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E-002805/2025

Answer given by Mr Várhelyi
on behalf of the European Commission
(1.9.2025)

Annex III, Section VIII, Chapter VII, points 1 and 2 to Regulation (EC) No 853/2004¹ provide, *inter alia*, that frozen fishery products are to be kept at a temperature of not more than -18°C in all parts of the products, while fresh fishery products are to be kept at the temperature approaching that of melting ice (around 0°C).

Commission Delegated Regulation (EU) 2024/1141² provides that, where frozen fishery products need to be at a temperature higher than -18°C to permit the use of machines that slice or cut fishery products, they may be maintained at such technologically required temperature for a period as short as possible and in any case not exceeding 96 hours. The Regulation did not change the well-established temperature requirements for storage and transport of frozen and fresh fishery products, but only clarified the existing legal situation. Therefore, no impact assessment was carried out before its adoption.

The Commission carries out controls in accordance with a multi-annual plan, aimed at monitoring the implementation and enforcement of EU legislation on food safety. During an EU audit in Poland in 2020, non-compliances were identified where the temperature requirements for frozen fishery products were not in line with the EU rules on storage of frozen fishery products (e.g. around -10°C instead of -18°C).

The work programme with the audits carried out in 2024 and 2025 is publicly available³. The audits foreseen in 2025 (from July to December) are publicly available⁴.

¹ Available at <http://data.europa.eu/eli/reg/2004/853/oj> and <https://data.europa.eu/doi/10.2875/9883828>.

² http://data.europa.eu/eli/reg_del/2024/1141/oj.

³ <https://data.europa.eu/doi/10.2875/963872>.

⁴ https://food.ec.europa.eu/document/download/7b379fb9-f02c-4671-9015-3b8aa3297255_en?filename=hfaa_prog_en_2025_07-12.pdf.