DECISIONS

COMMISSION DECISION

of 9 February 2010

on transitional measures concerning the application of certain structural requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004 of the European Parliament and of the Council to certain establishments for meat, fishery products and egg products and cold stores in Romania

(notified under document C(2010) 795)

(Text with EEA relevance)

(2010/89/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs [1], and in particular the second paragraph of Article 12 thereof,

Having regard to Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin [2], and in particular the second paragraph of Article 9 thereof,

Whereas:

(1) Regulation (EC) No 852/2004 lays down general rules for food business operators on the hygiene of foodstuffs, taking account, inter alia, of procedures based on the principles of hazard analysis and critical control points.

(2) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators and supplements the rules laid down in Regulation (EC) No 852/2004. The rules laid in those Regulations include obligations on food business operators concerning structural requirements for establishments for meat, egg products and fishery products and cold stores.

(3) Article 23 of the Act of Accession of Bulgaria and Romania and Annex VII thereto provide for certain transitional measures concerning Union veterinary legislation. Those measures provide that certain structural requirements laid down in Annex II to Regulation (EC) No 852/2004 and in Annex III to Regulation (EC) No 853/2004 are not to apply to the establishments in Romania listed in Appendix B to that Annex until 31 December 2009, subject to certain conditions.

(4) Since the date of accession of Romania, the number of establishments for meat, fishery products and egg products and cold stores in compliance with the relevant structural requirements of Regulations (EC) No 852/2003 and (EC) No 853/2004 has increased to 80 % of the concerned establishments in that Member State. However, certain establishments are still undergoing the necessary structural improvements in order to comply with those requirements. Those establishments are spread across the whole territory of Romania.

(5) In light of the ongoing structural improvements, it is necessary to provide for transitional measures derogating from the relevant structural requirements laid down in Regulations (EC) No 852/2004 and (EC) No 853/2004.

(6) The lists of establishments that do not comply with those structural requirements are set out in Annex I to IV to this Decision. The lists include establishments for meat which are currently covered by Annex VII to the Act of Accession, as well as establishments for fishery products and egg products which are not covered by that Annex.

(7) The marketing of products derived from those non-compliant establishments or stored in non-compliant cold stores should be restricted to Romania or used for further processing in establishments covered by the transitional measures provided for in this Decision to give the industry in Romania sufficient time to adapt to the relevant structural requirements.

[1] OJ L 139, 30.4.2004, p. 1.
[2] OJ L 139, 30.4.2004, p. 55.

(8) The relevant transitional measures provided for in the Act of Accession expire on the 31 December 2009. In order to ensure the continuity of these transitional measures this Decision should enter into force as of 1 January 2010. The transitional period granted by this Decision should be limited to a period of one year from 1 January 2010 to 31 December 2010 by which date it is anticipated that the establishments concerned will be in full compliance with the relevant structural requirements. The situation in Romania should be reviewed before the end of that period. Therefore, Romania should submit a report to the Commission regarding progress in the upgrading of the concerned establishments and cold stores in that Member State.

(9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

This Decision lays down transitional measures concerning the application of certain structural requirements laid down in Annex II to Regulation (EC) No 852/2004 and in Annex III to Regulation (EC) No 853/2004 to establishments for meat, egg products and fishery products and cold stores in Romania listed in Annexes I to IV to this Decision (the establishments).

Article 2

The general requirements laid down in Chapters I and II of Annex II to Regulation (EC) No 852/2004 shall not apply to the establishments until 31 December 2010.

Article 3

The following specific requirements laid down in Annex III to Regulation (EC) No 853/2004 shall not apply to the following establishments until 31 December 2010:

(a) the requirements laid down in Chapters II and III of Section I, Chapters II and III of Section II and Chapter I of Section V of that Annex as regards the meat establishments listed in Annex I to this Decision;

(b) the requirements laid down in Chapter III of Section VIII of that Annex as regards the fishery product establishments listed in Annex II to this Decision;

(c) the requirements laid down in Chapter II of Section X of that Annex as regards the egg product establishments listed in Annex III to this Decision.

Article 4

1. Products produced by the establishments listed in Annexes I, II or III or stored in the establishments listed in Annex IV shall only:

(a) be placed on the domestic market in Romania; or

(b) be used for further processing in the establishments.

2. The products referred to in paragraph 1 shall bear a health or identification mark which must be different from the health or identification mark provided for in Article 5 of Regulation (EC) No 853/2004.

Article 5

1. Romania shall submit a report to the Commission on the progress made by the establishments in complying with the requirements referred to in Articles 2 and 3, including a timetable for their full compliance with those requirements.

2. The report shall be submitted to the Commission by 31 October 2010.

The report shall be submitted in accordance with the model form set out in Annex V.

Article 6

This Decision shall apply from 1 January 2010 to 31 December 2010.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 9 February 2010.

For the Commission

Androulla VASSILIOU

Member of the Commission

ANNEX I

LIST OF MEAT ESTABLISHMENTS

No	Veterinary No	Name of establishments	Town/Street or Village/Region	Activities			
				SH	CP	PP	MM/MP
1	AB 927	SC LIDER PROD CARN SRL	Alba Iulia, jud. Alba, 510340			X	
2	AB 2771	SC MONTANA POPA SRL	Blaj, Str. Gh. Barițiu, jud. Alba, 515400	X	X	X	X
3	AB 3263	SC TRANSEURO SRL	Ighiu, Str. Principală nr. 205 A, jud. Alba, 517360	X	X	X	X
4	AG 008 IC	SC CARMEN SRL	Bascov, jud. Argeș, 117045	X	X	X	X
5	AG 024 IC	SC RADOR A&E SRL	Bascov, Str. Serelor nr. 48, jud. Arges, 117045	X	X	X	X
6	AR 4930	SC FILIP D IMPEX SRL	Arad, Str. Lăcrimioarelor, nr. 4/A, jud. Arad, 310445		X	X	
7	AR 5806	SC COMB AGROIND CURTICI SRL	Curtici, Str. Revoluției nr. 33, jud. Arad, 315200	X	X	X	X
8	B 40632	SC MEDEUS & CO SRL	București, Str. Parcului nr. 20, sector 1, București, 012329			X	X
9	BC 4165	SC TIBERIAS SRL	Răcăciuni, jud. Bacău, 607480			X	
10	BC 5196	SC MIRALEX SRL	Loc. Bacău, Str. Bicaz, nr. 8, jud. Bacău, cod 600293			X	
11	BH 223	SC FLORIAN IMPEX SRL	Oradea, Str. Morii nr. 11/B, jud. Bihor, 410577			X	
12	BH 3001	SC GLOBAL AGRO PRODEXIM SRL	Sârbi nr. 469, jud. Bihor, 417520		X	X	
13	BH 5185	SC CARMANGERIE TAVI BOGDAN SRL	Localitatea Mihai Bravu nr. 169, jud. Bihor, 417237	X			
14	BH 5341	SC ABATOR DARA SRL	Tulca 668 A, jud. Bihor, 417600	X			
15	BR 62	SC DORALIMENT SRL	Brăila, jud. Brăila, 810650		X	X	X
16	BR 574	SC ELECTIV SRL	Comuna Romanu, jud. Brăila, 817115	X			
17	BR 774	SC TAZZ TRADE SRL (SC ROFISH GROUP)	Brăila, Str. Faleza Portului, nr. 2, jud. Brăila, 810529			X	
18	BT 125	SC IMPEX DONA SRL	Băisa, jud. Botoșani, 717246			X	
19	BT 138	SC SAGROD SRL	Darabani, Str. Muncitorului, jud. Botoșani, 715100	X		X	
20	BT 140	SC RAFFAELLO SRL	Tîngeni, jud. Botoșani, 717120			X	
21	BT 144	SC AGROCARN COMPANY SRL	Botoșani, Str. Pod de Piatră nr. 89, jud. Botoșani, 710350			X	
22	BT 198	SC EMANUEL COM SRL	Răchiți, jud. Botoșani, 717310	X	X	X	
23	BZ 101	SC FRASINU SA	Buzău, Sos Sloboziei km 2, jud. Buzău 120360	X			
24	BZ 115	SC FERM COM PROD SRL	Căldărăști, jud. Buzău, 125201	X			
25	BZ 110	SC CARMOZIMBRUL SRL	Râmnicu Sărat, Str. Lt. Sava Rosescu nr. 140, jud. Buzău, 125300	X			
26	BZ 112	SC TRI PROD COM SRL	Comuna Berca, Sat Valea Nucului, jud. Buzău, 127048		X	X	X
27	CJ 108	SC TURISM VÂLCELE SRL	Vâlcele FN, jud. Cluj, 407274	X			
28	CJ 122	SC RIANA SERV PRODCOM SRL	Iclod FN, jud. Cluj, 407335	X	X		
29	CJ 5519	SC 2 T PROD SRL	Cluj-Napoca, Str. Taberei nr. 3A, jud. Cluj, 400512		X	X	X
30	CL 1598	SC COMARO SRL	Oltenița, Str. Cuza Vodă, nr. 131, jud. Călărași 915400		X	X	X

No	Veterinary No	Name of establishments	Town/Street or Village/Region	Activities			
				SH	CP	PP	MM/MP
31	CS 40	SC PALALOGA CARNEPREP SRL	Bocșa, Str. Binișului nr. 1, jud. Caraș 325300	X	X		
32	CS 47	SC GOSPODARUL SRL	Reșița, Str. Țerovei, F.N., jud. Caraș 320044	X	X	X	X
33	CT 19	SC CARNOB SRL	Lumina, Str. Lebedelor nr. 1A, jud. Constanța, 907175	X			
34	DB 3341	SC NIN BOG SRL	Șotânga, jud. Dâmbovița, 137430	X		X	
35	DB 3457	SC NEVAL SRL	Pietroșița, jud. Dâmbovița, 137360	X			
36	GJ 5	SC LEXI STAR SRL	Sat Bucureasa, Comuna Dănești, jud. Gorj, 217200	X	X	X	X
37	GJ 2234	SC ATOS GARANT SRL	Sat Urechești Comuna Drăguțești, jud. Gorj, 217225	X			
38	GL 0369	SC LIVADA SERBANEȘTI	Comuna Liești, jud. Galați, 805235	X			
39	GL 3330	SC KAROMTEC SRL	Tecuci, Str. Mihail Kogălniceanu nr. 48 jud. Galați, 805300			X	X
40	GL 4121	SC ROMNEF SRL	Munteni, jud. Galați, 807200	X			
41	HR 73	SC ELAN TRIDENT SRL	Odorheiu Secuiesc, Str. Rákóczi Ferenc nr. 90, jud. Harghita, 535600			X	
42	HR 84	SC AMIRAL SRL	Miercurea Ciuc, jud. Harghita, 530320			X	
43	HR 153	SC ARTEIMPEX SRL	Gheorgheni, Str. Kossuth Lajos nr. 211, jud. Harghita, 535500	X			
44	HR 207	SC DECEAN SRL	Miercurea Ciuc, jud. Harghita, 530320		X	X	X
45	HR 263	SC AVICOOPEX SRL	Cristuru Secuiesc, Str. Orban Balays, jud. Harghita, 535400			X	
46	MM 1609	SC LABORATOR CARMANGERIE SRL	Baia Mare, Str. Gh. Șincai nr. 14, jud. Maramures, 430311		X	X	X
47	MM 4406	SC CARMANGERIA DALIA SRL	Baia Mare, jud. Maramureș, 430530	X	X	X	X
48	MS 3585	SC CAZADELA SRL	Reghin, Str. Oltului nr. 34, jud. Mureș, 545300	X			
49	NT 33	SC CORD COMPANY SRL	Roman, Str. Bogdan Dragoș nr. 111, jud. Neamț, 611160	X			
50	NT 549	SC TCE 3 BRAZI SRL	Zănești, jud. Neamț, 617515	X	X	X	X
51	OT 24	SC SPAR SRL	Potcoava, Str. Gării nr. 10, jud. Olt, 237355	X	X	X	X
52	OT 2093	SC COMAGRIMEX SA	Slatina, str. Grigore Alexandrescu, nr. 19, jud. Olt, 230049		X	X	X
53	OT 2094	SC MALITEXT SRL	Scornicești, Str. Tudor Vladimirescu, jud. Olt, 235600	X			
54	PH 3618	SC BRUTUS IMPEX SRL	Manești, jud. Prahova, cod 107375	X			
55	PH 4417	SC GOPA SRL	Ploiești, Str. Gheorghe Doja nr. 124, jud. Prahova, 100141			X	X
56	PH 5644	SC MARAGET PROD SRL	Ploiești, Str. Corlătești nr. 15, jud. Prahova, 100532	X			
57	PH 5878	SC COMNILIS PROD SRL	Măgureni, Str. Filipeștii de Pădure, tarla 24, jud. Prahova, 107350			X	X
58	PH 6044	SC ALGRIM CENTER SRL	Bărcănești, jud. Prahova, 107055	X			
59	PH 6190	SC BANIPOR SRL	Târg Vechi, jud. Prahova, 107590	X			
60	SB 111	SC M&C IMPORT SRL EXPORT	Copșa Mică, Sat Tîrnăvioara nr. 90, jud. Sibiu, 555400		X	X	X
61	SB 126	SC CAPA PROD SRL	Sibiu, Calea Turnișorului nr. 150, jud. Sibiu, 550048		X	X	X
62	SB 138	SC MUVI IMPEX SRL	Sibiu, Str. Drumul Ocnei nr. 4, jud. Sibiu, 550092	X	X	X	X

No	Veterinary No	Name of establishments	Town/Street or Village/Region	Activities			
				SH	CP	PP	MM/ MP
63	SV 039	SC TONIC DISTRIBUTION SRL	Broșteni, jud. Suceava, 727075		X	X	X
64	SV 139	SC APOLO SRL (SC ADRAS SRL)	Rădăuți, Str. Constanitn Brâncoveanu, jud. Suceava, 725400		X	X	X
65	SV 217	SC ROGELYA SRL	Fălticeni, Str. Ion Creangă nr. 69, jud. Suceava, 725200		X	X	X
66	SV 5661	SC HARALD PROD SRL	Măzănăiești, jud. Suceava, 727219	X	X	X	X
67	SV 5819	SC MARA ALEX SRL	Bădeuți, jud. Suceava, 727361	X			
68	SV5943	SC SCUZA PROD	Forăști 96, jud. Suceava, 727235		X	X	X
69	SV 5963	SC DANILEVICI SRL	Gura Humorului, Str. Fundătura Ghiocei nr. 2, jud. Suceava, 725300	X	X	X	X
70	SV 6071	SC ANCAROL SRL	Gura Humorului, Bd. Bucovina FN, jud. Suceava, 72530	X	X	X	X
71	TL 019	SC TABCO CAMPOFRIO SA	Tulcea, Str. Prislav nr. 177, jud. Tulcea, 820013	X	X	X	X
72	TL 177	SC GAZDI PROD SRL	Stejaru, jud. Tulcea, 827215	X	X		
73	TL 418	SC STOLI SRL	Cerna, jud. Tulcea, 827045	X			
74	TL 686	SC PIG COM SRL	Satu Nou, jud. Tulcea, 827141	X			
75	TL 782	SC PROD IMPORT CDC SRL	Frecăței, jud. Tulcea, 827075	X	X		
76	TM 378	SC VEROMEN SRL	Timișoara, jud. Timiș, 300970		X	X	X
77	TM 2725	SC RECOSEMTRACT SRL	Recaș, Calea Bazoșului nr. 1, jud. Timiș, 307340		X	X	X
78	TM 4187	SC FEMADAR SRL	Giroc, Str. Gloria nr. 4, jud. Timiș, 307220		X	X	X
79	TM 4297	SC KENDO SRL	Victor Vlad Delamarina, jud. Timiș, 307460	X	X	X	X
80	TM 7438	SC AMBAX SRL	Timișoara, Calea Buziașului nr. 14, jud. Timiș, 300693		X	X	X
81	TR 10	SC ROMCIP SA	Salcia, jud. Teleorman, 147300	X	X	X	X
82	TR 26	SC COM GIORGI IMPEX SRL	Alexandria, jud. Teleorman, 140150		X	X	
83	TR 36	SC AVICOLA COSTESTI SRL	Roșiori de Vede, Str. Vadu Vezii nr. 1, jud. Teleorman, 145100	X			
84	TR 93	SC MARA PROD COM SRL	Alexandria, Str. Abatorului nr. 1 bis, jud. Teleorman, 140106		X	X	X
85	VN 42	SC STEMARADI SRL	Tătăranu, jud. Vrancea, 627350	X			
86	VN 2694	SC COMIND THOMAS SRL	Focșani, Str. Sihleanu nr. 5, jud. Vrancea, 620165	X	X		
87	VN 3045	SC VANICAD SRL	Milcov, jud. Vrancea, 627205	X			
88	VN 2954/ 116	SC AURORA COM SRL	Odobești, Str. Libertății nr. 38, jud. Vrancea, 625300	X	X	X	X
89	VS 2243	SC CIB SA	Bârlad, Fundătura Elena Doamna nr. 2, jud. Vaslui, 731018	X	X	X	X
90	VS 2268	SC VIOROM „P" IMPEX SRL	Comuna Oltenesti, Localitatea Tărzii, jud. Vaslui, 737380	X	X		
91	VS 2300	SC CARACUL SRL	Vaslui, jud. Vaslui, 730233	X	X		
92	AR 92	SC AGRIPROD SRL	Nădlac, Str. Calea Aradului nr. 1, jud. Arad, 315500	X	X		
93	AR 294	SC PRODAGRO CETATE SRL	Șiria, Complex zootehnic, jud. Arad	X	X		
94	B 120	SC ROM-SELECT 2000 SRL	București, B-dul Iuliu Maniu nr. 220, sector 6		X		
95	B 269	SC FOODICOM SRL	București, Str. Cătinei nr. 25, sector 6		X		

No	Veterinary No	Name of establishments	Town/Street or Village/Region	Activities			
				SH	CP	PP	MM/MP
96	B 921	SC ROMALIM INTERNATIONAL SRL	București, B-dul Timișoara 104 B, sector 6		X		
97	BH 103	SC AVICOLA SALONTA SA (SC FLAVOIA SRL) (*)	Salonta, Str. Ghestului nr. 7, jud. Bihor, 415500	X	X		
98	BV 12	SC DRAKOM SILVA SRL	Codlea extravilan, Șoseaua Codlea Dumbrăvița, jud. Brașov	X	X		
99	CJ 109	SC ONCOS IMPEX SRL	Florești, Str. Abatorului nr. 2, jud. Cluj, 407280	X	X		
100	CV 210	SC ABO-FARM SA (SC NUTRICOD SA) (**)	Sf. Gheorghe, Str. Pârâului nr. 6, jud. Covasna, 520033	X	X		
101	DJ 34	SC FELVIO SRL	Bucovăț, Platforma Bucovăț, jud. Dolj	X	X		
102	IS 1376	SC AVÍCOLA SA IASI	Târgu Frumos, Str. Ștefan cel Mare și Sfânt nr. 44, jud. Iasi, 705300	X	X		
103	TM 2739	SC AVIBLAN SRL	Jebel, jud. Timiș, 307235	X	X		

(*) SC AVICOLA SALONTA SA has changed its name to SC FLAVOIA SRL.
(**) SC NUTRICOD SA has changed its name to SC ABO- FARM SA.

Legend:

SH = Slaughter houses
CP = Cutting plants
PP = Processing plants
MM/MP = Minced meat/Meat preparations

ANNEX II

LIST OF MEAT ESTABLISHMENTS

No	Veterinary No	Name of establishments	Town/Street or village/Region	Activities	
				PP	FFPP
1	BR 184	SC TAZZ TRADE SRL (SC ROFISH GROUP SRL) (*)	Brăila, str. Fata Portului nr. 2, județul Brăila, 810529	X	
2	BR 185	SC TAZZ TRADE SRL (SC ROFISH GROUP SRL) (*)	Brăila, str. Fata Portului nr. 2, județul Brăila, 810529	X	
3	B 453	SC COSTIANA SRL	București, str. Andronache nr. 11-19, 022527	X	
4	PH 1817	SC DIVERTAS SRL	Comuna Fântânele nr. 578, județul Prahova, 107240	X	X

(*) SC TAZZ TRADE SRL has changed its name to SC ROFISH GROUP SRL.

Legend:

PP = Processing plant
FFPP = Fresh fish processing plant

ANNEX III

LIST OF EGG PRODUCT ESTABLISHMENTS

No	Veterinary No	Name of establishments	Town/Street or village/Region	Activities		
				EEP	EPC	LEP
1	B 39833	SC COMPRODCOOP SA BUCURESTI (EPP)	București, bd. Timișoara nr. 52, sector 6, 061333	X		
2	CV 471	SC ABO-FARM SA (EPC) (SC NUTRICOD SA) (*)	Sf. Gheorghe, str. Jokai Mor f.n., județul Covasna, 520033		X	X
3	DB 133	SC AVICOLA GAESTI SA (EPC)	Găești, județul Dâmbovița, 135200		X	
4	GR 3028	AVICOLA BUCURESTI SA CSHD MIHAILEȘTI (EPC)	Mihăilești, județul Giurgiu, 085200		X	X
5	VN 16	SC AVIPUTNA SA GOLESTI (EPC)	Comuna Golești, Str. Victoriei nr. 22, județul Vrancea, 627150		X	

(*) SC NUTRICOD SA has changed its name to SC ABO-FARM SA.

Legend:

EEP = Egg processing plant
EPC = Egg packing centre
LEP = Liquid egg product

ANNEX IV

LIST OF COLD STORES

No	Veterinary No	Name of establishments	Town/Street or village/Region	Activities
				CS
1	AR 514	SC AGRIROM SRL	Vladimirescu, str. Archim f.n., județul Arad, 310010	X
2	BC 1034	SC AGRICOLA INT. SRL	Bacău, Calea Moldovei nr. 16, județul Bacău, 600352	X
3	CT 8070	SC MIRICOS SRL	Constanța, Șoseaua Interioară nr. 1, județul Constanța, 900229	X
4	CT 146	SC FRIAL SA	Constanța, Port Constanța, dana 53, județul Constanța, 900900	X
5	DJ 59	SC FRIGORIFER SA	Craiova, Str. Câmpului nr. 2, Craiova, județul Dolj, 200011	X

Legend:

CS = Cold stores

ANNEX V

REPORT FORM AS REFERRED TO IN ARTICLE 5

Establishment number	Name	Address	Region	Progress made (short description)	Estimated level of compliance (in %)	Planned date for full compliance

Region	Total number of establishments (divided by category)	Number of non-compliant establishments (divided by category)	% of non-compliant establishments out of the total (divided by category)	Total number of establishments (divided by category)	Number of non-compliant establishments (divided by category)	% of non-compliant establishments out of the total (divided by category)	Total number of establishments (divided by category)	Number of non-compliant establishments (divided by category)	% of non-compliant establishments out of the total (divided by category)
Summary RO									