



EUROPEAN COMMISSION
HEALTH AND CONSUMERS DIRECTORATE-GENERAL

Safety of the Food Chain
E2 - Food Hygiene, alert system and training

SANCO

05.10.2009

Brussels,
SANCO/E2/BJ/rz D(2009) 520601

Dear Mr Eriksson,

Thank you for your letter of 10 June 2009 concerning veterinary attendance at the death of farmed deer killed by free bullet, in answer to letter 520187 of 16.04.2009.

In the interest of accuracy, it is appropriate to recall certain basic facts as regards concerns of FEDFA mentioned in the letter:

- Regulation (EC) No 853/2004 and the other hygiene Regulations were adopted by the European Parliament and the Council on 29 April 2004. The date of implementation foreseen was 1. January 2006.
- When the Hygiene Package was finalised and adopted in 2004 the European Parliament and the Council considered it necessary to set down specific requirements for meat of farmed game in Section III of Annex III to Regulation (EC) No 853/2004 and in Section IV, Chapter VII of Annex I to Regulation (EC) No 854/2004. The health certificate to accompany animals inspected and slaughtered at the holding prescribed the signature of the official or approved veterinarian.
- In order to give effect to this new body of legislation and to permit a smooth passage to the full implementation of the new rules and procedures, a number of implementing measures and *transitional* (i.e. not permanent) arrangements were adopted by the Commission on 15 November and 5 December 2005.
- The transitional arrangements ending on 31 December 2009 provides a derogation permitting the certificate to be issued and signed by any official of the veterinary service, not necessarily by a veterinarian.

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- As such measures are temporary in nature, the Commission advised FEDFA to liaise with DG SANCO in good time. In addition the Commission informed FEDFA representatives during the meeting of DG SANCO officials and FEDFA in March 2006 that the legally required review exercise would commence at the end of 2006/beginning of 2007 by communication to competent authorities and European-level stakeholders.
- The hygiene Regulations carried over the requirements of Council Directive 91/495/EEC and the transitional measures temporarily alleviated the situation for a period of four years. However, these measures were not intended to authorise the absence of an official veterinarian or of an approved veterinarian during slaughtering/killing of farmed game animals.
- In subsequent correspondence FEDFA pursued its goal of not having a veterinarian attend the death of farmed deer by free bullet. Use was made of the argument that the presence of a veterinarian during killing of farmed deer in the field with a free bullet had serious safety implications for the veterinarian. However, such implications would exist for any of the people present and insistence on such an assertion might result in Member States reconsidering the slaughter on the farm.
- In the meantime, DG SANCO documented the 'wish lists' of stakeholders and of competent authorities. On the basis of these documents and of discussion with the Member States, lists of priorities for legislative amendment (involving co-decision and comitological procedures) were established. DG SANCO had thought that a solution might be found by comitology but Member States did not endorse the FEDFA request when considering the various aspirations and prioritising comitological amendments.
- From FEDFA's letter of 10.06.2009, the definition of *wild* game was cited. You will, however, appreciate that changing the definitions of 'wild game' and 'farmed game' would involve co-decision and that such changes cannot be made before consideration of the Report to the European Parliament and to the Council on the implementation of the hygiene Regulations has been completed. This has been known since the end of November 2007. Moreover, you should be aware that Member States are not in favour of merging definitions of wild game and farmed game as consumers should have clear information about the origin of meat they buy.
- The UK competent authorities subsequently submitted a new request for possible amendment of the relevant requirements of Regulations (EC) No 853/2004 and (EC) No 854/2004 which have been incorporated in a 'reflection paper' for further modifications of the hygiene Regulations.
- The reflection paper was on the agenda of the working group of the Standing Committee on the Food Chain and Animal Health, which will take place on 21 September 2009. You may wish to know that now a majority of Member States supported the idea to launch discussions about possible move of the attestation of correct slaughter and bleeding

from the official certification to a declaration signed by the food business operator.

- However, it should be emphasised that ante-mortem inspection must be considered as an important part of the official controls with respect to farmed game meat.
- The Commission also received a number of letters from Members of the European Parliament on the subject. For your information you may wish to see enclosed the text of the replies of 14.07.2009 sent to Mr Purvis and of 31.07.2009 sent to Mr Stevenson.

Considering the foregoing, your conclusion concerning Commission officials is erroneous and I would, therefore, request you to withdraw it.

Yours sincerely,

A handwritten signature in black ink, consisting of a long horizontal stroke with a vertical line intersecting it near the right end, and a small loop at the top of the vertical line.

Koen Van Dyck
Acting Head of Unit