

## Department of Agriculture, Food, and the Marine

### Trader Notice: MH 02/2023

#### Labelling of Beef for Wholesale – Business to Business sale - *for further processing*

##### Background

The labelling rules applying to business-to-business sale of fresh (including frozen<sup>1</sup>) and minced beef for further processing are somewhat different to those applying to fresh and minced beef labelled for retail sale.

FBOs must comply with minimum labelling requirements in the business-to-business sale of fresh and minced beef that is destined for further processing.

Food business operator, as defined in Article 3(3) of Regulation (EC) No 178/2002, means the natural or legal persons responsible for ensuring that the requirements of food law are met within the food business under their control.

##### 1. Relevant Legislation

1. Regulation (EC) No 178/2002 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.
2. Regulation (EC) No 853/2004 laying down specific hygiene rules for food of animal origin.
3. Regulation (EC) No 1760/2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products laying down detailed rules for the application of Regulation (EC) No 1760/2000 as regards the labelling of beef and beef products.
4. Commission Regulation (EC) No 1825/2000 laying down detailed rules for the application of Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards the labelling of beef and beef products.
5. Regulation (EU) No 1169/2011 on the provision of food information to consumers.

##### 2. Obligations of Food Business Operators (FBOs) regarding labelling for Business-to-Business sale under 178/2002, 853/2004, 1760/2000 and 1825/2000

###### a) [Regulation \(EC\) No 178/2002](#)

– This regulation deals with (*inter alia*) fundamental traceability. This means that the FBO must be able to identify the business from which they received the beef and the business to which they sold the beef.

###### b) [Regulation 853/2004](#) –lays down specific rules concerning the production, control, and marketing of products of animal origin of which the following labelling requirements are applicable for business-to-business transactions of products of animal origin (POAO).

###### ◆ Identification Mark

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<sup>1</sup> The requirements for fresh beef covered in this TN also apply to frozen beef in accordance with compulsory beef labelling regulations.

The Identification Mark must be in accordance with this Regulation. It must be oval and must show

- i. The country in which the establishment is located (IE)
- ii. The approval number of the establishment
- iii. The letters EC (for plants in Ireland)

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The identification mark may be applied:

- directly to the product,
- the wrapping or the packaging,
- or be printed on a label affixed to the product, the wrapping, or the packaging.

In the case of packaging containing cut meat or offal, the identification mark must be applied to a label fixed to the packaging, or printed on the packaging, in **such a way that it is destroyed when the packaging is opened**. This is not necessary, however, if the process of opening destroys the packaging. When wrapping provides the same protection as packaging, the label may be affixed to the wrapping.

If the identification mark is not applied to individual pieces, it must be applied to the wrapping or packaging of a container of pieces (box, tray, dolav) in such a way that the product is sealed, and the identification mark is destroyed when the wrapping or packaging is opened.

- **Date of Production**

This means

- the date of slaughter in the case of carcasses, half carcasses or quarter carcasses or
- the date of processing, cutting, mincing or preparation, as appropriate, for any other fresh beef.

This does not need to be indicated on the label but must be made available to the receiving business.

- **Date of Freezing**

This must also be included if the freezing date is different to the date of production

This need not be on the label but must be made available to the receiving business.

c) **Regulation (EC) No 1760/2000**

This regulation forms part of the compulsory beef labelling regulations which lists the mandatory information that must be on fresh (including frozen) beef labels.

- **Reference/Batch Number**

In the case of carcasses this is a tag number or carcase number. In the case of boned meat or offal this is a batch number that links to a group of animals.

- **The Approval Number of the Slaughter plant.**

The indication shall read: *"Slaughtered in (name of the Member State or third country) (approval number)"*

- **The Approval Number of the cutting plant.**

The indication shall read: *"Cutting in: (name of the Member State or third country) (approval number)"*.

- **Origin**

However, where the beef is derived from animals born, raised, and slaughtered in the same Member State, the indication may be given as “*Origin (name of Member State)*”.

d) [Regulation \(EC\) No 1825/2000](#)

This regulation covers the obligation of FBOs to follow the size and composition of groups requirements and the requirements for batch definition

**3. Obligations of Food Business Operators regarding the labelling of beef for Business-to-Business sale - as outlined in Regulation (EU) No 1169/2011, Food Information to Consumers (FIC).**

[Regulation \(EU\) No 1169/2011](#) (Food Information for Consumers) establishes the obligation of FBOs regarding the mandatory information (mandatory particulars) that must be on labels applied to products supplied directly to consumers.

However, the EU Commission has clarified that there are no label related obligations between FBOs in the case of business-to-business sales. In other words, these mandatory particulars do not need to be on each individual label applied to beef intended for business-to-business sale for further processing.

The list of mandatory particulars as outlined under Article 9 of Regulation (EU) No 1169/2011 only apply to FIC labelling of products labelled for sale direct to final consumer. It does not remove the obligation of the first FBO to label and mark beef in accordance with the requirements as outlined in Regulations (EC) No 178/2002, 853/2004, 1760/2000 and 1825/2000.

In the light of the above, it is up to the second FBO (recipient FBO) to assess and judge whether the Food information they receive is sufficient and appropriate to allow them to provide the required food information on the final product label of the pre-packaged beef (food) to the final consumer in accordance with the FIC Regulation.

The method of transmission of this required information (Art. 9 of Reg. (EU) No. 1169/2011) is up to each individual FBO and may be:

- On the pre-packaging  
or
- On a label attached to the packaging or wrapping  
or
- On the commercial document  
or
- Sent before (e.g., product specification) or at the same time as delivery

The minimum FIC information that must be **transmitted** in the case of business-to-business sale is:

1. the name of the food
2. the date of minimum durability or the “use by” date
3. any special storage conditions and/or conditions of use and
4. the name or business name and address of the food business operator

## Summary

Legislative Reference	Implications for Business-to-Business Trade	Mandatory on Label (Yes/No)
Reg 178/2002	<ul style="list-style-type: none"> <li>• <b>Traceability information/Batch number</b> on each piece/sealed unit<sup>2</sup></li> </ul>	Yes
Reg 853/2004	<ul style="list-style-type: none"> <li>• <b>Identification mark</b> - directly to product, to the wrapping or packaging, or on a label firmly affixed to the wrapping or packaging. Must be destroyed when the wrapping/package is opened</li> <li>• <b>Date of Production</b></li> <li>• <b>Date of Freezing</b> (if applicable)</li> </ul>	Yes  No No
<b>Compulsory Beef Labelling Regs</b>  - Reg 1760/2000   - Reg 1825/2000	<ul style="list-style-type: none"> <li>• Batch number on each sealed unit</li> <li>• Approval number of Slaughterhouse</li> <li>• Approval Number of Cutting Plant</li> <li>• Origin Ireland – if born, raised, and slaughtered in Ireland</li> </ul> <ul style="list-style-type: none"> <li>• Batch definition, no mixing of batches</li> <li>• All meat in a batch that undergoes <b>mincing</b> is from animals slaughtered in the same country.</li> </ul>	Yes Yes Yes Yes   No
<b>Food Information for Consumers (FIC)</b>  - Reg 1169/2011	<ul style="list-style-type: none"> <li>• No label related FIC obligations for Business-to-business trade</li> <li>• Mandatory particulars do not need to be on each individual piece.</li> <li>• FBOs however must transmit the following mandatory information for each consignment:               <ul style="list-style-type: none"> <li>○ Name of the Product</li> <li>○ Date of minimum Durability or the 'use by' date -</li> <li>○ Any special storage conditions and/or conditions of use</li> <li>○ The Name or Business name and address of FBO</li> </ul> </li> </ul>	No No  No  No

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Meat Hygiene Division  
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<sup>2</sup> A "sealed unit" as used here means an individual meat piece, a box, tray, or dolav of meat that has the ID mark applied in such a way that the product is sealed (vac-pac, label or strap sealing box, label or strap sealing dolav or pallet of meat)