



Draft Grand-Ducal Regulation amending the Grand-Ducal Regulation of 25 November 2011 concerning the on-farm slaughter of domestic ungulates from that holding, the manufacturing of meat products, and their marketing

We, Henri, Grand Duke of Luxembourg, Duke of Nassau,

Having regard to the Act of xxyyoooo on official controls of foodstuffs and on materials and articles intended to come into contact with foodstuffs, and in particular Article 9 thereof;

Having regard to the Act of 8 September 2022 establishing and organising the Luxembourg Veterinary and Food Administration (ALVA);

Having regard to the opinions of the Chamber of Agriculture, the Chamber of Commerce and the Chamber of Trades, and the Veterinary Council;

Having heard the Council of State;

On the report of the Minister of Agriculture, Food and Viticulture, and after deliberation by the Government in Council;

Order:

Article 1.

Article 1 of the Grand-Ducal Regulation of 25 November 2011 concerning the on-farm slaughter of domestic ungulates from that holding, the manufacturing of meat products and their marketing shall be amended as follows:

1. Paragraph 1 shall be replaced with the following provision:

‘(1) Active farmers within the meaning of Article 1(2) of the amended Law of 2 August 2023 on support for the sustainable development of rural areas may slaughter domestic ungulates on their agricultural holding in accordance with this Regulation. This method of slaughter shall be referred to as on-farm slaughtering for the purposes of this Regulation.

Active farmers are considered operators within the meaning of Article 6(3)(b) of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs, hereinafter referred to as “Regulation (EC) No 852/2004”.

The premises in which those activities take place shall be regarded as establishments within the meaning of Article 6(3)(b) of Regulation (EC) No 852/2004. These establishments are approved by the Minister responsible for Agriculture, hereinafter “the Minister”, on the advice of the Luxembourg Veterinary and Food Administration, hereinafter “ALVA”. ’

2. Paragraph 3 is amended as follows:

'(3) The food business operator, within the meaning of Article 3(3) of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, as amended, hereinafter "the operator", shall comply with the following:

- a) the requirements laid down in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety;
- b) the provisions laid down in Regulation (EC) No 852/2004, including the introduction of guides to good practice and HACCP principles;
- c) the requirements of Articles 1 to 15, Annex I, Annex II and Chapters I, II, IV, V, VI and VII, Section I, of Annex III 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 and in particular for the handling of carcasses and meat, hereinafter "Regulation (EC) No 853/2004";
- d) Council Regulation (EC) No 1099/2009 of 24 September 2009 on the protection of animals at the time of killing;
- e) the provisions laid down in Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules concerning animal by-products and derived products not intended for human consumption;
- f) the provisions laid down in Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies. '

Article 2.

The following amendments are made to Article 2 of the same Decree:

1. Paragraph 1 is amended as follows:

'(1) Operators shall be required to undergo training, approved by the Minister, which shall contain a minimum of 20 hours and which shall cover the following areas:

- a) Overview
 - Applicable national and Community legislation on the matter
 - Hygiene: hazard analysis and good hygiene practices and HACCP
- b) Slaughtering
 - Animal welfare training at slaughter

- Slaughtering techniques and hygiene
- Practical demonstrations
- c) Cutting
 - Cutting techniques and hygiene
 - Practical demonstrations
- d) Production
 - Technology of authorised products
 - Production diagrams and monitoring points
 - Practical demonstrations.

Operators who are already approved in accordance with Article (1)(1) of this Regulation at the time of entry into force of this Article shall be exempt from the training requirements of this paragraph. '

2. In paragraph 2, the word 'certified' is replaced by the word 'validated'.

Article 3.

Article 3 of the same Regulation is repealed.

Article 4.

The following amendments are made to Article 4 of the same Regulation:

1. in paragraph 1, the words 'from that agricultural holding only' are replaced by the words 'shall only be'.

2. after paragraph 1, the following paragraphs 2 and 3 are inserted:

'(2) The establishments of the operator referred to in Article 6(3)(b) of Regulation (EC) No 852/2004 carrying out on-farm slaughtering of domestic ungulates coming from that agricultural holding shall be exempt from complying with the requirements of:

- Point 1 of Chapter II of Section I of Annex III to Regulation (EC) No 853/2004; and
- Point 6 of Chapter II of Section I of Annex III to Regulation (EC) No 853/2004.

(3) By way of derogation from paragraph 1, the on-farm slaughter of domestic ungulates coming from other agricultural holdings situated in the territory of the Grand Duchy of Luxembourg may be carried out on those animals without the need to comply with a minimum period of stay on the agricultural holding as long as the conditions laid down in Regulation (EC) No 853/2004 are met. '

3. in paragraph 2, now paragraph 4, the following changes are made:

- the word 'and' after 'sausage' is deleted;

- The words 'long maturation' are inserted after 'sausage'.

4. in paragraph 3, now paragraph 5, the following changes are made:

- the word 'carcasses' is deleted;
- the word 'cut' is inserted after the word 'meat';
- the term "Grand Ducal" is deleted.

Article 5.

Article 5 of the Regulation is repealed.

Article 6.

Article 6 of the Regulation is replaced by the following provision:

'Article 6.

(1) In the case of on-farm slaughter of a domestic ungulate, prior authorisation by ALVA must be requested by means of a form made available by the same administration. The official veterinarian as defined in Article 3, point (32) of Regulation (EU) No 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure compliance with food and feed law, rules on animal health and welfare, plant health and plant protection products ("Regulation (EU) No 2017/625") shall be notified at least 24 hours before the slaughter with an indication of the time of slaughter.

(2) Ante-mortem and post-mortem inspections shall be carried out by the official veterinarian in accordance with the procedures laid down in Regulation (EU) No 2017/625. The carcass shall be declared fit for human consumption by the application of a health mark by the official veterinarian, as provided for in Article 18(4) of Regulation (EU) No 2017/625. Sampling for residues shall be carried out by the official veterinarian.

(3) Pigs are to be examined for trichinellosis in accordance with Commission Implementing Regulation (EU) No 2015/1375 of 10 August 2015 laying down specific rules on official controls for *Trichinella* in meat. '

Article 7.

The following Article 6a is inserted, worded as follows:

'Article 6a.

On-farm slaughtering activities within the scope of this Regulation must comply with the annual slaughter limit per species of domestic ungulates defined in the approval issued to the establishment in accordance with Article 1(1) of this Regulation. '

Article 8.

Article 7 of the same Regulation is repealed.

Article 9.

Article 8 of the same Regulation is repealed.

Article 10.

Article 9 of the same Regulation is replaced by the following provision:

‘(1) The Minister may impose an administrative fine against the operator acting in breach of the following articles of this Regulation in accordance with Article 13(1) of the Act of xxyyoooo on official controls of foodstuffs and materials and articles intended to come into contact with food:

1. Article 1(1), last sentence of the last subparagraph;
2. Article 2(1), first subparagraph;
3. Article 4(1);
4. the first sentence of Article 6(1);
5. Article 6a.

(2) Infringements of Article 4(4) and Article 4(5) of this Regulation shall be punishable by the penalties laid down in Article 16(2) of the Act of xxyyoooo on official controls of food and on materials and articles intended to come into contact with food. ’

Article 11.

Article 10 of the same Regulation is repealed.

Article 12. Executory clause

Article 11 of the same Regulation is replaced by the following provision:

‘The reference to this Regulation shall be as follows: “Grand-Ducal Regulation of xxyyoooo amending the Grand-Ducal Regulation of 25 November 2011 on the on-farm slaughter of domestic ungulates, the manufacturing of meat products and their marketing.”

The Minister responsible for Food shall be in charge of implementing this Grand-Ducal Regulation, which shall be published in the Official Journal of the Grand Duchy of Luxembourg. ’