

Department of Agriculture, Food and the Marine

Trader Notice MH 16/2015

To: All Food Business Operators

Subject: Identification marking

Background

The application of different identification numbers to the outer packaging has been a recognised practice in the dairy sector for some time and one that has been accepted by the Commission.

Member States have raised the issue of the use of multiple identification/health marking. In accordance with Article 5 of Regulation (EC) No 853/2004, products of animal origin may be placed on the market only if they bear a health mark or an identification mark, as appropriate.

It has come to light in the recent past that similar practices (application of different identification numbers) are also taking place within other commodity sectors. Historically such practices were deemed to be not in accordance with EU Regulations.

Update

The European Commission's Directorate General for Health & Food Safety (DG SANTE) advice is that other additional identification making should be avoided as much as possible but such practice is not prohibited by EU legislation, provided that they do not replace the identification mark required by EU legislation. The last establishment where the food has been produced or handled must therefore be clearly indicated.

Role of plant management

Should FBOs decide to place more than one identification number on the outer packaging of products produced in their establishments then the following should be noted:

To maintain the integrity of traceability in line with Regulation 178/2002, each FBO that uses more than one oval mark must include in their HACCP plans the means by which the last establishment where the food has been produced or handled is clearly indicated.

Please note that this clarification is without prejudice to the exclusive competence of the Court of Justice of the European Union to provide authoritative interpretation of EU law.

**Audrey Lyons HEO
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28th September 2015