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COMMISSION

Brussels, **XXX**
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COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards hygiene rules on storage conditions of fresh meat of domestic ungulates before freezing

(Text with EEA relevance)

COMMISSION DELEGATED REGULATION (EU) .../...

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amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards hygiene rules on storage conditions of fresh meat of domestic ungulates before freezing

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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 origin¹, and in particular Article 10(1), second subparagraph, point (e), thereof,

Whereas:

- (1) Regulation (EC) No 853/2004 lays down specific rules on the hygiene of food of animal origin for food business operators. In particular, Section I, Chapter VII, point 4, of Annex III to that Regulation provides that meat of domestic ungulates, intended for freezing, is to be frozen without undue delay, taking into account where necessary a stabilisation period before freezing. The stabilisation period is a period of a few days needed to obtain a stable pH and a core temperature of the meat.
- (2) On 3 December 2025, the European Food Safety Authority (EFSA) adopted a scientific opinion on the microbiological safety of ungulates meat intended to be frozen and defrosting of frozen ungulates meat². The EFSA opinion compares microbial growth of relevant pathogenic, spoilage and indicator microorganisms within five scenarios of chilling, storage and defrosting of bovine, ovine and porcine meat, and uses predictive microbiology models that consider various conditions of temperature and, where possible, pH and water activity.
- (3) The EFSA opinion provides a scientific basis to make the requirements on the freezing of meat more specific than the current wording, which provides for freezing ‘without undue delay’. In addition, the EFSA opinion provides a scientific basis for a possible alternative approach to the freezing of meat, using a different time and temperature combination.
- (4) Alternatively, food business operators may provide other microbiological evidence to the satisfaction of the competent authorities of the safety of the fresh meat of ungulates before freezing and at post-defrosting of the meat.
- (5) In accordance with Section III, point 1, of Annex III to Regulation (EC) No 853/2004, the provisions of Section I of that Annex apply to the production and placing on the market of meat from even-toed farmed game mammals. EFSA could not make an assessment on meat derived from game ungulates nor extrapolate data from domestic

¹ OJ L 139, 30.4.2004, p. 55, ELI: <http://data.europa.eu/eli/reg/2004/853/oj>.

² EFSA Panel on Biological Hazards, Microbiological safety of ungulates meat intended to be frozen and defrosting of frozen ungulates meat, <https://doi.org/10.2903/j.efsa.2026.9825>.

ungulates to game ungulates because of the lack of available data. Therefore, the amendments to the storage conditions of meat before freezing in this Regulation should not apply to meat from even-toed farmed game mammals. In the interest of legal certainty, a corresponding sentence should therefore be added in Section III, point 1, of Annex III to Regulation (EC) No 853/2004.

(6) Regulation (EC) No 853/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 853/2004 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from (6 months following its publication)

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

Ursula VON DER LEYEN