

# European legislation for dairy products

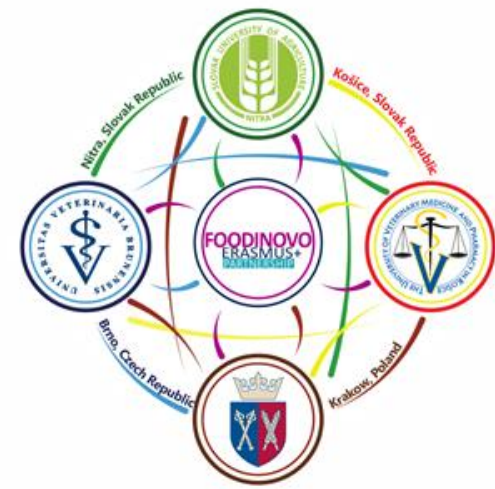


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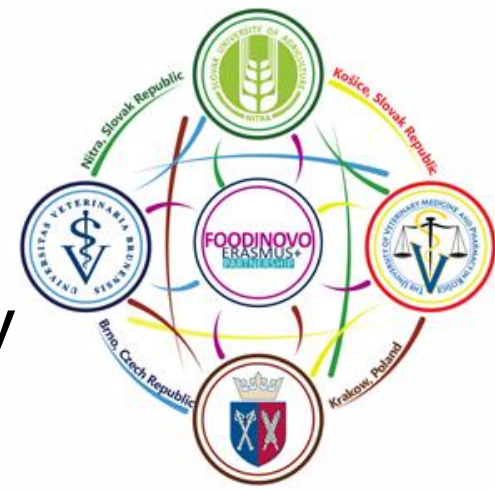


# European legislation for dairy products

- Regulation (EC) No 178/2002 laying down general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
- Regulation No 852/2004 on the hygiene of foodstuffs
- Regulation No 853/2004 laying down specific hygiene rules for food of animal origin- ANNEX III
- Regulation (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products
- Regulation (EU) No 1169/2011 on the provision of food information to consumers
- Commission regulation (EC) No 2073/2005 on microbiological criteria for foodstuff



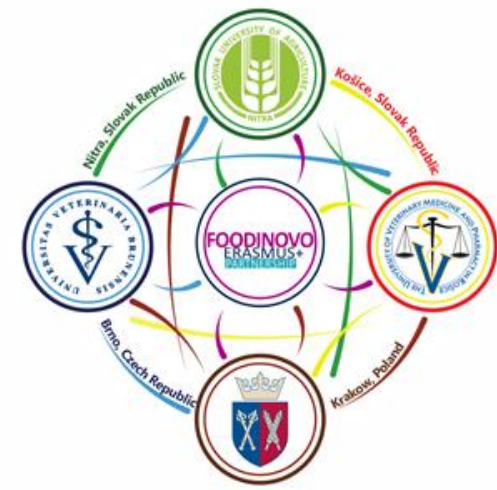
# Regulation (EC) No 178/2002 laying down general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety



- Food safety requirements:
  - food shall not be placed on market if it is unsafe.
  - food shall be deemed to be unsafe if it is considered to be:
    - injurious to health
    - unfit for human consumption (through decay)



# Dairy products – definition according to Regulation No 853/2004



= processed products resulting from the processing of raw milk or from the further processing of such processed products.



# Regulation No 852/2004 on the hygiene of foodstuffs



- Food business operators' obligations
  - General and specific hygiene requirements
  - Hazard analysis and critical control points
  - Official controls, registration and approval
- Guides to good practice
- Import and exports
- Annex 1 – primary production
- Annex 2 – general hygiene requirements for all food business operators (except when annex 1 applies)





# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin

## Article 1

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



# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin



- Food business operators shall place products of animal origin manufactured in the Community on the market only if they have been prepared and handled exclusively in establishments:
  - that meet the relevant requirements of Regulation (EC) No 852/2004, those of Annexes II and III of this Regulation and other relevant requirements of food law;
  - and that the competent authority has **registered** or, where required in accordance with paragraph 2, **approved**.

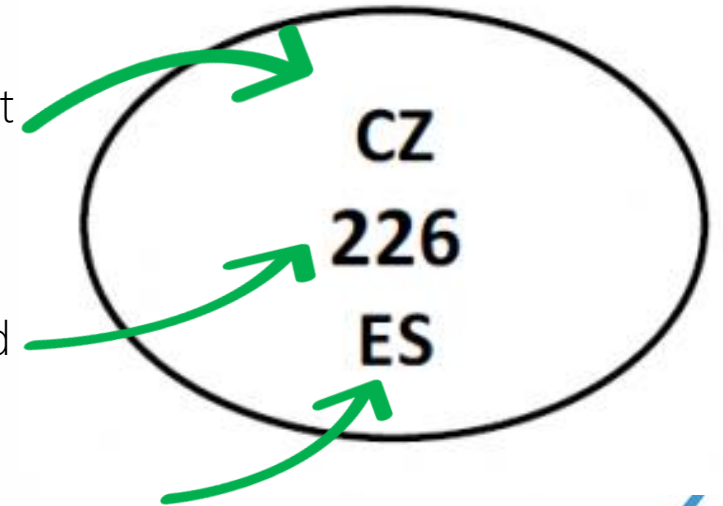
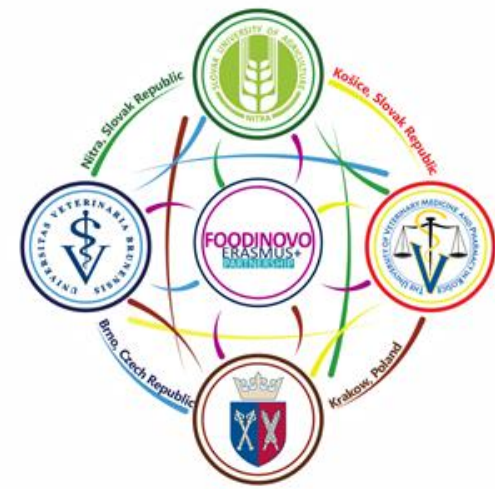


# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin

## Annex II

The **identification mark** must be applied before the product leaves the production place. The mark must be legible and indelible, and the characters easily decipherable. It must be clearly displayed for the competent authorities.

- The mark must indicate the name of the country in which the establishment located, which may be written out in full or shown as a two-letter code in accordance with the relevant ISO standard.
- The mark must indicate the approval number of the establishment. If an establishment manufactures both food to which this Regulation applies and to which it does not, the food business operator may apply the same identification mark to both types of food.
- When applied in an establishment located within the Community, the mark must be oval in shape and include the abbreviation CE, EC, EF, EG, EK, EO, EY, ES, EÜ, EK, EB, EZ or WE.







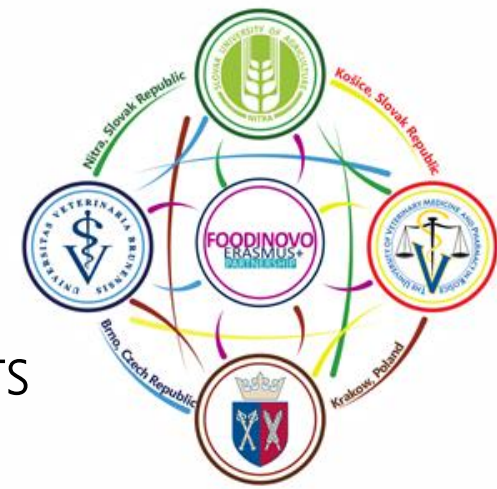
# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin

## Annex III: RAW MILK, COLOSTRUM, DAIRY PRODUCTS AND COLOSTRUM-BASED PRODUCTS REQUIREMENTS CONCERNING DAIRY AND COLOSTRUM-BASED PRODUCTS

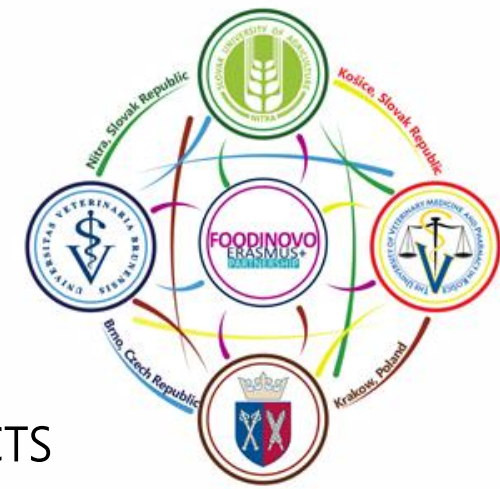
### II. REQUIREMENTS FOR HEAT TREATMENT

1. When raw milk, colostrum, dairy or colostrum-based products undergo heat treatment, food business operators must ensure that this satisfies the requirements laid down in Chapter XI of Annex II to Regulation (EC) No 852/2004. In particular, they shall ensure, when using the following processes, that they comply with the specifications mentioned:

- Pasteurisation is achieved by a treatment involving:
  - a high temperature for a short time (at least 72 °C for 15 seconds);
  - a low temperature for a long time (at least 63 °C for 30 minutes); or
  - any other combination of time-temperature conditions to obtain an equivalent effect,
  - such that the products show, where applicable, a negative reaction to an alkaline phosphatase test immediately after such treatment.
- Ultra high temperature (UHT) treatment is achieved by a treatment:
  - involving a continuous flow of heat at a high temperature for a short time (not less than 135 °C in combination with a suitable holding time) such that there are no viable microorganisms or spores capable of growing in the treated product when kept in an aseptic closed container at ambient temperature, and
  - sufficient to ensure that the products remain microbiologically stable after incubating for 15 days at 30 °C in closed containers or for seven days at 55 °C in closed containers or after any other method demonstrating that the appropriate heat treatment has been applied.



# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin



Annex III: RAW MILK, COLOSTRUM, DAIRY PRODUCTS AND COLOSTRUM-BASED PRODUCTS  
REQUIREMENTS CONCERNING DAIRY AND COLOSTRUM-BASED PRODUCTS

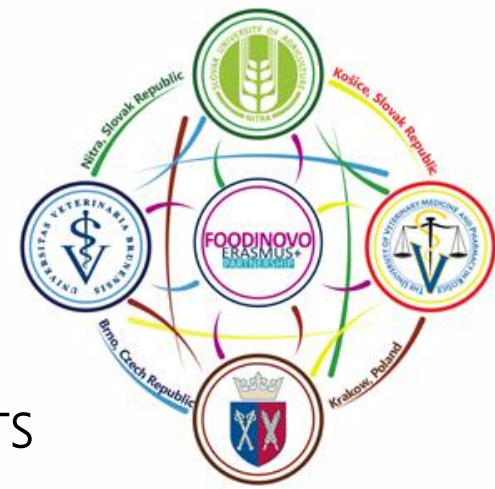
## II. REQUIREMENTS FOR HEAT TREATMENT

2. When considering whether to subject raw milk and colostrum to heat treatment, food business operators must:

- have regard to the procedures developed in accordance with the HACCP principles pursuant to Regulation (EC) No 852/2004; and
- comply with any requirements that the competent authority may impose in this regard when approving establishments or carrying out checks in accordance with Regulation (EC) No 854/2004.



# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin



## Annex III: RAW MILK, COLOSTRUM, DAIRY PRODUCTS AND COLOSTRUM-BASED PRODUCTS WRAPPING AND PACKAGING

Sealing of consumer packages must be carried out immediately after filling in the establishment where the last heat treatment of liquid dairy products and colostrum-based products, takes place by means of sealing devices that prevent contamination. The sealing system must be designed in such a way that, after opening, the evidence of its opening remains clear and easy to check.



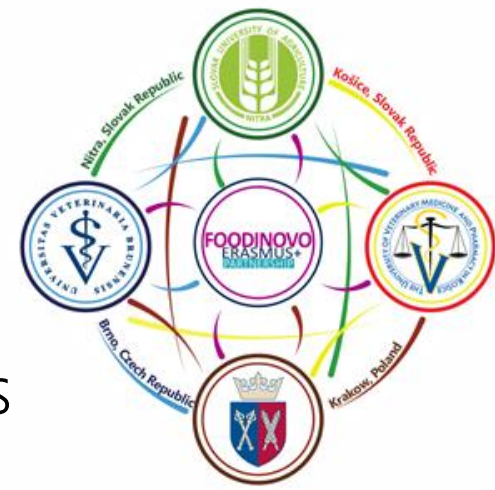
# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin

## Annex III: RAW MILK, COLOSTRUM, DAIRY PRODUCTS AND COLOSTRUM-BASED PRODUCTS LABELLING

In addition to the requirements of Directive 2000/13/EC, except in the cases envisaged in Article 13(4) and (5) of that Directive, labelling must clearly show:

- in the case of raw milk intended for direct human consumption, the words 'raw milk';
- in the case of products made with raw milk, the manufacturing process for which does not include any heat treatment or any physical or chemical treatment, the words 'made with raw milk';
- in case of colostrum, the word 'colostrum';
- in case of products made with colostrum, the words 'made with colostrum'.

The requirements of paragraph 1 apply to products destined for retail trade. The term 'labelling' includes any packaging, document, notice, label, ring or collar accompanying or referring to such products.





# Regulation No 853/2004 laying down specific hygiene rules for food of animal origin

Annex III: RAW MILK, COLOSTRUM, DAIRY PRODUCTS AND COLOSTRUM-BASED PRODUCTS

## IDENTIFICATION MARKING

By way of derogation from the requirements of Annex II, Section I:

- rather than indicating the approval number of the establishment, the identification mark may include a reference to where on the wrapping or packaging the approval number of the establishment is indicated;
- in the case of the reusable bottles, the identification mark may indicate only the initials of the consigning country and the approval number of the establishment.



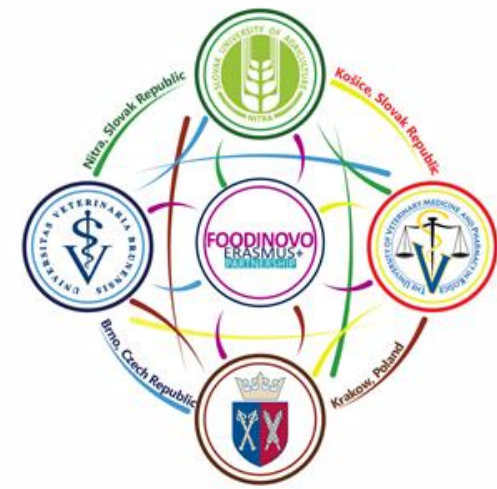
# Regulation (EU) No 1169/2011 on the provision of food information to consumers

## Article 6 - Basic requirement

- Any food intended for supply to the final consumer or to mass caterers shall be accompanied by food information in accordance with this Regulation.

## Article 7 – Fair information practises

- Food information shall not be misleading



# Regulation (EU) No 1169/2011 on the provision of food information to consumers



Article 12 and 13: Availability and Placement of mandatory food information; presentation

- Mandatory food information shall be available and shall be easily accessible
- In case of prepacked food – directly on package, durability, country of origin or place of provenance, method of manufacture or production
- Mandatory food information shall be marked in a conspicuous (attractive) place in such a way as to be easily visible, clearly legible (readable) and, where appropriate, indelible (can not be deleted)
- It shall not in any way be hidden, obscured, detracted from or interrupted by any other written or pictorial matter or any other intervening material.
- The mandatory particulars listed in Article 9(1) shall be printed on the package or on the label attached in such a way as to ensure clear legibility, in characters using a font size where the x-height, as defined in Annex IV, is equal to or greater than 1,2 mm
- In case of packaging or containers the largest surface of which has an area of less than 80 cm<sup>2</sup> , the x-height of the font size referred to in paragraph 2 shall be equal to or greater than 0,9 mm.



# Regulation (EU) No 1169/2011 on the provision of food information to consumers

## Article 9 - List of mandatory particulars

- The name of the food
- The list of ingredients
- Allergens
- The quantity of certain ingredients
- The net quantity of the food
- The date of minimum durability or the use by date



# Regulation (EU) No 1169/2011 on the provision of food information to consumers



## Article 9 - List of mandatory particulars

- Any special storage conditions and/or conditions of use
- The name or business name and address of the food business operator
- The country of origin- shall be mandatory where failure to indicate this might mislead the consumer as to the true country of origin or place of provenance of the food, in particular if the information accompanying the food or the label as a whole would otherwise imply that the food has a different country of origin or place of provenance.
- Instruction for use where it would be difficult to make appropriate use of the food in absence of such instructions
- A nutrition declaration
- In addition to the particulars listed in Article 9(1),
  - additional mandatory particulars for specific types or categories of foods are laid down in Annex III (for example: packaged in a protective atmosphere, with sweeteners, with sugar and sweeteners)





# Directive 2011/91/EC- LOT indication

Article 1: LOT indication: a batch of sales units of a foodstuff produced, manufactured or packaged under practically the same conditions.

A foodstuff may not be marketed unless it is accompanied by an indication as referred to in Article 1(1).

Paragraph 1 shall not apply:

- agricultural products which, on leaving the holding, are:
  - sold or delivered to temporary storage, preparation or packaging stations;
  - transported to producers' organisations; or
  - collected for immediate integration into an operational preparation or processing system;
- when, at the point of sale to the ultimate consumer, the foodstuffs are not prepackaged, are packaged at the request of the purchaser or are prepackaged for immediate sale;
- to packagings or containers the largest side of which has an area of less than 10 cm<sup>2</sup>;
- to individual portions of ice cream. The indication enabling the lot to be identified shall appear on the combined package.



# Commission regulation (EC) No 2073/2005 on microbiological criteria for foodstuff



- **Food safety criterion** means a criterion defining the acceptability of a product or a batch of foodstuff applicable to products placed on the market;
- **Process hygiene criterion** means a criterion indicating the acceptable functioning of the production process. Such a criterion is not applicable to products placed on the market. It sets an indicative contamination value above which corrective actions are required in order to maintain the hygiene of the process in compliance with food law;
- When testing against food safety criteria set out in Chapter 1 of Annex I provides unsatisfactory results, the product or batch of foodstuffs shall be withdrawn or recalled in accordance with Article 19 of Regulation (EC) No 178/2002.
- For microbial criteria see presentation Mikrobiology of milk and dairy products



# Regulation No 1308/2013 establishing a common organisation of the markets in agricultural products



Milk means exclusively the normal mammary secretion obtained from one or more milkings without either addition thereto or extraction therefrom.

As regards milk, the animal species from which the milk originates shall be stated, if it is not bovine

The following shall be reserved exclusively for milk products:

- whey, cream, butter, buttermilk, butteroil, yogurt, kephir, koumiss, viili/fil, smetana, fil; rjaženka, rūgušpiens;



# Regulation No 1308/2013 establishing a common organisation of the markets in agricultural products

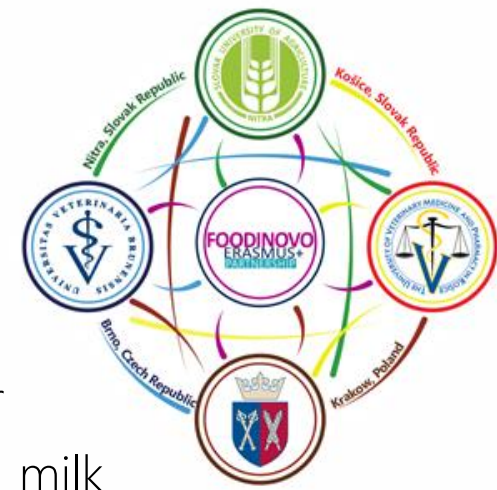


Milk fats: products in the form of a solid, malleable emulsion, principally of the water-in-oil type, derived exclusively from milk and/or certain milk products, for which the fat is the essential constituent of value.

However, other substances necessary for their manufacture may be added, provided those substances are not used for the purpose of replacing, either in whole or in part, any milk constituents.



# Regulation No 1308/2013 establishing a common organisation of the markets in agricultural products



- Milk and cream, concentrated or containing added sugar or other sweetening matter
- Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter not flavoured nor containing added fruit, nuts or cocoa
- Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included
- Butter and other fats and oils derived from milk; dairy spreads of a fat content of more than 75 % but less than 80 %
- Cheese and curd
- Lactose and lactose syrup not containing added flavouring or colouring matter, containing by weight less than 99 % lactose, expressed as anhydrous lactose, calculated on the dry matter





# Regulation No 1308/2013 establishing a common organisation of the markets in agricultural products



- Butter: product with a milk-fat content of not less than 80 % but less than 90 %, a maximum water content of 16 % and a maximum dry non-fat milk-material content of 2 %.
  - the information on % of fat has to be provided
- Three-quarter fat butter: the product with a milk-fat content of not less than 60 % but not more than 62 %.
- Half fat butter: the product with a milk-fat content of not less than 39 % but not more than 41 %.
- Dairy spread X %: the product with the following milk-fat contents:
  - less than 39 %,
  - more than 41 % but less than 60 %,
  - more than 62 % but less than 80 %.



# Commission decision 2010/791/EU

The products corresponding, on the territory of the Union, to the products referred to in the second subparagraph of point III(1) of Annex XII to Regulation (EC) No 1234/2007 are listed in Annex I to this Decision.

## Coconut milk

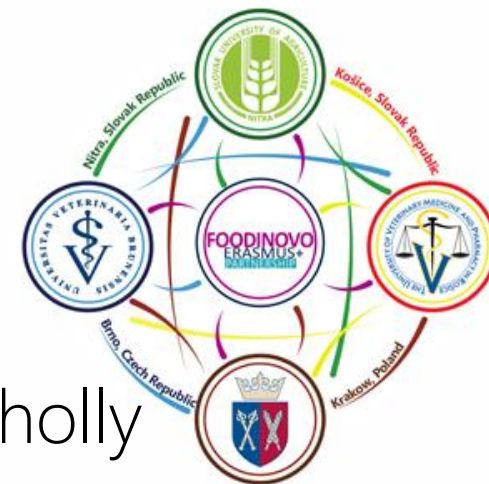
'Cream ...' or 'Milk ...' used in the description of a spirituous beverage not containing milk or other milk products or milk or milk product imitations (for example, cream sherry, milk sherry)



# Partly or wholly dehydrated milk

Council directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

*Article 1:* This Directive shall apply to partly or wholly dehydrated preserved milk defined in Annex I.



# Partly or wholly dehydrated milk: Council directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

Article 3: The product names listed in Annex I (Partly dehydrated milk and totally dehydrated milk) shall apply only to the products referred to therein and shall, without prejudice to subparagraph (b), be used in trade to designate them;



## ANNEX I

### DEFINITIONS OF PRODUCTS AND PRODUCT NAMES

#### 1. Partly dehydrated milk

##### ▼ M1 ↓

This means the liquid product, whether or not sweetened, obtained by the partial removal of water from milk, from wholly or partly skimmed milk or from a mixture of these products, which may have an admixture of cream or of wholly dehydrated milk or both, the addition of wholly dehydrated milk not to exceed, in the finished products, 25 % of total milk solids.

##### ▼ B ↓

— Types of unsweetened condensed milk

—

##### (a) Condensed high-fat milk

Partly dehydrated milk containing, by weight, not less than 15 % fat, and not less than 26,5 % total milk solids.

##### (b) Condensed milk

Partly dehydrated milk containing, by weight, not less than 7,5 % fat and not less than 25 % total milk solids.

##### (c) Condensed, partly skimmed milk

Partly dehydrated milk containing, by weight, not less than 1 % and less than 7,5 % fat, and not less than 20 % total milk solids.

##### (d) Condensed skimmed milk

Partly dehydrated milk containing, by weight, not more than 1 % fat and not less than 20 % total milk solids.



# Partly or wholly dehydrated milk: Council directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

Article 3: as an alternative to the product names referred to in subparagraph (a), Annex II provides a list of particular designations. These designations may be used in the language and under the conditions laid down in Annex II.

## ANNEX II

### PARTICULAR DESIGNATIONS FOR CERTAIN PRODUCTS LISTED IN ANNEX I

- (a) The English term 'evaporated milk' means the product defined in Annex I(1)(b) containing, by weight, at least 9 % fat and 31 % total milk solids.
- (b) The French terms 'lait demi-écrémé concentré' and 'lait demi-écrémé concentré non sucré', the Spanish term 'leche evaporada semidesnatada', the Dutch terms 'geëvaporeerde halfvolle melk' or 'halfvolle koffiemelk' and the English term 'evaporated semi-skimmed milk' mean the product defined in Annex I(1)(c) containing, by weight, between 4 % and 4,5 % fat and not less than 24 % total solids.
- (c) The Danish term 'kondenseret kaffefløde' and the German term 'kondensierte Kaffeesahne' mean the product defined in Annex I(1)(a).
- (d) The Danish term 'flødepulver', the German terms 'Rahmpulver' and 'Sahnepulver', the French term 'crème en poudre', the Dutch term 'roompoeder', the Swedish term 'gräddpulver' and the Finnish term 'kermajauhe' mean the product defined in Annex I(2)(a).
- (e) The French term 'lait demi-écrémé concentré sucré', the Spanish term 'leche condensada semidesnatada' and the Dutch term 'gecondenseerde halfvolle melk met suiker' mean the product defined in Annex I(1)(f) containing, by weight, between 4 % and 4,5 % fat and not less than 28 % total milk solids.
- (f) The French term 'lait demi-écrémé en poudre', the Dutch term 'halfvolle melkpoeder' and the English terms 'semi-skimmed milk powder' or 'dried semi-skimmed milk' mean the product defined in Annex I(2)(c) with a fat content of between 14 % and 16 %.
- (g) The Portuguese term 'leite em pó meio gordo' means the product defined in Annex I(2)(c) with a fat content of between 13 % and 26 %.
- (h) The Dutch term 'koffiemelk' means the product defined in Annex I(1)(b).
- (i) The Finnish term 'rasvaton maitojauhe' means the product defined in Annex I(2)(d).





# Partly or wholly dehydrated milk: Council directive 2001/114/EC relating to certain partly or wholly dehydrated preserved milk for human consumption

- The labelling must state the percentage of milk fat, expressed by weight in relation to the finished product, except in the case of the products defined in Annex I(1)(d) and (g) and Annex I(2)(d), and the percentage of fat-free dried milk extract in the case of the products defined in Annex I(1). These particulars shall appear near the trade name.
- In the case of the products defined in Annex I(2), the label must state the recommendations as to the method of dilution or reconstitution, including details of the fat content of the product thus diluted or reconstituted.



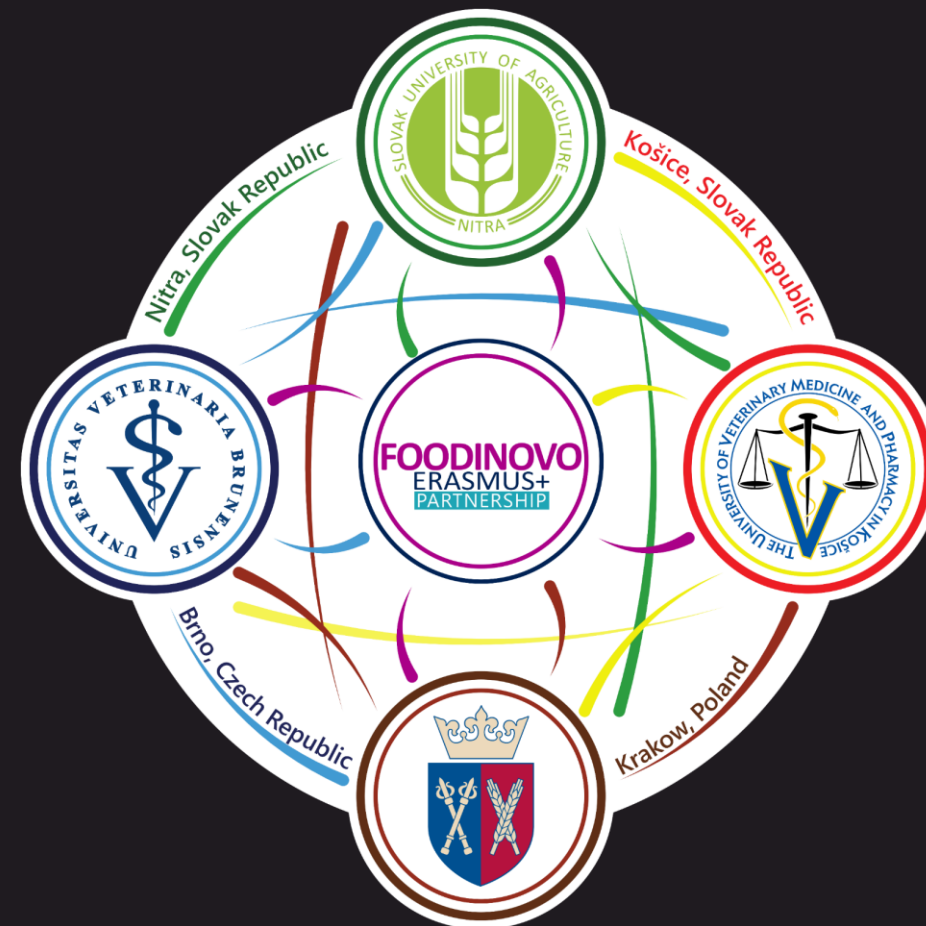
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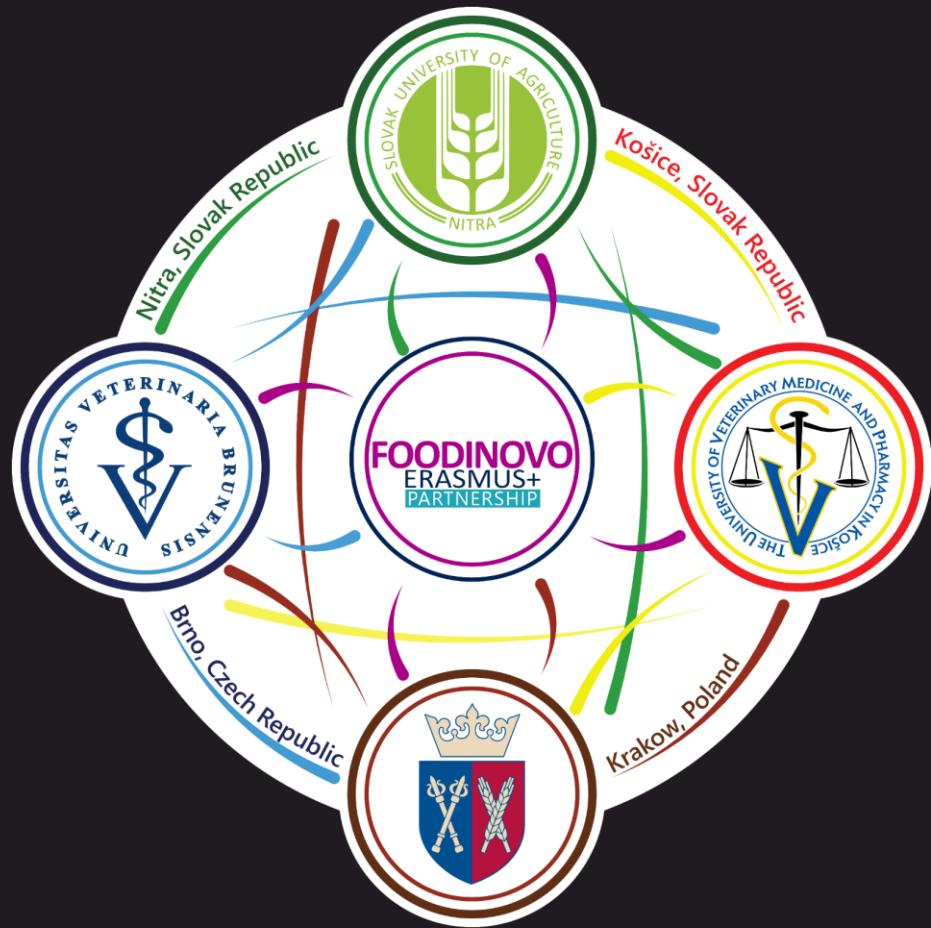
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