COMMISSION IMPLEMENTING REGULATION (EU) 2023/954

of 12 May 2023

correcting Annexes XIII, XIV and XXII 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 consignments of fresh meat of ungulates, poultry and game birds, and certain species and categories of animals, germinal products and products of animal origin for which the Union is not the final destination

(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 or 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]) establishes the lists of third countries or territories, or zones or compartments thereof, from which the entry into the Union of consignments 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 Delegated Regulation. At the time of adoption of Implementing Regulation

([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 the Council (OJ L 114, 31.3.2021, p. 1).

(EU) 2021/404, similar lists were set out in several Commission acts, including in Commission Regulation (EC) No 798/2008 ([4]) for consignments of poultry and poultry products, and in Commission Regulation (EU) No 206/2010 ([5]) for consignments of certain animals and fresh meat. Regulations (EC) No 798/2008 and (EU) No 206/2010 were repealed by Delegated Regulation (EU) 2020/692 with effect from 21 April 2021.

(4) The table in Part 1 of Annex XIII 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 fresh meat of ungulates. In the title of column 7 of that table, a footnote should be inserted to reflect the footnote set out in the title of column 7 of the table in Part 1 of Annex II to Regulation (EU) No 206/2010 providing that fresh meat obtained from ungulates slaughtered and certified before the closing date shall be permitted entry into the Union only for a limited period.

(5) In addition, in column 5 of the table in Part 1 of Annex XIII to Implementing Regulation (EU) 2021/404, in the entry for the zone BR-2 in Brazil, the specific condition 'No vaccination carried out' should be inserted to reflect the supplementary guarantee 'H' in Part 2 of Annex II to Regulation (EU) No 206/2010 as in that zone in Brazil no vaccination against foot and mouth is carried out and the competent authority of Brazil must therefore implement a regular serological surveillance to demonstrate the absence of foot and mouth disease virus circulation therein. The table in Part 1 of Annex XIII to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.

(6) The table in Part 1 of Annex XIV 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 fresh meat of poultry and game birds. In the title of column 6 of that table, a footnote should be inserted to reflect the footnote set out in the title of column 6A of the table in Part 1 of Annex I to Regulation (EC) No 798/2008 providing that fresh meat obtained from poultry and game birds slaughtered and certified before the closing date shall be permitted entry into the Union only for a limited period. The table in Part 1 of Annex XIV to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.

(7) The table in Part 1 of Annex XXII to Implementing Regulation (EU) 2021/404 sets out, inter alia, a list of third countries, territories or zones thereof authorised for the entry into the Union of consignments of certain species and categories of animals, germinal products and products of animal origin for which the Union is not the final destination. In column 5 of that table, in the entry for the zone RU-2 in Russia a clerical mistake as regards the name of the animal health certificate 'BOV-X' indicated for that zone should be corrected so as to indicate 'BOV-X-TRANSIT-RU' in line with the model animal health certificate for the entry into the Union of bovine animals intended for transit from the region of Kaliningrad to other regions of Russia via the territory of Lithuania set out in Chapter 3 of Annex II to Commission Implementing Regulation (EU) 2021/403 ([6]). The table in Part 1 of Annex XXII to Implementing Regulation (EU) 2021/404 should therefore be amended accordingly.

(8) Annexes XIII, XIV and XXII to Implementing Regulation (EU) 2021/404 should therefore be corrected accordingly.

(9) As Implementing Regulation (EU) 2021/404 applies from 21 April 2021, in the interest of legal certainty and to facilitate trade, the corrections to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.

([4]) 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 (OJ L 226, 23.8.2008, p. 1).

([5]) Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

([6]) Commission Implementing Regulation (EU) 2021/403 of 24 March 2021 laying down rules for the application of Regulations (EU) 2016/429 and (EU) 2017/625 of the European Parliament and of the Council as regards model animal health certificates and model animal health/official certificates, for the entry into the Union and movements between Member States of consignments of certain categories of terrestrial animals and germinal products thereof, official certification regarding such certificates and repealing Decision 2010/470/EU (OJ L 113, 31.3.2021, p. 1).

(10) 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 XIII, XIV and XXII to Implementing Regulation (EU) 2021/404 are corrected 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, 12 May 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

(1) Annex XIII to Implementing Regulation (EU) 2021/404 is corrected as follows:

(a) in Part 1, the table is corrected as follows:

(i) the titles of the columns of the table are replaced by the following:

'**ISO code and name** of the third country or territory	**Code of the zone** as set out in Part 2	**Species of origin of the meat** permitted to enter the Union	**Animal health certificates**	**Specific conditions** as set out in Part 3	**Animal health guarantees** as set out in Part 4	**Closing date** [1]	**Opening date**
1	**2**	**3**	**4**	**5**	**6**	**7**	**8**
[1] Consignments of fresh meat of ungulates slaughtered and certified before the date set out in column 7 shall be permitted entry into the Union during the period of 90 days from that date.';							

(ii) the entry for the zone BR-2 in Brazil is replaced by the following:

'**BR** Brazil	BR-2	Bovine animals	BOV	Maturation, pH and de-boning No vaccination carried out No offal Additional traceability			1.12.2008'

(2) in Annex XIV, in Part 1, in Section B, the titles of the columns of the table are replaced by the following:

'**ISO code and name** of the third country or territory	**Code of the zone** as set out in Part 2	**Animal health certificate of the categories permitted to enter the Union**	**Specific conditions** as set out in Part 3	**Additional guarantees** as set out in Part 4	**Closing date** [1]	**Opening date**
1	**2**	**3**	**4**	**5**	**6**	**7**
[1] Consignments of fresh meat of poultry and game birds slaughtered and certified before the date set out in column 6 shall be permitted entry into the Union during the period of 90 days from that date.'						

(3) in Annex XXII, in Part 1, in the table, the entry for the zone RU-2 in Russia is replaced by the following:

'**RU** Russia	RU-2	Bovine animals		BOV-X-TRANSIT-RU	From Kaliningrad to mainland Russia via Lithuania'		