COMMISSION IMPLEMENTING REGULATION (EU) 2020/1256

of 7 September 2020

amending Annex I to Implementing Regulation (EU) 2018/659 as regards the entry into the Union of live equidae and of semen, ova and embryos of equidae from Malaysia

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC ([1]), and in particular Article 17(3) thereof,

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae ([2]), and in particular point (i) of Article 2, Article 12(1), (4) and (5), Article 13(2), Articles 15 and 16 and points (a) and (b) of Article 19 thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2018/659 ([3]) establishes the list of third countries and parts of the territory of third countries from which the entry into the Union of equidae and of their semen, ova and embryos is authorised. It also lays down the animal health and veterinary certification requirements applicable to those consignments.

(2) Directive 2009/156/EC lays down the animal health requirements governing imports of equidae into the Union. It provides that equidae imported into the Union must come from a third country that is free from African horse sickness.

(3) Directive 92/65/EEC lays down the animal health requirements governing imports of semen, ova and embryos of equidae into the Union. It provides that only those commodities that come from a third country or part of the territory of a third country on a list of third countries drawn up in accordance with that Directive, may be imported into the Union.

(4) The specific rules for official controls of consignments of animals and germinal products in transit through the Union, including equidae and their germinal products, are laid down in Commission Delegated Regulation (EU) 2019/2124 ([4]).

(5) On 1 September 2020 the Department of Veterinary Services of Malaysia confirmed positive results in a test for the detection of genome of the African horse sickness virus carried out on samples taken from horses in the State of Terrenganu, in the north-east of the Malaysian peninsula, at least 60 km from the border with Thailand. The Department of Veterinary Services of Malaysia has duly declared movement controls on horses throughout that third country and informed the World Organisation for Animal Health (OIE).

(6) The entry into the Union of equidae and of germinal products of equidae from the Malaysian peninsula should no longer be authorised. Accordingly, the entry for Malaysia in Annex I to Implementing Regulation (EU) 2018/659 should be amended, so that the entry into the Union of equidae and germinal products of equidae from the Malaysian peninsula is no longer authorised.

([1]) OJ L 268, 14.9.1992, p. 54.

([2]) OJ L 192, 23.7.2010, p. 1.

([3]) Commission Implementing Regulation (EU) 2018/659 of 12 April 2018 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae (OJ L 110, 30.4.2018, p. 1).

([4]) Commission Delegated Regulation (EU) 2019/2124 of 10 October 2019 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council as regards rules for official controls of consignments of animals and goods in transit, transhipment and onward transportation through the Union, and amending Commission Regulations (EC) No 798/2008, (EC) No 1251/2008, (EC) No 119/2009, (EU) No 206/2010, (EU) No 605/2010, (EU) No 142/2011, (EU) No 28/2012, Commission Implementing Regulation (EU) 2016/759 and Commission Decision 2007/777/EC (OJ L 321, 12.12.2019, p. 73)

(7) Implementing Regulation (EU) 2018/659 should therefore be amended accordingly.

(8) Given the risks to animal health, the amendment to the entry for Malaysia in Annex I to Implementing Regulation (EU) 2018/659 should take effect as soon as possible.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Implementing Regulation (EU) 2018/659, the entry for Malaysia is replaced by the following:

'MY	Malaysia	MY-0	Whole country	—	—	—	—	—	—	—	—	—	—	—	
		MY-1	Peninsula	G	—	—	—	—	—	—	—	—	—	—'	

Article 2

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

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

Done at Brussels, 7 September 2020.

For the Commission
The President
Ursula VON DER LEYEN