3&amp;4 Registration number should be sufficient for traceability. All numbers should be made publicly available.</p> <p>Article 6 and Chapter II: Support flexibility.            Section IX: Welcome the retention of provision allowing MS to grant derogations for certain types of cheese.            Section IX and Chapter VI: Assume health marking requirements will not apply to registered dairy establishments.</p>

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Standing Conference on Countryside Sports	<p>Concern about the burden on a cottage industry. Invitation to meeting</p> <p><b>Additional comments received on 18 October.</b></p> <p>Report 'Countryside Sports their Economic, Social and Conservation Significance' may be of use.</p> <p>Concern that proposals will add to, rather than simplify food hygiene legislation. Need to understand the unique nature of UK game shooting.</p> <p>Serious consequences anticipated if proposal implemented. Codes of practice could form the basis of an integrated approach, dealing with problems related to small numbers of game. Definitions of 'food business', 'primary production' and primary products need changing to reflect the concerns of members. Requirements for record keeping of all feeds in game rearing make the concept of traceability impossible.</p> <p>Exemption for small quantities of game should be retained.</p>
Stratford and Avon Foods Ltd	<p>Offered caution about prescriptive food safety objectives. Each business should control their own food safety objectives. Guides of good practice must have considerable industry input. Concern about the costs associated with registration.</p>

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Stratford upon Avon Foods	Caution against prescriptive food safety objectives. Input from industry to industry guides essential. Registration of food businesses must not impose extra costs. Rigorous checking of a business' imported foods for compliance important.
Sussex Sea Fisheries District Committee	Read with interest the figures quoted for the last five years for "Food Poisoning" in England and Wales. The costs to the NHS and therefore, the country are staggering. The increases in food poisoning makes one realise that legislation needs enforcing. Many small firms such as slaughterhouses will suffer serious financial implications. Three to Five years to implement legislation is ridiculous and of great cost to all.
The Association of Public Analysts.	Concern about meanings attached to 'Competent Authorities'. Mechanisms need to be set in place to ensure delegating authorities are fully aware of what is being done for them. Compositional and formulation constraints should not be 'reduced in their impact'. Need to ensure effective enforcement procedures for controls, defining performance of delegated activities and providing control measures.
The British Association for Shooting and Conservation.	General agreement on the need for simplification and consolidation of EU food hygiene legislation. Concern that the proposed regulation will add to, rather than simplify current legislation. Consider that the Regulations will restrict individual interpretation of EU law by member states. The proposal bears out suspicion that EU Regulations would not take into account the nature of UK game shooting. Encouraged by the section on wild game meat but depart significantly from existing legislation, adding some further requirements. Grave consequences anticipated. 0178 (COD)

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	<p>Paras 13 - 17. Welcome the incorporation of codes of practice. Draw attention to current codes of practice.</p> <p>Para 18. Welcome the proposal's recognition of the need for flexibility.</p> <p>Article 1. Vital, for the game industry, that proposal retains exemption for domestic and private consumption.</p> <p>Article 2. Definition of 'food business' poses problems for game industry. Should exclude game shoots, rearing establishments and primary production of wild venison. The rearing establishments should not automatically qualify for post primary production stages. Emphasis should be on 'where appropriate'. Definition of primary production should exclude the rearing of gamebirds.</p> <p>Article 9.1.1 The level of registration suggested is unprecedented. Never necessary in the past. Unfettered access by officials would be extremely unpopular.</p> <p>Annex I Chapter II.1 Significance of 'where appropriate' should be clarified.</p> <p>Annex I Chapter II.2 Questions the necessity of record keeping for shoots. Records on the health status of birds are nonsense.</p> <p>Where 'Where appropriate' should be included in the first paragraph of Chapter II.2.</p> <p>Article 4.2, Annex II &amp; Article 5. Unsatisfactory handling of post-primary production areas could affect the interests of the game industry.</p>

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	<p>Article 7. Hope that existing codes can form the basis of future guides.</p> <p>Article 9. Comments under Article 2 apply. Paragraph 9.2 implies that every item of game will need to be tagged. With 20 million gamebirds shot every year this poses serious difficulties. Traceability in the wild is meaningless. Concern over the power of officials to close down, without appeal, game shoots.</p> <p>Article 10. Traceability of feeds is unachievable. Wild game are not restricted in their feeding habits.</p> <p>0179 (COD)</p> <p>Article 1. Concerned that the regulation does not contain exemption for private domestic consumption. Would like to see duplication of the wording of the 'all foodstuffs' regulation in this section.</p> <p>Article 2. &amp; Annex I Points made above on definitions apply here. Should be made clear in the definition of wild game meat that birds released into wild are included.</p> <p>Article 3 &amp; Annex II. Note on the exclusion of lagomorphs.</p> <p>Section IV. Differs significantly from the current wild game-meat directive.</p> <p>Does not include exemption for small quantities.</p> <p>Chapter I, page 68. Do not accept justification for hunters to undergo formal hygiene training. Recommend that references to training in chapters I,II</p>

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	<p>be deleted.</p> <p>Chapter II.2, line 6 This should make clear that it refers to large game. Recommend that the paragraph on hunter's responsibility be deleted.</p> <p>Chapter II.3 Cost implications for chilling considerable. Inconsistency in the requirement to move game and the recommendation for chilling</p> <p>Chapter IV.1 Registration of game larders deemed to be unnecessary and inappropriate.</p> <p>0180 (COD) Annex I Points on need for exemptions apply. Annex II Ante-mortem inspections of game are not possible.</p> <p>0181(COD) Clarification sought on whether this regulation applies to birds imported from outside the EU.</p>

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The British Deer Society	<p>Section IV: 'one whole item' taken to mean the carcass or meat from a single animal. Hunters taking home one animal should be able to skin and cut up the animal before transport.</p> <p>Chapter I: Training of each hunter will impose unnecessary burden. Voluntary training schemes already in place.</p> <p>Para 2: Mandatory qualification of at least one member of a hunt will be very costly, requirement unjustifiable.</p> <p>Chapter II: Definition of 'intervention' needed. Preparation of large game for cooling in handling establishment more hygienically done indoors rather than in the field.</p> <p>Only the thoracic viscera should be required for examination in abnormal cases or where a qualified hunter is absent.</p> <p>Hunter liability is covered by third party liability. The sentence describing the hunter's responsibility should be deleted.</p> <p>Transportation to handling establishment within 12 hours is not acceptable. Requirement for chilling in collection centres would be costly.</p> <p>Further clarity on the definition of 'marketed' needed. Status of export to EU of unskinned, certificated carcass needs specifying.</p> <p>Chapter III: Para 2. Before arriving at handling establishment all game should be eviscerated.</p> <p>Chapter IV: Government will incur costs in implementing the registration of collection centres. The game industry will resist approval/registration.</p>

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The British Sheep Dairying Association	HACCP excessive documentation for small organisations. Single standard preferred.

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The Family Farmers' Association.	<p>Two main threats to family farmers, over regulation and cheap imports. Suspect proposals will lead to stricter enforcement. Current cost of inspections cause difficulties for small-scale operations. Proposals as outlined will disadvantage smaller farmers.</p> <p>Significant extra costs may well put many SMEs out of business; therefore sympathetic implementation of the proposals will be necessary.</p> <p>There is a need for uniform implementation across MS. Regulations give scope for commercial advantage to be taken by those who do not implement thoroughly. Concerns over the possibility of corruption expressed. The threat of imports from third countries is a serious threat. Fear that third country imports will not be safe.</p>
The Federation of Bakers	<p>Broadly welcome proposal. Agree that the proposal should not cover nutrition or compositional matters.</p> <p>Article 2. - No definition of risk mentioned.</p> <p>Article 5 - Industry already uses HACCP.</p> <p>Article 7 - Concern about representatives from interested parties being involved in the development of codes for the baking sector. Other parties should be consulted only. Unclear what contribution consumer groups can make in the development of a HACCP system.</p> <p>Article 9 - Unnecessary for registration numbers to be displayed. Other records can ensure traceability. Competent authorities should have power to exempt businesses. Difficult to add further information on the tie of bread bag. To place information on bag considered to add unnecessary cost.</p> <p>Article 11 - Unfettered powers to be given to the competent authority are</p>

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	unreasonable. Annex - Chapter XI, Unclear whether this chapter applies to baking.
The Game Conservancy Trust	Main concern with small wild game which finds its way on to the market via game-dealers and butchers. Farm to plate concept is difficult to apply to game (incomplete food chain). Flexibility welcome with regards to small enterprises. Hunter/gamekeeper training will have to be enhanced to accommodate risk analysis. Important issue for the game industry is where the line will be drawn between primary production and food businesses. Some small game operations will have to be upgraded. Training for all hunters not deemed necessary as long as one person on hunt has responsibility. Distinction between game collection centres and handling establishments needed. Time allowed for game to reach handling centre too short. Costs for new facilities could not be absorbed.
The Game Farmer's Association	New legislation should recognise the discontinuities in game food production. Concern about legislation being extended to primary production. Game farms should be excluded, especially as regards traceability.
The Grimsby Fishing Vessel Owner's Association.	Supports any comments submitted by NFFO.
The Halal Food Authority	In general agreement with the principles of the proposal.
The National Federation of Meat & Food Traders	Criteria for small meat operators questioned. Accept the need for traceability, would want to be able to rely on the honesty of retailers statements. Argued against the licensing fee for butchers.

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The Nottingham Trent University.	HACCP not suitable for small businesses. Small businesses will be overwhelmed by a system in opposition to the organic nature of their processes.
The Restaurant Association	Support the proposal provided that no new burdens are placed on the catering sector. Supportive of traceability by cautious about the implications in terms of record keeping. Concern that current HACCP principles are geared towards large business rather than restaurants. HACCP may not be practical for SMEs. Too detailed record keeping for the purpose of traceability will be over burdensome and detrimental to food safety. Welcomes guidelines but not as further legislation.
The Royal Association of British Dairy Farmers	Main interest is milk production but sizeable number of members involved in on-farm processing. Recognise and accept the basic aims of Proposal, Farm to Fork and the traceability of all foods and Ingredients. Supportive of the move from prescriptive legislation to risk based approach. Full HACCP principle unworkable in milk production, the RABDF supports this position. No difficulties with section IX, 'Milk and Milk production', foreseen. Vital for equal and fair enforcement across EU. Greater emphasis on objectivity can lead to differing interpretations of requirements. Currently, different interpretations are made by different member states, both in terms of enforcement frequency and production requirements. A more consistent approach is recommended. Enforcement authorities stringently check farms to

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	ensure that the legislation requirements are met. This new proposal offers the opportunity to Consolidate our own domestic practices, thereby reducing the costs to industry.
The Salt Manufacturers' Association	Unrealistic burden on salt manufacturers in the maintenance of records. Salt has an infinite shelf life.
The SeaFish Industry Authority	Simplification could have gone a lot further. Proposal is a cut and paste job and not carefully considered. Flexible HACCP for small and medium businesses needed. Regulation will help to remove inconsistencies across member states. Definition of primary production ambiguous. Clarification needed on the application of 'primary production' to fishing vessels. Definition of processed product unclear. Exemptions could generate a distortion in trade. Difficulty in applying HACCP in markets, because of shared responsibilities and public access. National guides may offset trade distortions. Registration: - 'establishments' and 'produced' should be defined. Traceability in the fish industry has its own brand of problems. Requirements beyond primary production need clarification with respect to the fishing industry, e.g. the use of potable water, personal hygiene, wrapping/packaging, processing and training. Various aspects of the annexes noted, welcomed or criticised. Alarm at the proposal on parasites.
The Shellfish Association of Great Britain	Standardisation of purification time + time/temperature formula highlighted. Classification of harvesting waters, ephemeral pollution. Sampling inequalities across member states may develop. Issue about pectinids raised. Chance sampling of scallops could be costly and result in severe consequences for the UK and Ireland. Microbiological standard for all pectinids needed. Review of analytical

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	<p>methods considered to be essential.</p> <p><b>Additional comments received on 18 October.</b></p> <p>Heat treatment of bivalve molluscs must be retained and done in an approved process (Torry process).            Hope that the Microbiological criteria for cooked molluscs and crustaceans, Commission Decision 93/5, will be retained.</p>
The UK Association of Frozen Food Producers	Question on raw milk raised + other product areas.
The UK Association of Frozen Food Producers	<p>Discussion on Food Safety Objectives, Confusion with the notion of traceability with consumer information. Primary production - HACCP why not now?            Further simplification would be desirable. A note on temperatures for storage. Why not wait for the controls proposal. How long will it take to implement?            Welcome genuine harmonisation.</p>
Tim Brigstocke Associates	Concerned about their being a level playing field in the negotiation process. Generally favourable. Supports HACCP.
Trades Procedures Panel The Chamber of Shipping	Introduction of third-parties involvement in importation unwelcome. Article 8.2 on health certificates, 'accompanying the products in the original' misconceived and impracticable. Three major points raised on this issue, 'The certificate may not be

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	available', 'It is at variance with normal practice for handling documentation' and 'no value in the presence of health certificates on board ship'. Accompaniment of certificates should be limited to realistic situations. Importers should ensure the availability of certificates at port of discharge. Normal tried and trusted channels for conveying documents should be maintained.

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Wandsworth Council	Responses will be made directly to the technical liaison group, reporting to LACOTS. Welcome uniform approach to hazard analysis. Implementation of hazard analysis has to be practical and not over burdensome to low risk businesses. Welcome controls from food production to consumption. SMEs will need to be guided through the complex concepts associated with food safety objectives, particularly to non-technical people. Welcome traceability but would like to see bureaucracy kept to a minimum. The existing system of guides works well and will extend to all other business sectors, but new guides should not be too prescriptive or resistant to technical developments. The guides mainly reflect large business interest and not SMEs. This should be borne in mind. Clear guidance on flexibility needed to ensure consistency of enforcement. Effective compliance with EU food safety standards by third countries will need to be adequately policed by the Commission. The new regulations will help Local Authorities to focus resources and deal with businesses producing more than one food type, more efficiently.
Wealden District Council	HACCP will need a flexible approach. Query on definition of 'Final consumer'. Time span for keeping records suggested. Are caterers included in the proposed registration? Training and resources difficulty. Specific hygiene rules for low capacity production. Definitions needed. Query on health marking. Requirements for milk products?
Wholesale Confectionery & Tobacco Alliance.	Welcomes the proposal. New obligations will be imposed on WCTA members by the farm to fork approach. Introduction of specific controls should be proportionate to the risk. Risk based approach welcomed.

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	<p>Applauds goal-based approach to food safety.            Trust that a risk-based approach will lead to greater self-regulation.            Food registration and HACCP will impose significant additional costs on WCTA members.            Concerned about proposals for traceability. Wholesalers should be exempt from these recommendations.            Producers would best implement proposals on withdrawal.            Stock control systems of wholesalers not sophisticated enough to track all products by batch or individual products in the supply chain.            Wholesalers should be left to impose the appropriate controls to achieve the traceability objective.</p>
Women's Food and Farming Union	<p>A clearer strategy for HACCP other than enforcement. Training costs out of reach for most farmers.</p>