

**COMMISSION REGULATION (EU) No 332/2010****of 22 April 2010****amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Israel in the list of third countries, territories, zones or compartments****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption <sup>(1)</sup> and in particular the introductory phrase of Article 8, the first paragraph of point 1 of Article 8 and point 4 of Article 8 thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs <sup>(2)</sup>, and in particular Article 24(2) thereof,

Whereas:

(1) Directive 2002/99/EC lays down the general animal health rules governing all stages of the production, processing and distribution within the Union and the introduction from third countries of products of animal origin and products obtained therefrom intended for human consumption. That Directive provides that special import conditions are to be established for each third country or group of third countries, having regard to their animal health situation.

(2) Directive 2009/158/EC lays down the animal health conditions governing trade within the Union and imports from third countries of poultry and hatching eggs. That Directive provides that poultry is to come from third countries free of avian influenza or which, although they are not free from that disease, apply measures to control it which are at least equivalent to those laid down by the relevant Union legislation.

(3) Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and

poultry products may be imported into and transit through the Community and the veterinary certification requirements <sup>(3)</sup> provides that the commodities covered by it are only to be imported into and transited through the Union from the third countries, territories, zones or compartments listed in the table in Part 1 of Annex I thereto.

(4) Pursuant to that Regulation, where an outbreak of highly pathogenic avian influenza (HPAI) occurs in a third country, territory, zone or compartment previously free of that disease, that third country, territory, zone or compartment is to again be considered as free of HPAI, provided that certain conditions are met; said conditions concern the implementation of a stamping out policy to control the disease, including adequate cleansing and disinfection carried out on all previously infected establishments. In addition, avian influenza surveillance must have been carried out in accordance with Part II of Annex IV to that Regulation during a three-month period following completion of the stamping out policy and cleansing and disinfection.

(5) Israel is currently listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country free from highly pathogenic avian influenza. Imports of poultry commodities to which that Regulation applies are therefore authorised from the whole territory of that third country.

(6) Israel has notified to the Commission an outbreak of highly pathogenic avian influenza of the H5N1 subtype on its territory.

(7) Due to the confirmed outbreak of HPAI, the territory of Israel may no longer be considered as free from that disease and the veterinary authorities of Israel have suspended issuing veterinary certificates for consignments of certain poultry commodities accordingly. Israel has also implemented a stamping out policy in order to control the disease and limit its spread.

(8) The information on the control measures taken has been submitted to the Commission. That information and the epidemiological situation in Israel have been evaluated by the Commission.

<sup>(1)</sup> OJ L 18, 23.1.2003, p. 11.

<sup>(2)</sup> OJ L 343, 22.12.2009, p. 74.

<sup>(3)</sup> OJ L 226, 23.8.2008, p. 1.

- (9) The prompt and decisive action taken by Israel to confine the disease and the positive outcome of the evaluation of the epidemiological situation allows limiting the restrictions on imports into the Union for certain poultry commodities to the zones affected by the disease, which the veterinary authorities of Israel have placed under restrictions due to the outbreak of highly pathogenic avian influenza.
- (10) In addition, Israel is carrying out surveillance activities for avian influenza which appear to meet the requirements laid down in Part II of Annex IV to Regulation (EC) No 798/2008.
- (11) Taking into account the favourable development of the epidemiological situation and related surveillance activities for avian influenza in resolving the outbreak, it is appropriate to limit the time period during which the authorisation for imports into the Union is suspended until 1 May 2010.
- (12) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.
- (13) In order to implement the zoning requirements and thereby allowing trade to resume as soon as possible this Regulation should enter into force the day after publication.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

Part 1 of Annex I to Regulation (EC) No 798/2008 is replaced by the text in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 26 January 2010.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 22 April 2010.

*For the Commission*

*The President*

José Manuel BARROSO

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## ANNEX

Part 1 of Annex I to Regulation (EC) No 798/2008 is replaced by the following:

## PART 1

## List of third countries, territories, zones or compartments

ISO code and name of third country or territory	Code of third country, territory, zone or compartment	Description of third country, territory, zone or compartment	Veterinary certificate		Specific conditions	Specific conditions		Avian influenza surveillance status	Avian influenza vaccination status	Salmonella control status
			Model(s)	Additional guarantees		Closing date <sup>(1)</sup>	Opening date <sup>(2)</sup>			
1	2	3	4	5	6	6A	6B	7	8	9
AL — Albania	AL-0	Whole country	EP, E							S4
AR — Argentina	AR-0	Whole country	SPF							
			POU, RAT, EP, E					A		S4
			WGM	VIII						
AU — Australia	AU-0	Whole country	SPF							
			EP, E							S4
			BPP, DOC, HEP, SRP							S0, ST0
			BPR	I						
			DOR	II						
			HER	III						
			POU	VI						
			RAT	VII						

1	2	3	4	5	6	6A	6B	7	8	9
BR — Brazil	BR-0	Whole country	SPF							
	BR-1	States of: Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	RAT, BPR, DOR, HER, SRA		N			A		
	BR-2	States of: Mato Grosso, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	BPP, DOC, HEP, SRP		N					S5, ST0
	BR-3	Distrito Federal and States of: Goiás, Minas Gerais, Mato Grosso, Mato Grosso do Sul, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	WGM	VIII						
			EP, E, POU		N					S4
BW — Botswana	BW-0	Whole country	SPF							
			EP, E							S4
			BPR	I						
			DOR	II						
			HER	III						
			RAT	VII						
BY — Belarus	BY-0	Whole country	EP and E (both “only for transit through the EU”)	IX						
CA — Canada	CA-0	Whole country	SPF							
			EP, E							S4
			BPR, BPP, DOR, HER, SRA, SRP		N			A		S1, ST1
			DOC, HEP		L, N					
			WGM	VIII						
			POU, RAT		N					

1	2	3	4	5	6	6A	6B	7	8	9
CH — Switzerland	CH-0	Whole country	( <sup>3</sup> )					A		( <sup>3</sup> )
CL — Chile	CL-0	Whole country	SPF							
			EP, E							S4
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S0, ST0
			WGM	VIII						
			POU, RAT		N					
CN — China	CN-0	Whole country	EP							
	CN-1	Province of Shandong	POU, E	VI	P2	6.2.2004	—			S4
GL — Greenland	GL-0	Whole country	SPF							
			EP, WGM							
HK — Hong Kong	HK-0	The whole territory of the Hong Kong Special Administrative Region	EP							
HR — Croatia	HR-0	Whole country	SPF							
			BPR, BPP, DOR, DOC, HEP, HER, SRA, SRP		N			A		S2, ST0
			EP, E, POU, RAT, WGM		N					
IL — Israel	IL-0	Whole country	SPF							
			EP, E							S4
	IL-1	Area of Israel excluding IL-2	BPR, BPP, DOC, DOR, HEP, HER, SRP		N			A		S5, ST1
			WGM	VIII						
			POU, RAT		N					S4

1	2	3	4	5	6	6A	6B	7	8	9
	IL-2	Area of Israel inside the following boundaries: — to the west: road number 4.  — to the south: road number 5812 connecting to road number 5815.  — to the east: the security fence until road number 6513.  — to the north: road number 6513 until the junction with road 65.  From this point in a straight line to the entrance of Givat Nili and from there in a straight line to the junction of roads 652 and 4.	BPR, BPP, DOC, DOR, HEP, HER, SRP		N, P2	26.1.2010	1.5.2010	A		S5, ST1
			WGM	VIII	P2	26.1.2010	1.5.2010			
			POU, RAT		N, P2	26.1.2010	1.5.2010			S4
IN — India	IN-0	Whole country	EP							
IS — Iceland	IS-0	Whole country	SPF							
			EP, E							S4
KR — Republic of Korea	KR-0	Whole country	EP, E							S4
ME — Montenegro	ME-O	Whole country	EP							
MG — Madagascar	MG-0	Whole country	SPF							
			EP, E, WGM							S4
MY — Malaysia	MY-0	—	—							
	MY-1	Western Peninsular	EP							
			E		P2	6.2.2004				S4
MK — former Yugoslav Republic of Macedonia (*)	MK-0 (*)	Whole country	EP							

1	2	3	4	5	6	6A	6B	7	8	9
MX — Mexico	MX-0	Whole country	SPF							
			EP							
NA — Namibia	NA-0	Whole country	SPF							
			BPR	I						
			DOR	II						
			HER	III						
			RAT, EP, E	VII						S4
NC — New Caledonia	NC-0	Whole country	EP							
NZ — New Zealand	NZ-0	Whole country	SPF							
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP							S0, ST0
			WGM	VIII						
			EP, E, POU, RAT							S4
PM — Saint Pierre and Miquelon	PM-0	Whole territory	SPF							
RS — Serbia <sup>(5)</sup>	RS-0 <sup>(5)</sup>	Whole country	EP							
RU — Russia	RU-0	Whole country	EP							
SG — Singapore	SG-0	Whole country	EP							
TH — Thailand	TH-0	Whole country	SPF, EP							
			WGM	VIII	P2	23.1.2004				
			E, POU, RAT		P2	23.1.2004				S4

1	2	3	4	5	6	6A	6B	7	8	9
TN — Tunisia	TN-0	Whole country	SPF							
			DOR, BPR, BPP, HER							S1, ST0
			WGM	VIII						
			EP, E, POU, RAT							S4
TR — Turkey	TR-0	Whole country	SPF							
			EP, E							S4
US — United States	US-0	Whole country	SPF							
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S3, ST1
			WGM	VIII						
			EP, E, POU, RAT		N					S4
UY — Uruguay	UY-0	Whole country	SPF							
			EP, E, RAT							S4
ZA — South Africa	ZA-0	Whole country	SPF							
			EP, E							S4
			BPR	I				A		
			DOR	II						
			HER	III						
			RAT	VII						



1	2	3	4	5	6	6A	6B	7	8	9
ZW — Zimbabwe	ZW-0	Whole country	RAT	VII						
			EP, E							S4

(<sup>1</sup>) Commodities, including those transported on the high seas, produced before this date may be imported into the Union during a period of 90 days from this date.

(<sup>2</sup>) Only commodities produced after this date may be imported into the Union.

(<sup>3</sup>) In accordance with the agreement between the European Union and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).

(<sup>4</sup>) The former Yugoslav Republic of Macedonia; provisional code that does not prejudice in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject in the United Nations.

(<sup>5</sup>) Not including Kosovo, as defined by United Nations Security Council Resolution 1244 of 10 June 1999.'