

COMMISSION IMPLEMENTING DECISION (EU) 2021/1321**of 6 August 2021****amending the Annex to Decision 2007/453/EC as regards the BSE status of Canada and Ireland***(notified under document C(2021) 5789)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, and in particular Article 5(2), third subparagraph, thereof,

Whereas:

- (1) Regulation (EC) No 999/2001 provides that Member States or third countries or regions thereof (countries or regions) are to be classified according to their bovine spongiform encephalopathy (BSE) status into one of three categories: negligible BSE risk, controlled BSE risk and undetermined BSE risk.
- (2) Article 5(2), third subparagraph, of Regulation (EC) No 999/2001 provides that if the World Organisation for Animal Health (OIE) has placed an applicant country in one of the three BSE categories, a re-assessment of the BSE categorisation at Union level may be decided.
- (3) Commission Decision 2007/453/EC ⁽²⁾ lists the BSE status of countries or regions according to their BSE risk in Parts A, B or C of the Annex to that act. The countries or regions listed in Part A of that Annex are regarded as having a negligible BSE risk, those listed in Part B are regarded as having a controlled BSE risk, while Part C of that Annex provides that countries or regions not listed in Part A or B are to be regarded as having an undetermined BSE risk.
- (4) Canada and Ireland currently fall within Part B of the Annex to Decision 2007/453/EC as countries with a controlled BSE risk.
- (5) On 27 May 2021, the OIE World Assembly of Delegates adopted Resolution No 17, 'Recognition of the Bovine Spongiform Encephalopathy Risk Status of Members' ⁽³⁾, in view of an entry into force on 29 May 2021. That Resolution recognised Canada and Ireland as having a negligible BSE risk, in accordance with the Terrestrial Animal Health Code of the OIE. After reassessment of the situation at Union level, stemming from OIE Resolution No 17, the Commission has considered that the new OIE BSE status of both countries should be reflected in the Annex to Decision 2007/453/EC.
- (6) The list of countries or regions in the Annex to Decision 2007/453/EC should therefore be amended so that Canada and Ireland are listed in Part A of that Annex under countries or regions with a negligible BSE risk.
- (7) The Annex to Decision 2007/453/EC should therefore be amended accordingly.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ Commission Decision 2007/453/EC of 29 June 2007 establishing the BSE status of Member States or third countries or regions thereof according to their BSE risk (OJ L 172, 30.6.2007, p. 84).

⁽³⁾ <https://www.oie.int/app/uploads/2021/05/a-r17-2021-bse.pdf>

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2007/453/EC is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 August 2021.

For the Commission
Stella KYRIAKIDES
Member of the Commission

ANNEX

The Annex to Decision 2007/453/EC is replaced by the following:

'ANNEX

LIST OF COUNTRIES OR REGIONS

A. Countries or regions with a negligible BSE risk*Member States*

- Belgium
- Bulgaria
- Czechia
- Denmark
- Germany
- Estonia
- Ireland
- Spain
- Croatia
- Italy
- Cyprus
- Latvia
- Lithuania
- Luxembourg
- Hungary
- Malta
- Netherlands
- Austria
- Poland
- Portugal
- Romania
- Slovenia
- Slovakia
- Finland
- Sweden

Regions of Member States ()*

- Northern Ireland

European Free Trade Association countries

- Iceland
- Liechtenstein
- Norway
- Switzerland

Third countries

- Argentina

- Australia
- Brazil
- Canada
- Chile
- Colombia
- Costa Rica
- India
- Israel
- Japan
- Jersey
- Namibia
- New Zealand
- Panama
- Paraguay
- Peru
- Serbia (**)
- Singapore
- United States
- Uruguay

B. Countries or regions with a controlled BSE risk

Member States

- Greece
- France

Third countries

- Mexico
- Nicaragua
- South Korea
- Taiwan
- United Kingdom with the exception of Northern Ireland

C. Countries or regions with an undetermined BSE risk

- Countries or regions not listed in Parts A or B..

(*) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to Member States include the United Kingdom in respect of Northern Ireland.

(**) As referred to in Article 135 of the Stabilisation and Association Agreement between the European Communities and their Member States of the one part, and the Republic of Serbia, of the other part (OJ L 278, 18.10.2013, p. 16).'