

COMMISSION IMPLEMENTING REGULATION (EU) 2022/1040
of 29 June 2022

amending Annexes VI and XV to Implementing Regulation (EU) 2021/404 as regards the lists of third countries, territories or zones thereof authorised for the entry into the Union of certain captive birds and germinal products thereof and meat products from poultry

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') (1), and in particular Article 230(1) thereof,

Whereas:

- (1) Regulation (EU) 2016/429 lays down, *inter alia*, the animal health requirements for the entry into the Union of consignments of animals, germinal products and products of animal origin, and it applies from 21 April 2021. One of those animal health requirements is that those consignments must come from a third country, territory or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation.
- (2) Commission Delegated Regulation (EU) 2020/692 (2) supplements Regulation (EU) 2016/429 as regards the animal health requirements for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones or compartments thereof. Delegated Regulation (EU) 2020/692 provides that consignments of animals, germinal products and products of animal origin falling within its scope may only be permitted to enter into the Union if they come from a third country or territory, or zone or compartment thereof, listed for the particular species and categories of animals, germinal products and products of animal origin, in accordance with the animal health requirements laid down in that Delegated Regulation.
- (3) Commission Implementing Regulation (EU) 2021/404 (3) lays down the lists of third countries, territories, or zones or compartments thereof, from which the entry into the Union of those species and categories of animals, germinal products and products of animal origin, that fall within the scope of Delegated Regulation (EU) 2020/692, is permitted. The lists and certain general rules concerning the lists are set out in Annexes I to XXII to that Implementing Regulation.
- (4) Annex VI, Part 1, Section A, to Implementing Regulation (EU) 2021/404 sets out the list of third countries or territories, or zones thereof, authorised for entry into the Union of consignments of captive birds and germinal products of captive birds, other than captive birds covered by the derogations referred to in Article 62 of Delegated Regulation (EU) 2020/692.
- (5) The United Kingdom have submitted to the Commission an application to authorise the entry into the Union of consignments of captive birds and germinal products thereof, other than the captive birds referred to in Article 62 of Delegated Regulation (EU) 2020/692, from the Crown Dependencies of the Isle of Man and Jersey and provided guarantees regarding the capacities of the competent authorities of those Crown Dependencies to ensure reliable official certification and compliance with the relevant animal health requirements for such consignments of captive birds and germinal products thereof intended for the entry into the Union. Those Crown Dependencies should therefore be listed in Annex VI to Implementing Regulation (EU) 2021/404.

(1) OJ L 84, 31.3.2016, p. 1.

(2) Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

(3) Commission Implementing Regulation (EU) 2021/404 of 24 March 2021 laying down the lists of third countries, territories or zones thereof from which the entry into the Union of animals, germinal products and products of animal origin is permitted in accordance with Regulation (EU) 2016/429 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 1).

- (6) Annex VI to Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.
- (7) Annex XV, Part 1, Section A, to Implementing Regulation (EU) 2021/404 sets out the list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of meat products from ungulates, poultry and game birds which have undergone the risk-mitigating treatments referred to in Annex XXVI to Delegated Regulation (EU) 2020/692.
- (8) Morocco has submitted an application to the Commission to be authorised for the entry into the Union of consignments of meat products from poultry, other than ratites, and provided guarantees regarding compliance, by that third country, with the requirements on the notification and reporting of the listed diseases referred to in Annex I, point 1, to Delegated Regulation (EU) 2020/692 relevant for poultry, and guarantees regarding compliance by that third country with the relevant Union animal health requirements or with equivalent requirements. Therefore, and taking into account the poultry health situation in Morocco, it is appropriate to include that third country in the list set out in Annex XV, Part 1, Section A, to Implementing Regulation (EU) 2021/404 as regards meat products from poultry, other than ratites, which have undergone the specific risk-mitigating treatment 'D' referred to in Annex XXVI to Delegated Regulation (EU) 2020/692.
- (9) Annex XV to Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.
- (10) Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.
- (11) As Implementing Regulation (EU) 2021/404 applies from 21 April 2021, in the interest of legal certainty and to facilitate trade, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (12) 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

Annexes VI and XV to Implementing Regulation (EU) 2021/404 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 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, 29 June 2022.

For the Commission

The President

Ursula VON DER LEYEN

ANNEX

Annexes VI and XV to Implementing Regulation (EU) 2021/404 are amended as follows:

(1) in Annex VI, in Part 1, in Section A, the following entries for the Isle of Man and Jersey are inserted between the entries for Israel and New Zealand:

IM Isle of Man	IM-0	Captive birds	CAPTIVE-BIRDS					
		Hatching eggs of captive birds	HE-CAPTIVE-BIRDS					
JE Jersey	JE-0	Captive birds	CAPTIVE-BIRDS					
		Hatching eggs of captive birds	HE-CAPTIVE-BIRDS'					

(2) in Annex XV, in Part 1, in Section A, the entry for Morocco is replaced by the following:

MA Morocco	MA-0	B	B	B	B	B	B	B	D	Not authorised	Not authorised	MPST'	
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