



MINISTRY OF HEALTH

*responsible for preventive action, food safety and
traditional medicine*

GOVERNMENT ORDER No. 1119/CM of 09 October 2006
(NOR: DSP0602421AC)

In respect of the maximum keeping time of certain food
products of animal origin

THE PRESIDENT OF FRENCH POLYNESIA

**Following the report of the Minister of Health, responsible for preventive action, food safety and
traditional medicine;**

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**Trans. (with
ACK):**

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- Considering the organic law No. 2004-192 of 27 February 2004 establishing the autonomy statute of French Polynesia, together with the Law No. 2004-193 of 27 February 2004 complementing the autonomy statute of French Polynesia;
- Considering the order No. 2/PR of 7 March 2005, appointing the Vice-President and the other Ministers of the Government of French Polynesia and establishing their assignments;
- Considering the law of 01 August 1905, as amended, on products and services;
- Considering the law 98-389 of 19 May 1998 relating to liability arising from faulty products;
- Considering the order of 18 May 1940 establishing a public regulation for the enforcement of the law of 01 August 1905 on repression of fraud in the French Territories in Oceania;
- Considering the resolution 70-51 AT of 25 June 1970, as amended, relating to the hygiene of food preserved by frigorific techniques;
- Considering the resolution 71-174 AT of 10 November 1971, as amended, establishing regulations on the production and sale of milk products and by-products in French Polynesia;
- Considering the resolution 77-116 of 14 October 1977, as amended, establishing regulations for the inspection of foodstuffs of animal origin and especially the articles 6 and 8 thereof;
- Considering resolution 98-189 of 19 November 1998 establishing regulations on consumer information in matters of food products by way of labelling;
- Considering the order 746/ER of 05 October 1978 relating to the hygiene conditions in the transport of perishable goods;
- Considering the order 747/ER of 05 October 1978 relating to the preservation and storing methods of perishable goods;
- Considering the order 2230/ER of 23 October 1981, as amended, relating to the preservation methods, transport and storing of vacuum-sealed refrigerated meat;
- Considering the order 422/CM of 28 April 1988, as amended, enforcing the law of 01 August 1905, as amended, on products and services, relating to the definition and marketing of hams and shoulders;
- Considering the order 651/CM ruling over the zoosanitary and hygiene requirements for the import of products of animal origin into French Polynesia
- Considering the order 1391/CM of 23 October 1998 regarding the microbiological requirements which must be met by certain foodstuffs of animal origin;

The Council of Ministers, after its deliberations held in its session of 04 October 2006,

HAS ADOPTED THE FOLLOWING:

Article 1. - In this order, the following terms shall have the following meanings:

- a) Prepared meal: culinary preparation partially or totally made up of the foodstuffs mentioned in article 5 of the above resolution of 14 October 1977, as amended, cooked or pre-cooked, the consumption of which may be postponed in time or space;
- b) Meal preparations: raw meat to which have been added foodstuffs, condiments or additives, or which have been subjected to one or more treatments that are not sufficient to modify their core cellular structure and make it lose the characteristics of raw meat. However, the following is not considered as meal preparations: meat, including minced meat, that has been subjected to a treatment involving preservation by refrigeration only.
- c) Meat-based products: Processed products that were made from or with meat which has been subjected to a treatment so that cutting through the core shows the disappearance of the characteristics of fresh meat and the meat-based prepared meals that correspond to cooked or pre-cooked culinary preparations, and packaged and preserved by refrigeration. Sausages and sausage meat prepared from pork meat in which was incorporated at least 15 grams of sodium chloride per kilogramme of meat, are considered as meat-based products.
- d) Treatment: chemical or physical process such as heating, smoking, salting, desiccating or vacuum-packing aiming at extending the preservation of meat and products of animal origin associated or not with other food products, or a combination of such processes.
- e) Processing: any action that results in a major modification in the original product, including by heating, smoking, salting, maturing, desiccating, marinating, extracting, extruding, or a combination of such processes.
- f) Minced meat: meat that has been subjected to a mincing operation into fragments or went through a screw conveyor mincing machine, to which may have been added a maximum of one percent of salt.

Article . -2 The preservation temperature and duration of food products of animal origin, in the sense of the above resolution of 14 October 1977, as amended, are established, within the limits set by regulations, and under his/her responsibility, by:

- the local packager for pre-packed food products;
- the importer when those pre-packed food products are imported into French Polynesia;
- the seller or the person in charge of the first putting on the market for food products sold without being pre-packed.

In the case of an import, the time zone differential between the exporting country and French Polynesia may be taken into account in order to determine the use-by date.

Article . -3 Pursuant to the provisions of the above resolution of 19 November 1998, as amended, and to the above law of 01 August 1905, as amended, the affixing of the use-by date on pre-packed food products is the local packager's responsibility, or the importer's when such food products are imported.

Pursuant to the provisions of article 19 of the above resolution of 19 November 1998, as amended, the cut-off date to be affixed on pre-packed refrigerated food products mentioned in this order, is the use-by date.

Article . -4 In the case of refrigerated unpacked food products, or food products subjected to a change of packaging, whether they have been repacked or not, in the case of meat that has been cut and packed, and in the case of preparations of packed meat, the new use-by date may not be later than the one established by the previous packager, importer or seller, unless they have been subjected to a processing or treatment in the sense of this order.

Article . -5 The maximum keeping times of the following refrigerated food of animal origin, in compliance with the temperature conditions established by regulations, are set as follows:

A - Meat for human consumption and meat from farmed ungulate game meat:

Description	Shelf life	From (days)
-Whole pork cut pieces	6 days	Slaughtering date

-Vacuum-packed whole pork cut pieces	7 days	
-Deboned or sliced pork parts under unmodified atmosphere	5 days	
-Vacuum-packed deboned or sliced pork parts	7 days	
-Deboned or sliced pork parts under modified atmosphere (CO ₂ , N ₂)	9 days	
-Pre-packed pieces or parts of meat from ruminants, under unmodified atmosphere, stocked, stored and preserved between 0°C and +4°C	2 days	Packaging date
-Pieces or parts of meat from ruminants, vacuum pre-packed, stocked, stored and preserved between 0°C and +4°C	21 days	Slaughtering date
-Vacuum pre-packed pieces of meat from ruminants, excluding farmed game, stored and preserved between -1°C and 0°C pursuant to the provisions of order 2230 of 23 October 1981	8 weeks	Slaughtering date
-Vacuum pre-packed pieces of meat from ruminants, excluding farmed game, taken out of the importer's refrigerating facilities at -1°C and preserved between 0°C and +4°C	8 days	Date of taking out of the authorised refrigerated facility at -1°C
-Whole offal	6 days	Slaughtering date

B - Cooked meats, cooked pork and poultry meats:

Product family	Preparation/Layout	Shelf life	From (days)
Cooked ham (Paris ham, shank-end ham, turkey ham...)	-Cooked under vacuum, marketed in the cooking packaging (whole piece) -Open cooking, new package (whole piece) -Sliced, vacuum-packed -Vacuum-packed under modified atmosphere (CO ₂ , N ₂)	90 days 21 days 10 days 21 days	Preparation date
Cooked pork meats, cooked emulsions: (garlic sausage, cooked shoulder, mortadella, Strasbourg sausage...)	-Whole piece, cooked in not edible casing, tight and clipped -Whole piece, in stringed or twisted or edible casing -Sliced, vacuum-packed -Sliced, under modified atmosphere (CO ₂ , N ₂) -Sliced under unmodified atmosphere	42 days 14 days 10 days 21 days 3 days	Preparation date
Fresh sausage products (chipolatas, merguez, Toulouse sausage...)	-Under unmodified atmosphere -Vacuum-packed -Under modified atmosphere (CO ₂ , N ₂)	3 days 3 days 10 days	Preparation date
Pâtés, potted pork head, country style	-Whole pâtés, cooked and membrane sealed in their final packaging	90 days	Preparation date

pâté, rilette, terrine, crème of liver	-Whole pâtés, vacuum-cooked -Sliced pâtés, vacuum-packaged -Sliced pâtés, packaged under unmodified atmosphere - Sliced pâtés under modified atmosphere (CO ₂ , N ₂)	60 days 7 days 2 days 21 days	
Kiln-dried products or kiln-dried and smoked (breast, lardoons, bacon...)	-Whole piece, vacuum-packed -Product in cube, vacuum-packed -Product in cube under modified atmosphere (CO ₂ , N ₂) -Sliced product, vacuum-packed -Sliced product, under modified atmosphere (CO ₂ , N ₂) -Bacon, whole piece, vacuum-packed	21 days 10 days 21 days 10 days 21 days 90 days	Preparation date
Products in brine (pickled), or in brine (pickled) and marinated (breast, chine, shoulder, rib roast, loin...)	-Whole piece under unmodified atmosphere -Whole piece, vacuum-packed	7 days 7 days	Preparation date

C - Prepared meals:

Preparation/Layout	Shelf life	From (days)
-Under unmodified atmosphere between 0 and +4°C	1 day	Preparation date
-Under unmodified atmosphere above 65°C	0 day	
-Vacuum-packed	7 days	
-Under modified atmosphere (CO ₂ , N ₂)	14 days	
-Cooked in definitive packaging	55 days	

D - Meat minced in advance and meat preparations:

Preparation/Layout	Shelf life	From (days)
-Meat minced in advance and minced meat preparations and meat pieces up to 100g, refrigerated under unmodified atmosphere	0 day	Preparation date
-Meat minced in advance and minced meat preparations and meat pieces up to 100g, refrigerated under vacuum	5 days	
-Meat minced in advance and minced meat preparations and meat pieces up to 100g, refrigerated under modified atmosphere	7 days	
-Other meat preparations	2 days	Preparation date

E - Poultry, lagomorphs, farmed rodent game and farmed feathered game meats:

Preparation/Layout	Shelf life	From (days)
-Whole raw refrigerated carcasses of poultry, farmed feather game, lagomorphs	6 days	Slaughtering date

-Raw refrigerated cut pieces of poultry, farmed feather game, lagomorphs	6 days	Slaughtering date
-Refrigerated raw offal other than foie gras	6 days	Slaughtering date

F - Sea and fresh water products:

Preparation/Layout	Shelf life	From (days)
-Preparations based on raw flesh from sea products (fish stuffing, sashimi, minced steak or fish tartar...) packed under unmodified atmosphere	1 day	Preparation date
- Preparations based on raw flesh from sea products (fish stuffing, sashimi, minced steak or fish tartar...), vacuum-packed	3 days	Preparation date
-Tuna loins under unmodified atmosphere	4 days	Packaging date
-Tuna loins, vacuum-packed	12 days	Packaging date
-Slices or fillets of fresh fish, refrigerated, packed under unmodified atmosphere	7 days	Slicing or filleting date
-Slices or fillets of fresh fish, refrigerated, vacuum-packed	10 days	Slicing or filleting date
-Half-cooked fish fillets	7 days	Preparation date
-Smoked or marinated fish fillets, refrigerated, vacuum-packed	60 days	Packaging date
-Cooked fish terrines membrane sealed in their definitive packaging	90 days	Packaging date
-Vacuum-packed fish terrines	60 days	Packaging date
-Sliced fish terrines, vacuum-packaged	7 days	
-Sliced fish terrines, under unmodified atmosphere	2 days	
-Sliced fish terrines, packaged under modified atmosphere	21 days	

G - Pastries and pastry creams:

Preparation/Layout	Shelf life	From (days)
-Refrigerated pastries containing egg-based or milk-based creams	2 days	Preparation date

H - Fermented milks, jellified milks, flavoured junkets:

Preparation/Layout	Shelf life	From (days)
-Fermented milks (yoghurts, kefirs, etc.)	28 days	Packaging date
-Flavoured jellified milks, dosing made when cold	14 days	Packaging date
-Flavoured jellified milks, dosing made when hot	28 days	Packaging date

I - Egg-based products:

Preparation/Layout	Shelf life	From (days)
- Pasteurised, refrigerated liquid eggs or yolks	14 days	Pasteurising date
-Refrigerated boiled eggs in brine, under unmodified atmosphere	14 days	Packaging date
-Refrigerated boiled eggs under modified atmosphere	28 days	Packaging date

Article . -6 The manufacturer or packager may apply for an authorisation to modify the temperature or keeping time of some foodstuffs mentioned in article 5 hereof. The application must include:

- a microbiological study on ageing carried out according to the prescriptions of the Centre for Hygiene and Public Sanitation of the Public Health Authority.
- the validation of the manufacturing or packaging process by the Centre for Hygiene and Public Sanitation of the Public Health Authority;
- the validation of the product traceability procedure, in particular by affixing a manufacturing batch number on the product label.

The application is sent to the Centre for Hygiene and Public Sanitation of the Public Health Authority, which acknowledges receipt of the complete application. The application is examined by a veterinary doctor of the Centre for Hygiene and Public Sanitation of the Public Health Authority, or if that is not possible, by a veterinary doctor from another department of the administration and who is in charge of the enforcement of this order.

The authorisation is granted, after the veterinary doctor's opinion, by way of an order of the President of French Polynesia. The order specifies who is the holder of the authorisation, the denomination of the product concerned, its layout, the duration and temperature of preservation as well as any specific prescriptions with regard to the manufacturing process. It is published in the Official Gazette of French Polynesia and is notified to the relevant person by way of a registered letter with acknowledgement of receipt.

In the absence of a reply within four months from the date when the complete application was received, the application is deemed rejected.

If the provisions hereof or the provisions of the authorising order are not complied with, the authorisation, after a formal notice that remained without effect, may be suspended or withdrawn, in part or in whole, by way of an order of the President of French Polynesia.

The formal notice sets the deadline, which may not exceed three months, for the holder of the authorisation to take any step that may remedy any breach or failure that has been reported.

In the case of an emergency related to the protection of public health, an immediate suspension of the authorisation may be decided as a precaution.

Article . -7 The following is deemed not proper for human consumption:

- a food product that has a use-by date which has elapsed;
- a food product that has been preserved, stocked or stored in temperature conditions that do not comply with the regulations or with the labelling affixed on the food product or on the consolidating carton;
- a food product whose keeping time does not comply with the one established herein or in the specific prescriptions mentioned in article 6, provided that the use-by date calculated from the regulations has elapsed.

Article . -8 Without prejudice to the provisions of articles 5 and 19 of the above-mentioned resolution of 19 November 1998, as amended, and to the provisions of articles 5 and 6 of the above-mentioned order of 7 May 1998, as amended, the use-by date and the slaughtering date and preparation date, when they are used as starting points for determining the maximum keeping times established herein, must be noted on the combined package and on the health and commercial documents that come with the food products. However, putting such dates on retail sale invoices is not obligatory.

Article . -9 Without prejudice to the sentences provided by the abovementioned law of 01 August 1905, the law of 19 May 1998 and the resolution of 19 November 1998, as amended, offenders who are in breach with the provisions of article 7 hereof shall be punished with a 5th class fine.

Article . -10 The following articles or orders are repealed:

- article 30 of the order 747/ER of 14 October 1978 mentioned above;
- the order 300/CM of 18 March 1988 establishing the use-by date for sterilised milks and long-life milks (sterilised UHT milks);
- the order 418/CM of 27 April 1988 relating to the keeping time of cooked hams and shoulders;
- the order 1225/CM of 12 November 1992 relating to the keeping time of refrigerated broil chickens.

Article . -11 The Vice-President, Minister of Tourism, of the Economy and Finance and Communication, responsible for the consistency of governmental action, of the budget and the reform of the tax system, spokesman for the Government, the Minister of Agriculture, Stock Breeding and Forestry, and the Minister of Health, responsible for prevention, food safety and traditional medicine, each one for the matters falling within their respective powers, are in charge of the enforcement of this order, which shall be published in the Official Gazette of French Polynesia.

Done in Papeete, on 09 October 2006

By the President of French Polynesia

Oscar Manutahi TEMARU

The Vice-President, Minister of Tourism, of
the Economy and Finance and
Communication

*responsible for the consistency of governmental action, of the
budget and the reform of the tax system, spokesman for the
Government*

The Minister
of Agriculture,
Stock Breeding and Forestry

Jacqui DROLLET

Ahiti ROOMATAAROA

The Minister of Health

responsible for prevention, food safety and traditional medicine

Pia HIRO

Exemplified copy

For the Secretary General of the Government
and on his behalf

Signature: A. HELLER