

L-0407-045-EB

To the Members of the European Parliament
Committee on Transport and Tourism

Brussels, 11 April 2007

Dear Madam/Sir,

**RE: revision of the Regulation 852/2004 on the hygiene of foodstuffs – COM(2007) 90
final – COD/2007/0037**

As Member of the EP TRAN Committee, you will soon be asked to express your opinion on one of the first proposals for the revision of legislation by the Commission in the framework of the so-called “*Better Regulation*” exercise. According to this proposal, micro-enterprises – enterprises employing less than 10 persons – would be exempted from the obligation imposed by Article 5 of Regulation 852/2004 to “*put in place, implement and maintain a permanent procedure or procedures based on HACCP¹ principles*”.

As the European umbrella bringing together 38 associations of hotels, restaurants and cafés in 24 European countries, we invite you to fully support this initiative by the Commission as it stands. 92% of the establishments in the hospitality industry employ less than 10 persons: such establishments simply cannot apply hygiene procedures strictly based on HACCP principles.

As rightly explained in the Business Impact Assessment issued by the Commission SEC(2007) 301 - “*Exempting micro-enterprises... would have a real impact on their day-to-day running and allow them to become more efficient... In food businesses such as small retail outlets selling their products directly to the final consumer, e.g. ... restaurants, and bars, food hygiene can be ensured by complying with all the other requirements of Regulation (EC) N° 852/2004, without having to implement the HACCP system.*”

We fear, however, the strong lobby action by a major European food producer association, which advocates that such an exemption would be detrimental to consumers. We doubt that consumer protection is at the core of their fierce opposition to this amendment: don't they rather see this as an occasion to fight the remaining competition of restaurants and other small catering establishments vis-à-vis their increasing offer of “*ready-to-eat*” meals?

We hope that we can count on your support and that you will vote the exemption proposed by the Commission.

Yours sincerely,



Marguerite Sequaris
CEO of HOTREC

¹ HACCP : Hazard analysis and critical control points