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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2022/913

of 30 May 2022

amending Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council

(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 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1), point (b)(ii), thereof,

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) ⁽²⁾, and in particular Article 47(2), first subparagraph, point (b), and Article 54(4), first subparagraph, points (a) and (b), thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2019/1793 ⁽³⁾ lays down rules on the temporary increase of official controls at the entry into the Union on certain food and feed of non-animal origin from certain third countries listed in Annex I to that Implementing Regulation, and on the imposition of special conditions governing the entry into the Union of certain consignments of food and feed from certain third countries due to the risk of contamination by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins, and microbiological contamination, listed in Annex II to that Implementing Regulation.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 95, 7.4.2017, p. 1.

⁽³⁾ Commission Implementing Regulation (EU) 2019/1793 of 22 October 2019 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council and repealing Commission Regulations (EC) No 669/2009, (EU) No 884/2014, (EU) 2015/175, (EU) 2017/186 and (EU) 2018/1660 (OJ L 277, 29.10.2019, p. 89).

- (2) Article 12 of Implementing Regulation (EU) 2019/1793 provides that the lists set out in the Annexes to that Implementing Regulation are to be reviewed at regular intervals not exceeding six months, in order to take into account new information related to risks to human health and non-compliance with Union legislation, such as the data resulting from notifications received through the Rapid Alert System for Food and Feed ('RASFF') established by Regulation (EC) No 178/2002, as well as data and information concerning consignments and the results of the documentary, identity and physical checks communicated by the Member States to the Commission.
- (3) Recent notifications through the RASFF indicate the existence of a serious direct or indirect risk to human health deriving from some food or feed. Additionally, official controls performed by Member States on some food and feed of non-animal origin in the second semester of 2021 indicate that the lists set out in Annexes I and II to Implementing Regulation (EU) 2019/1793 should be amended in order to protect human health in the Union.
- (4) Certain consignments of food and feed of non-animal origin are exempt from official controls in accordance with Implementing Regulation (EU) 2019/1793, if they do not exceed 30 kg. Such consignments include trade samples, laboratory samples, display items and consignments intended for scientific purposes. In the light of experience with the application of Implementing Regulation (EU) 2019/1793, Member States have indicated that in certain cases such consignments exceed 30 kg. Since such consignments are not intended to be placed on the market, it is unnecessarily burdensome to perform official controls on such consignments. Therefore, the weight limit for exemption from official controls in accordance with Implementing Regulation (EU) 2019/1793 should be increased to 50 kg. In addition, where such consignments exceed 50 kg, Member States should be able to accept such consignments, provided the Member State of destination has issued an authorisation in advance and adequate control arrangements are in place to ensure that the consignments are not placed on the market.
- (5) Consignments of food and feed which form part of passengers' personal luggage and are intended for personal consumption or use, and non-commercial consignments of food or feed sent to natural persons, which are not intended to be placed on the market, are exempt from official controls in accordance with Implementing Regulation (EU) 2019/1793, if they do not exceed 30 kg. Experience with the application of Implementing Regulation (EU) 2019/1793 shows that the weight limit of 30 kg leads to the exclusion of a wide range of consignments from such controls. The weight limit of 30 kg also goes beyond standard baggage allowances in international passenger transport. In case of non-commercial consignments of 30 kg sent to natural persons, it is difficult to ensure by way of official controls that parts of such consignments are not placed on the market. Therefore, the weight limit for consignments which form part of passengers' personal luggage, and for non-commercial consignments sent to natural persons should be reduced to a level that reflects more adequately the intended personal use of the consignments and the physical properties of the consignments.
- (6) Where exemptions from official controls at border control posts for certain goods are granted, conditions for these exemptions, such as adequate control arrangements, should be established to ensure that there are no unacceptable risks to human and animal health from the entry of such goods into the Union.
- (7) In relation to the term 'consignment', Implementing Regulation (EU) 2019/1793 provides several definitions, which leads to uncertainty and differences in application. Article 3, point (37), of Regulation (EU) 2017/625 already provides a definition of 'consignment'. Therefore, for the purpose of clarity, the additional definitions of 'consignment' in Article 2(2) of Implementing Regulation (EU) 2019/1793 should be deleted.
- (8) The Combined Nomenclature ('CN') codes 2008 19 13 40 and 2008 19 93 40 can only be used for mixtures containing almonds or pistachios but not for mixtures containing groundnuts. Since only mixtures containing groundnuts are likely to pose a risk of contamination by aflatoxins, these CN codes should be deleted for the entries for Argentina in Annex I to Implementing Regulation (EU) 2019/1793 and for Egypt, Ghana, Gambia, India and Sudan in the table in point 1, of Annex II to that Implementing Regulation.

- (9) In relation to consignments of oranges from Egypt, data from RASFF notifications and information regarding official controls performed by Member States indicate the emergence of new risks to human health, due to a possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of those commodities from Egypt. Such commodities should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.
- (10) In relation to consignments of hazelnuts from Georgia, a high frequency of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by aflatoxins was detected during official controls performed by Member States in accordance with Annex I to Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on such consignments to 30 %.
- (11) Palm oil from Ghana has been subject to an increased level of official controls due to the risk of contamination by Sudan dyes since April 2016. The official controls carried out on that commodity by the Member States show a persistent high rate of non-compliance since the establishment of the increased level of official controls. Those controls provide evidence that the entry of that commodity into the Union constitutes a serious risk for human health.
- (12) It is therefore necessary, in addition to the increased level of official controls, to provide for special conditions in relation to the importation of palm oil from Ghana. In particular, all consignments of palm oil from Ghana should be accompanied by an official certificate stating that all the results of sampling and analyses show compliance with Union requirements. The results of sampling and analyses should be attached to that certificate. Therefore, the entry on palm oil from Ghana in Annex I to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex II to that Implementing Regulation, with a frequency of identity and physical checks set at 50 % of consignments entering the Union.
- (13) In relation to consignments of rice from India and Pakistan, the data resulting from notifications in the RASFF and information regarding official controls performed by Member States indicate the emergence of new risks to human health, due to a possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of this commodity from India and Pakistan. Such commodity should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 5 % of consignments entering the Union.
- (14) The potential health risks arising from contamination of rice from India and Pakistan by aflatoxins and ochratoxine A is not limited to certain types of rice classified under CN code 1006 10 79. Therefore, to ensure efficient protection against potential health risks arising from contamination of rice from India and Pakistan by aflatoxins and ochratoxine A, the relevant CN code in Annex I to Implementing Regulation (EU) 2019/1793 should be extended to cover all types of rice. Due to the extension of the CN code and the volumes traded, the administrative burden for Member States is expected to increase significantly. Therefore, the frequency of controls should be decreased to 5 % of consignments entering the Union, as such frequency will provide sufficient information for an assessment of risks associated with possible contamination of rice by aflatoxins and ochratoxine A.
- (15) In relation to consignments of yardlong beans (*Vigna unguiculata* ssp. *sesquipedalis*, *Vigna unguiculata* ssp. *unguiculata*) and guava (*Psidium guajava*) from India, the data resulting from notifications in the RASFF and information regarding official controls performed by Member States indicate the emergence of new risks to human health, due to a possible contamination by pesticide residues. It is therefore necessary to require an increased level of official controls on entries of those commodities from India. Such commodities should therefore be included in Annex I to Implementing Regulation (EU) 2019/1793, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

- (16) Nutmeg from India, under CN codes 0908 11 00 and 0908 12 00, has been subject to an increased level of official controls due to the risk of contamination by aflatoxins since July 2019. The official controls carried out by the Member States and available information show improvements in compliance with the relevant requirements provided for in Union legislation. Those controls and that information provide evidence that the entry of this foodstuff into the Union no longer constitutes a serious risk to human health. Consequently, it is not necessary to continue to require that all consignments of nutmeg from India, under CN codes 0908 11 00 and 0908 12 00, are to be accompanied by an official certificate stating that all the results of sampling and analyses show compliance with Commission Regulation (EC) No 1881/2006⁽⁴⁾. At the same time, Member States should continue to carry out controls to ensure that the current level of compliance will be maintained. Therefore, the entry concerning nutmeg from India, under CN codes 0908 11 00 and 0908 12 00, in the table in point 1, of Annex II to Implementing Regulation (EU) 2019/1793 should be deleted and transferred to Annex I to that Implementing Regulation, with a frequency of identity and physical checks set at 30 % of consignments entering the Union.
- (17) In relation to consignments of peppers of the genus *Capsicum* (other than sweet) from Thailand, a high frequency of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by pesticide residues was detected during official controls performed by Member States in accordance with Annex I to Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on such consignments to 30 % of consignments entering the Union.
- (18) Several CN codes do not match the commodities referred to in certain entries in Annex I to Implementing Regulation (EU) 2019/1793 and are therefore redundant. The following CN codes should be deleted in Annex I to that Implementing Regulation: CN code ex 0807 19 00 70 in the entry on galia melon (*C.melo var.reticulatus*) from Honduras, CN code ex 0709 99 90 25 in the entry on gotukola (*Centella asiatica*) from Sri Lanka and CN code 1211 90 86 10 in the entry on dried oregano from Turkey.
- (19) To allow for a more precise identification of commodities subject to increased official controls, it is appropriate to specify the TARIC sub-division for CN code ex 0709 99 90 in the entry on drumsticks (*Moringa oleifera*) from India and for CN code ex 1211 90 86 in the entry on gotukola (*Centella asiatica*) from Sri Lanka in Annex I to Implementing Regulation (EU) 2019/1793.
- (20) In relation to consignments of nutmeg from Indonesia, a high frequency of non-compliance with the relevant requirements provided for in Union legislation with respect to contamination by aflatoxins was detected during official controls performed by Member States in accordance with the table in point 1, of Annex II to Implementing Regulation (EU) 2019/1793. It is therefore appropriate to increase the frequency of identity and physical checks to be performed on such consignments to 30 % of consignments entering the Union.
- (21) The potential health risk from contamination by ethylene oxide affects mixtures of food additives containing locust bean gum or guar gum. Therefore, in the columns referring to 'food and feed (intended use)' and 'CN code' in the table in point 1, of Annex II to Implementing Regulation (EU) 2019/1793 in the entry related to India, the category 'mixtures of food additives containing locust bean gum or guar gum' and relevant CN codes for mixtures of food additives should be added. Equally, in the entries related to Malaysia and to Turkey, the category 'mixtures of food additives containing locust bean gum' and relevant CN codes for mixtures of food additives should be added. A frequency of identity and physical checks should be set at 20 % for such consignments entering the Union from India, Malaysia and Turkey.
- (22) In relation to spices from India, CN code 0910 covers commodities in the form of roots, flowers and leaves, such as turmeric (curcuma) root. Taking into account that no contamination by ethylene oxide was detected during official controls performed by Member States in accordance with the table in point 1, of Annex II to Implementing Regulation (EU) 2019/1793, such commodities can be excluded from increased official controls. Therefore, it is appropriate to indicate in Annex II to Implementing Regulation (EU) 2019/1793 that only dried spices from India should be subject to official controls at border control posts, with a frequency of identity and physical checks set at 20 % of consignments entering the Union.

⁽⁴⁾ Commission Regulation (EC) No 1881/2006 of 19 December 2006 setting maximum levels for certain contaminants in foodstuffs (OJ L 364, 20.12.2006, p. 5).

- (23) In relation to instant noodles from South Korea and Vietnam, in order to ensure clarity concerning the type of noodles subject to increased controls, and to exclude from official controls other varieties of noodles, such as wheat noodles, egg noodles, vermicelli and other types of such products which cannot be classified as instant noodles and which are declared under the same CN code 1902 30 10, it is appropriate to provide clarifications in the columns referring to 'food and feed (intended use)', 'CN code' and 'TARIC sub-division' in the relevant entries in the table in point 1, of Annex II to Implementing Regulation (EU) 2019/1793.
- (24) In order to ensure consistency and clarity, it is appropriate to replace Annexes I and II to Implementing Regulation (EU) 2019/1793 in their entirety by the text set out in the Annex to this Regulation.
- (25) In order to allow entry into the Union of consignments which have already been dispatched from the country of origin or from another third country if that country is different from the country of origin, when this Regulation enters into force, and so as to take into account the possibility to know and comply with this Regulation, it is appropriate to provide for a transitional period for consignments of palm oil from Ghana, mixtures of food additives containing locust bean gum or guar gum from India and mixtures of food additives containing locust bean gum from Malaysia and Turkey, which are not accompanied by the results of sampling and analyses and an official certificate. At the same time, public health continues to be protected for such consignments of palm oil from Ghana, which remain subject to identity and physical checks at a frequency of 50 % of consignments entering the Union.
- (26) Implementing Regulation (EU) 2019/1793 should therefore be amended accordingly.
- (27) 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

Implementing Regulation (EU) 2019/1793 is amended as follows:

1. in Article 1, paragraphs 3, 4 and 5 are replaced by the following:

'3. This Regulation shall not apply to the following categories of consignments of products, unless their net weight exceeds 5 kg of fresh products or 2 kg of other products:

- (a) consignments which form part of passengers' personal luggage and are intended for personal consumption or use;
- (b) non-commercial consignments sent to natural persons, which are not intended to be placed on the market.

This Regulation shall not apply to the following categories of consignments of products, unless their net weight exceeds 50 kg of fresh products or 10 kg of other products:

- (a) consignments sent as trade samples, laboratory samples or as display items for exhibitions, which are not intended to be placed on the market;
- (b) consignments intended for scientific purposes.

4. This Regulation shall not apply to food and feed referred to in paragraph 1, points (a) and (b) on board means of transport operating internationally, which are not unloaded and are intended for consumption by the crew and passengers.

5. In case of doubt on the intended use of the consignments of products referred to in paragraph 3, first subparagraph, the burden of proof lies with the owners of the personal luggage and with the recipients of the consignments, respectively.

6. The competent authority may exempt from identity and physical checks, including sampling and laboratory analyses, in accordance with this Regulation consignments of food and feed of non-animal origin sent as trade samples, laboratory samples, display items for exhibitions and consignments of food and feed intended for scientific purposes, which exceed the weight limits provided for in paragraph 3, second subparagraph, and are not intended to be placed on the market, provided that:

- (a) they are accompanied by an authorisation for introduction into the Union issued in advance by the competent authority of the Member State of destination and providing:
 - (i) the purpose for introduction into the Union;
 - (ii) the place of destination;
 - (iii) guarantees that the consignments will not be placed on the market as food or feed;
 - (b) the operator presents the consignments at the border control post of entry into the Union;
 - (c) the competent authority of the border control post of entry into the Union informs the competent authority of the Member State of destination, through the IMSOC, about the introduction of the consignments.;
2. in Article 2, paragraph 2 is deleted;
 3. Article 14 is replaced by the following:

Article 14

Transitional period

Consignments of palm oil from Ghana, mixtures of food additives containing locust bean gum or guar gum from India and mixtures of food additives containing locust bean gum from Malaysia and Turkey, which have been dispatched from the country of origin, or from another third country if that country is different from the country of origin, before the date of entry into force of Commission Implementing Regulation (EU) 2022/913 (*), may enter the Union until 3 September 2022 without being accompanied by the results of sampling and analyses and the official certificate provided for in Articles 10 and 11.

(*) Commission Implementing Regulation (EU) 2022/913 of 30 May 2022 amending Implementing Regulation (EU) 2019/1793 on the temporary increase of official controls and emergency measures governing the entry into the Union of certain goods from certain third countries implementing Regulations (EU) 2017/625 and (EC) No 178/2002 of the European Parliament and of the Council (OJ L 158, 13.6.2022, p. 1).;

4. Annexes I and II are replaced by the text set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth 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, 30 May 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

'ANNEX I

Food and feed of non-animal origin from certain third countries subject to a temporary increase of official controls at border control posts and control points

Row	Country of origin	Food and feed (intended use)	CN code (1)	TARIC sub-division	Hazard	Frequency of identity and physical checks (%)
1	Argentina (AR)	— Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	5
		— Groundnuts (peanuts), shelled	1202 42 00			
		— Peanut butter	2008 11 10			
		— Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12;	40		
			ex 2008 19 19;	50		
			ex 2008 19 92;	40		
			ex 2008 19 95;	40		
			ex 2008 19 99	50		
		— Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		— Groundnut flours and meals	ex 1208 90 00	20		
— Groundnuts paste (<i>Food and feed</i>)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08				
2	Azerbaijan (AZ)	Hazelnuts (<i>Corylus</i> sp.), in shell	0802 21 00		Aflatoxins	20
		Hazelnuts (<i>Corylus</i> sp.), shelled	0802 22 00			
		Mixtures of nuts or dried fruits containing hazelnuts	ex 0813 50 39;	70		
			ex 0813 50 91;	70		
			ex 0813 50 99	70		
		Hazelnut paste	ex 2007 10 10; ex 2007 10 99;	70 40		

		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste <i>(Food and feed)</i>	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		
4	Brazil (BR)	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled	1202 42 00			
		Peanut butter	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98		Pesticide residues ^(?)	20
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste <i>(Food and feed)</i>	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		
5	China (CN)	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	10
		Groundnuts (peanuts), shelled	1202 42 00			
		Peanut butter	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98		Aflatoxins	10
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
				Groundnuts paste <i>(Food and feed)</i>	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08
		Sweet peppers (<i>Capsicum annuum</i>) <i>(Food – crushed or ground)</i>	ex 0904 22 00	11	<i>Salmonella</i> ⁽⁶⁾	10

			ex 2008 97 74; ex 2008 97 76; ex 2008 97 78; ex 2008 97 92; ex 2008 97 93; ex 2008 97 94; ex 2008 97 96; ex 2008 97 97; ex 2008 97 98; ex 1106 30 90	15 15 15 15 15 15 15 15 15 40		
		Flours, meals and powder of hazelnuts				
		Hazelnut oil (Food)	ex 1515 90 99	20		
8	Honduras (HN)	Galia melon (<i>C.melo var. reticulatus</i>) (Food)	ex 0807 19 00	60	<i>Salmonella braenderup</i> ^(?)	10
9	India (IN)	Curry leaves (<i>Bergera/Murraya koenigii</i>) (Food – fresh, chilled, frozen or dried)	ex 1211 90 86	10	Pesticide residues ^(?) ⁽¹⁰⁾	50
		Okra (Food – fresh, chilled or frozen)	ex 0709 99 90; ex 0710 80 95	20 30	Pesticide residues ^(?) ⁽¹¹⁾ ⁽²¹⁾	20
		Drumsticks (<i>Moringa oleifera</i>) (Food)	ex 0709 99 90	10	Pesticide residues ^(?)	10
		Rice (Food)	1006		Aflatoxins and Ochratoxine A	5
					Pesticide residues ^(?)	5
		Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex 0708 20 00; ex 0710 22 00	10 10	Pesticide residues ^(?)	20
		Guava (<i>Psidium guajava</i>) (Food)	ex 0804 50 00	30	Pesticide residues ^(?)	20

		Nutmeg (<i>Myristica fragrans</i>) (Food – dried spices)	0908 11 00; 0908 12 00		Aflatoxins	30
10	Kenya (KE)	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (Food – fresh or chilled)	0708 20		Pesticide residues ⁽³⁾	10
11	Cambodia (KH)	Chinese celery (<i>Apium graveolens</i>) (Food – fresh or chilled herb)	ex 0709 40 00	20	Pesticide residues ⁽³⁾ ⁽¹²⁾	50
		Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen vegetables)	ex 0708 20 00; ex 0710 22 00	10 10	Pesticide residues ⁽³⁾ ⁽¹³⁾	50
12	Lebanon (LB)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex 2001 90 97	11; 19	Rhodamine B	50
		Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex 2005 99 80	93	Rhodamine B	50
13	Sri Lanka (LK)	Gotukola (<i>Centella asiatica</i>) (Food)	ex 1211 90 86	10	Pesticide residues ⁽³⁾	10
		Mukunuwenna (<i>Alternanthera sessilis</i>) (Food)	ex 0709 99 90	35	Pesticide residues ⁽³⁾	10
14	Morocco (MA)	Locust beans (carob) Locust beans seeds, not decorticated, crushed or ground Mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽²¹⁾	10
15	Madagascar (MG)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter	1202 41 00 1202 42 00 2008 11 10		Aflatoxins	50

		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98				
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00				
		Groundnut flours and meals	ex 1208 90 00	20			
		Groundnuts paste (Food and feed)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08			
16	Mexico (MX)	Tomato ketchup and other tomato sauces (Food)	2103 20 00		Pesticide residues ⁽²⁾	10	
17	Malaysia (MY)	Jackfruit (<i>Artocarpus heterophyllus</i>) (Food – fresh)	ex 0810 90 20	20	Pesticide residues ⁽³⁾	50	
18	Nigeria (NG)	<i>Sesamum</i> seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽³⁾	50	
19	Pakistan (PK)	Spice mixes (Food)	0910 91 10; 0910 91 90		Aflatoxins	50	
		Rice (Food)	1006		Aflatoxins and Ochratoxin A	5	
					Pesticide residues ⁽³⁾	5	
20	Sierra Leone (SL)	Watermelon (<i>Egusi, Citrullus</i> spp.) seeds and derived products (Food)	ex 1207 70 00; ex 1208 90 00; ex 2008 99 99	10 10 50	Aflatoxins	50	
21	Senegal (SN)	Groundnuts (peanuts), in shell	1202 41 00				
		Groundnuts (peanuts), shelled	1202 42 00				
		Peanut butter	2008 11 10				
		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98			Aflatoxins	50
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00				
		Groundnut flours and meals	ex 1208 90 00	20			

		Groundnuts paste (Food and feed)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		
22	Syria (SY)	Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by vinegar or acetic acid)	ex 2001 90 97	11; 19	Rhodamine B	50
		Turnips (<i>Brassica rapa</i> ssp. <i>rapa</i>) (Food – prepared or preserved by brine or citric acid, not frozen)	ex 2005 99 80	93	Rhodamine B	50
23	Thailand (TH)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ^(?) ⁽¹⁴⁾	30
24	Turkey (TR)	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>) (Food – fresh, chilled or dried)	0805 50 10		Pesticide residues ^(?)	20
		Grapefruits (Food)	0805 40 00		Pesticide residues ^(?)	10
		Pomegranates (Food – fresh or chilled)	ex 0810 90 75	30	Pesticide residues ^(?) ⁽¹⁵⁾	20
		Sweet peppers (<i>Capsicum annuum</i>) Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	0709 60 10; 0710 80 51; ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ^(?) ⁽¹⁶⁾	20
		Unprocessed whole, ground, milled, cracked, chopped apricot kernels intended to be placed on the market for the final consumer ⁽¹⁷⁾ ⁽¹⁸⁾ (Food)	ex 1212 99 95	20	Cyanide	50
		Cumin seeds Cumin seeds crushed or ground (Food)	0909 31 00 0909 32 00		Pyrrolizidine alkaloids	10
		Dried oregano (Food)	ex 1211 90 86	40	Pyrrolizidine alkaloids	10

25	Uganda (UG)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾	50		
					Pesticide residues ⁽²¹⁾	10		
26	United States (US)	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	20		
		Groundnuts (peanuts), shelled	1202 42 00					
		Peanut butter	2008 11 10					
		Groundnuts (peanuts), otherwise prepared or preserved	2008 11 91; 2008 11 96; 2008 11 98					
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00					
		Groundnut flours and meals	ex 1208 90 00	20				
		Groundnuts paste (Food and feed)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08				
27	Uzbekistan (UZ)	Dried apricots	0813 10 00		Sulphites ⁽¹⁹⁾	50		
		Apricots, otherwise prepared or preserved (Food)	2008 50					
28	Vietnam (VN)	Coriander leaves	ex 0709 99 90	72	Pesticide residues ⁽³⁾ ⁽²⁰⁾	50		
		Basil (holy, sweet)	ex 1211 90 86	20				
		Mint	ex 1211 90 86	30				
		Parsley (Food – fresh or chilled herbs)	ex 0709 99 90	40				
				Okra (Food – fresh, chilled or frozen)	ex 0709 99 90; ex 0710 80 95	20 30	Pesticide residues ⁽³⁾ ⁽²⁰⁾	50
				Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽³⁾ ⁽²⁰⁾	50

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked 'ex'.

⁽²⁾ The sampling and the analyses shall be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a), of Annex III.

⁽³⁾ Residues of at least those pesticides listed in the control programme adopted in accordance with Article 29(2) of Regulation (EC) No 396/2005 of the European Parliament and of the Council of 23 February 2005 on maximum residue levels of pesticides in or on food and feed of plant and animal origin and amending Council Directive 91/414/EEC (OJ L 70, 16.3.2005, p. 1) that can be analysed with multi-residue methods based on GC-MS and LC-MS (pesticides to be monitored in/on products of plant origin only).

⁽⁴⁾ Residues of Amitraz.

⁽⁵⁾ Residues of Nicotine.

- (⁶) The sampling and the analyses shall be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b), of Annex III.
- (⁷) Residues of Tolfenpyrad.
- (⁸) Residues of Amitraz (amitraz including the metabolites containing the 2,4 -dimethylaniline moiety expressed as amitraz), Diafenthiuron, Dicofol (sum of p, p' and o,p' isomers) and Dithiocarbamates (dithiocarbamates expressed as CS2, including maneb, mancozeb, metiram, propineb, thiram and ziram).
- (⁹) Residues of Dicofol (sum of p, p' and o,p' isomers), Dinotefuran, Folpet, Prochloraz (sum of prochloraz and its metabolites containing the 2,4,6-Trichlorophenol moiety expressed as prochloraz), Thiophanate-methyl and Triforine.
- (¹⁰) Residues of Acephate.
- (¹¹) Residues of Diafenthiuron.
- (¹²) Residues of Phenthoate.
- (¹³) Residues of Chlorbufam.
- (¹⁴) Residues of Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)), Prothiofos and Triforine.
- (¹⁵) Residues of Prochloraz.
- (¹⁶) Residues of Diafenthiuron, Formetanate (sum of formetanate and its salts expressed as formetanate (hydrochloride)) and Thiophanate-methyl.
- (¹⁷) 'Unprocessed products' as defined in Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs (OJ L 139, 30.4.2004, p. 1).
- (¹⁸) 'Placing on the market' and 'final consumer' as defined in Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).
- (¹⁹) Reference methods: EN 1988-1:1998, EN 1988-2:1998 or ISO 5522:1981.
- (²⁰) Residues of Dithiocarbamates (dithiocarbamates expressed as CS2, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.
- (²¹) Residues of Ethylene Oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide). In case of food additives, the applicable MRL is 0,1 mg/kg (limit of quantification (LOQ)). Prohibition of use of ethylene oxide provided for in Commission Regulation (EU) No 231/2012 of 9 March 2012 laying down specifications for food additives listed in Annexes II and III to Regulation (EC) No 1333/2008 of the European Parliament and of the Council (OJ L 83, 22.3.2012, p. 1).

ANNEX II

Food and feed from certain third countries subject to special conditions for the entry into the Union due to contamination risk by mycotoxins, including aflatoxins, pesticide residues, pentachlorophenol and dioxins, and to microbiological contamination

1. Food and feed of non-animal origin referred to in Article 1(1), point (b)(i)

Row	Country of origin	Food and feed (intended use)	CN code (¹)	TARIC sub-division	Hazard	Frequency of identity and physical checks (%)
1	Bangladesh (BD)	Foodstuffs containing or consisting of betel leaves (<i>Piper betle</i>) (Food)	ex 1404 90 00 (¹⁰)	10	<i>Salmonella</i> (⁶)	50
2	Brazil (BR)	Brazil nuts in shell Mixtures of nuts or dried fruits containing Brazil nuts in shell (Food)	0801 21 00 ex 0813 50 31; ex 0813 50 39; ex 0813 50 91; ex 0813 50 99	20 20 20 20	Aflatoxins	50

		Black pepper (<i>Piper nigrum</i>) (Food – neither crushed nor ground)	ex 0904 11 00	10	Salmonella ⁽²⁾	50
3	China (CN)	Xanthan gum (Food and feed)	ex 3913 90 00	40	Pesticide residues ⁽¹⁾	20
4	Dominican Republic (DO)	Aubergines (<i>Solanum melongena</i>) (Food – fresh or chilled)	0709 30 00		Pesticide residues ⁽⁴⁾	50
		Sweet peppers (<i>Capsicum annuum</i>) Peppers of the genus <i>Capsicum</i> (other than sweet) Yardlong beans (<i>Vigna unguiculata</i> ssp. <i>sesquipedalis</i> , <i>Vigna unguiculata</i> ssp. <i>unguiculata</i>) (Food – fresh, chilled or frozen)	0709 60 10; 0710 80 51 ex 0709 60 99; ex 0710 80 59 ex 0708 20 00; ex 0710 22 00	20 20 10 10	Pesticide residues ⁽⁴⁾ ⁽⁸⁾	50
5	Egypt (EG)	Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	20
		Groundnuts (peanuts), shelled	1202 42 00			
		Peanut butter	2008 11 10			
		Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste (Food and feed)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		

6	Ethiopia (ET)	Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruit of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food – dried spices)	0904 0910		Aflatoxins	50
		<i>Sesamum</i> seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽⁶⁾	50
7	Ghana (GH)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50	Aflatoxins	50
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil Groundnut flours and meals Groundnuts paste (Food and feed)	2305 00 00 ex 1208 90 00 ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	20 80 50 07; 08		
		Palm oil (Food)	1511 10 90; 1511 90 11; ex 1511 90 19; 1511 90 99	90	Sudan dyes ⁽¹²⁾	50
8	Gambia (GM)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	1202 41 00 1202 42 00 2008 11 10 2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50	Aflatoxins	50

		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste <i>(Food and feed)</i>	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		
9	Indonesia (ID)	Nutmeg (<i>Myristica fragrans</i>) <i>(Food – dried spices)</i>	0908 11 00; 0908 12 00		Aflatoxins	30
10	India (IN)	Betel leaves (<i>Piper betle</i> L.) <i>(Food)</i>	ex 1404 90 00	10	<i>Salmonella</i> (?)	10
		Peppers of the genus <i>Capsicum</i> (sweet or other than sweet) <i>(Food – dried, roasted, crushed or ground)</i>	0904 21 10; ex 0904 22 00; ex 0904 21 90; ex 2005 99 10; ex 2005 99 80	11; 19 20 10; 90 94	Aflatoxins	20
		Groundnuts (peanuts), in shell	1202 41 00		Aflatoxins	50
		Groundnuts (peanuts), shelled	1202 42 00			
Peanut butter	2008 11 10					
Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50				
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste <i>(Food and feed)</i>	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		

Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽⁴⁾ ⁽⁵⁾	20
Sesamum seeds (Food and feed)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽⁶⁾	20
			Pesticide residues ⁽¹¹⁾	50
Locust beans (carob) Locust beans seeds, not decorticated, crushed or ground Mucilages and thickeners, whether or not modified, derived from locust beans or locust bean seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽¹¹⁾	20
Guar gum (Food and feed)	ex 1302 32 90		Pesticide residues ⁽¹¹⁾	20
			Pentachlorophenol and dioxins ⁽³⁾	5
Mixtures of food additives containing locust bean gum or guar gum (Food)	ex 2106 90 92 ex 2106 90 98 ex 3824 99 93 ex 3824 99 96		Pesticide residues ⁽¹¹⁾	20
Pepper of the genus <i>Piper</i> ; dried or crushed or ground fruit of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> Vanilla Cinnamon and cinnamon-tree flowers Cloves (whole fruit, cloves and stems) Nutmeg, mace and cardamoms Seeds of anise, badian, fennel, coriander, cumin or caraway; juniper berries Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices (Food – dried spices)	0904 0905 0906 0907 0908 0909 0910		Pesticide residues ⁽¹¹⁾	20
Sauces and preparations thereof; mixed condiments and mixed seasonings; mustard flours and meals and prepared mustard (Food)	2103		Pesticide residues ⁽¹¹⁾	20

		Flours, meals and powder of pistachios (Food)	ex 2008 97 93; ex 2008 97 94; ex 2008 97 96; ex 2008 97 97; ex 2008 97 98 ex 1106 30 90	19 19 19 19 19 50		
12	South Korea (KR)	Food supplements containing botanicals (Food)	ex 1302 ex 2106		Pesticide residues ⁽¹⁾	20
		Instant noodles containing spices/seasonings or sauces (Food)	ex 1902 30 10	30	Pesticide residues ⁽¹⁾	20
13	Sri Lanka (LK)	Peppers of the genus <i>Capsicum</i> (sweet or other than sweet) (Food – dried, roasted, crushed or ground)	0904 21 10; ex 0904 21 90; ex 0904 22 00; ex 2005 99 10; ex 2005 99 80	20 11; 19 10; 90 94	Aflatoxins	50
14	Malaysia (MY)	Locust beans (carob) Locust beans seeds, not decorticated, crushed or ground Mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽¹⁾	20
		Mixtures of food additives containing locust bean gum (Food)	ex 2106 90 92 ex 2106 90 98 ex 3824 99 93 ex 3824 99 96		Pesticide residues ⁽¹⁾	20
15	Nigeria (NG)	Watermelon (<i>Egusi, Citrullus</i> spp.) seeds and derived products (Food)	ex 1207 70 00; ex 1208 90 00; ex 2008 99 99	10 10 50	Aflatoxins	50
16	Pakistan (PK)	Peppers of the genus <i>Capsicum</i> (other than sweet) (Food – fresh, chilled or frozen)	ex 0709 60 99; ex 0710 80 59	20 20	Pesticide residues ⁽⁴⁾	20
17	Sudan (SD)	Groundnuts (peanuts), in shell Groundnuts (peanuts), shelled Peanut butter	1202 41 00 1202 42 00 2008 11 10		Aflatoxins	50

		Groundnuts (peanuts), otherwise prepared or preserved, including mixtures	2008 11 91; 2008 11 96; 2008 11 98; ex 2008 19 12; ex 2008 19 19; ex 2008 19 92; ex 2008 19 95; ex 2008 19 99	40 50 40 40 50		
		Oilcake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of groundnut oil	2305 00 00			
		Groundnut flours and meals	ex 1208 90 00	20		
		Groundnuts paste (Food and feed)	ex 2007 10 10 ex 2007 10 99 ex 2007 99 39	80 50 07; 08		
		Sesamum seeds (Food)	1207 40 90 ex 2008 19 19 ex 2008 19 99	40 40	<i>Salmonella</i> ⁽⁶⁾	50
18	Turkey (TR)	Dried figs	0804 20 90			
		Mixtures of nuts or dried fruits containing figs	ex 0813 50 99	50		
		Dried fig paste	ex 2007 10 10; ex 2007 10 99; ex 2007 99 39; ex 2007 99 50; ex 2007 99 97	50 20 01; 02 31 21		
		Dried figs, prepared or preserved, including mixtures	ex 2008 97 12; ex 2008 97 14; ex 2008 97 16; ex 2008 97 18; ex 2008 97 32; ex 2008 97 34; ex 2008 97 36; ex 2008 97 38; ex 2008 97 51; ex 2008 97 59; ex 2008 97 72; ex 2008 97 74; ex 2008 97 76;	11 11 11 11 11 11 11 11 11 11 11 11 11	Aflatoxins	20

		ex 2008 97 78;	11		
		ex 2008 97 92;	11		
		ex 2008 97 93;	11		
		ex 2008 97 94;	11		
		ex 2008 97 96;	11		
		ex 2008 97 97;	11		
		ex 2008 97 98;	11		
		ex 2008 99 28;	10		
		ex 2008 99 34;	10		
		ex 2008 99 37;	10		
		ex 2008 99 40;	10		
		ex 2008 99 49;	60		
		ex 2008 99 67;	95		
		ex 2008 99 99	60		
	Flours, meals and powder of dried figs (Food)	ex 1106 30 90	60		
	Pistachios, in shell	0802 51 00			
	Pistachios, shelled	0802 52 00			
	Mixtures of nuts or dried fruits containing pistachios	ex 0813 50 39;	60		
		ex 0813 50 91;	60		
		ex 0813 50 99	60		
	Pistachio paste	ex 2007 10 10;	60		
		ex 2007 10 99;	30		
		ex 2007 99 39;	03; 04		
		ex 2007 99 50;	32		
		ex 2007 99 97	22		
	Pistachios, prepared or preserved, including mixtures	ex 2008 19 13;	20		
		ex 2008 19 93;	20	Aflatoxins	50
		ex 2008 97 12;	19		
		ex 2008 97 14;	19		
		ex 2008 97 16;	19		
		ex 2008 97 18;	19		
		ex 2008 97 32;	19		
		ex 2008 97 34;	19		
		ex 2008 97 36;	19		
		ex 2008 97 38;	19		
		ex 2008 97 51;	19		
		ex 2008 97 59;	19		
		ex 2008 97 72;	19		

		Flours, meals and powder of pistachios (Food)	ex 2008 97 74; ex 2008 97 76; ex 2008 97 78; ex 2008 97 92; ex 2008 97 93; ex 2008 97 94; ex 2008 97 96; ex 2008 97 97; ex 2008 97 98 ex 1106 30 90	19 19 19 19 19 19 19 19 19 50		
		Vine leaves (Food)	ex 2008 99 99	11; 19	Pesticide residues ⁽⁴⁾ ⁽⁷⁾	50
		Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids (Food – fresh or dried)	0805 21; 0805 22; 0805 29		Pesticide residues ⁽⁴⁾	20
		Oranges (Food – fresh or dried)	0805 10		Pesticide residues ⁽⁴⁾	20
		Locust beans (carob) Locust beans seeds, not decorticated, crushed or ground Mucilages and thickeners, whether or not modified, derived from locust beans or locust beans seeds (Food and feed)	1212 92 00 1212 99 41 1302 32 10		Pesticide residues ⁽¹¹⁾	20
		Mixtures of food additives containing locust bean gum (Food)	ex 2106 90 92 ex 3824 99 93 ex 2106 90 98 ex 3824 99 96		Pesticide residues ⁽¹¹⁾	20
19	Uganda (UG)	<i>Sesamum</i> seeds (Food)	— 1207 40 90 — ex 2008 19 19 — ex 2008 19 99	40 40	<i>Salmonella</i> ⁽⁶⁾	20

20	Vietnam (VN)	Pitahaya (dragon fruit) (Food – fresh or chilled)	ex 0810 90 20	10	Pesticide residues ⁽⁴⁾ ⁽⁸⁾	20
		Instant noodles containing spices/seasonings or sauces (Food)	ex 1902 30 10	30	Pesticide residues ⁽¹¹⁾	20

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked “ex”.

⁽²⁾ The sampling and the analyses shall be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(b), of Annex III.

⁽³⁾ The analytical report referred to in Article 10(3) shall be issued by a laboratory accredited in accordance with standard EN ISO/IEC 17025 for the analysis of pentachlorophenol (PCP) in food and feed.

The analytical report shall indicate:

(a) the results of sampling and analysis for the presence of PCP, performed by the competent authorities of the country of origin or of the country where the consignment is consigned from if that country is different from the country of origin;

(b) the measurement uncertainty of the analytical result;

(c) the limit of detection (LOD) of the analytical method; and

(d) the LOQ of the analytical method. The extraction before analysis shall be performed with an acidified solvent. The analysis shall be carried out in accordance with the modified version of the QuEChERS method as set out on the websites of the European Union Reference Laboratories for Residues of Pesticides or in accordance with an equally reliable method.

⁽⁴⁾ Residues of at least those pesticides listed in the control programme adopted in accordance with Article 29(2) of Regulation (EC) No 396/2005 that can be analysed with multi-residue methods based on GC-MS and LC-MS (pesticides to be monitored in/on products of plant origin only).

⁽⁵⁾ Residues of Carbofuran.

⁽⁶⁾ The sampling and the analyses shall be performed in accordance with the sampling procedures and the analytical reference methods set out in point 1(a), of Annex III.

⁽⁷⁾ Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram) and Metrafenone.

⁽⁸⁾ Residues of Dithiocarbamates (dithiocarbamates expressed as CS₂, including maneb, mancozeb, metiram, propineb, thiram and ziram), Phenthoate and Quinalphos.

⁽⁹⁾ The description of the goods is as laid down in the description column of the CN in Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1).

⁽¹⁰⁾ Foodstuffs containing or consisting of betel leaves (*Piper betle*) including, but not limited to, those declared under CN code 1404 90 00.

⁽¹¹⁾ Residues of Ethylene Oxide (sum of ethylene oxide and 2-chloro-ethanol, expressed as ethylene oxide). In case of food additives, the applicable MRL is 0.1 mg/kg (LOQ). Prohibition of use of ethylene oxide provided for in Regulation (EU) No 231/2012.

⁽¹²⁾ For the purposes of this Annex, “Sudan dyes” refers to the following chemical substances: (i) Sudan I (CAS Number 842-07-9); (ii) Sudan II (CAS Number 3118-97-6); (iii) Sudan III (CAS Number 85-86-9); (iv) Scarlet Red or Sudan IV (CAS Number 85-83-6).

2. Food referred to in Article 1(1), point (b)(ii)

Row	Food consisting of two or more ingredients, containing any of the individual products listed in the table in point 1 due to risk of contamination by aflatoxins in a quantity above 20 % of either a single product or as the sum of products listed	
	CN code ⁽¹⁾	Description ⁽²⁾
1	ex 1704 90	Sugar confectionery (including white chocolate), not containing cocoa, other than chewing gum, whether or not sugar-coated
2	ex 1806	Chocolate and other food preparations containing cocoa
3	ex 1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa, communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products

⁽¹⁾ Where only certain products under any CN code are required to be examined, the CN code is marked “ex”.

⁽²⁾ The description of the goods is as laid down in the description column of the CN in Annex I to Regulation (EEC) No 2658/87.

COMMISSION IMPLEMENTING REGULATION (EU) 2022/914**of 10 June 2022****amending Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada, the United Kingdom and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry and fresh meat of poultry and game birds****(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 Articles 230(1), 232(1) and 232(3) thereof.

Whereas:

- (1) Regulation (EU) 2016/429 requires that consignments of animals, germinal products and products of animal origin must come from a third country or territory, or zone or compartment thereof, listed in accordance with Article 230(1) of that Regulation in order to enter the Union.
- (2) Commission Delegated Regulation (EU) 2020/692 ⁽²⁾ lays down the animal health requirements with which consignments of certain species and categories of animals, germinal products and products of animal origin from third countries or territories, or zones thereof, or compartments thereof, in the case of aquaculture animals, must comply with in order to enter the Union.
- (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 the species and categories of animals, germinal products and products of animal origin falling within the scope of Delegated Regulation (EU) 2020/692 is permitted.
- (4) More particularly, Annexes V and XIV to Implementing Regulation (EU) 2021/404 set out the lists of third countries, or territories, or zones thereof authorised for the entry into the Union, respectively, of consignments of poultry, germinal products of poultry, and of fresh meat from poultry and game birds.
- (5) Canada notified the Commission of one outbreak of highly pathogenic avian influenza in poultry located in the province of British Columbia, Canada, confirmed on 3 May 2022 by laboratory analysis (RT-PCR).
- (6) Canada notified the Commission of one outbreak of highly pathogenic avian influenza located in poultry in the province of Ontario, Canada, confirmed on 4 May 2022 by laboratory analysis (RT-PCR).
- (7) Canada notified the Commission of three outbreaks of highly pathogenic avian influenza in poultry: one outbreak is located in the province of Alberta, Canada, one in the province of British Columbia, Canada, and one in the province of Ontario, Canada, and they were confirmed on 5 May 2022 by laboratory analysis (RT-PCR).

⁽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).

- (8) Canada notified the Commission of one outbreak of highly pathogenic avian influenza in poultry located in the province of British Columbia, Canada, confirmed on 10 May 2022 by laboratory analysis (RT-PCR).
- (9) Canada notified the Commission of two outbreaks of highly pathogenic avian influenza in poultry: one outbreak is located in the province of Alberta, Canada and the other in the province of Saskatchewan, Canada, and they were confirmed on 12 May 2022 by laboratory analysis (RT-PCR).
- (10) Canada notified the Commission of one outbreak of highly pathogenic avian influenza in poultry located in the province of Saskatchewan, Canada, confirmed on 13 May 2022 by laboratory analysis (RT-PCR).
- (11) The United Kingdom notified the Commission of one outbreak of highly pathogenic avian influenza located in poultry on the Island of Whalsay, Shetland Islands, Scotland, United Kingdom, confirmed on 30 May 2022 by laboratory analysis (RT-PCR).
- (12) The United States notified the Commission of six outbreaks of highly pathogenic avian influenza in poultry: three outbreaks are located in the state of Idaho, United States, one in the state of New Jersey, United States, one in the state of Oregon, United States and one in the state of Pennsylvania, United States, and they were confirmed on 17 May 2022 by laboratory analysis (RT-PCR).
- (13) In addition, the United States notified the Commission of four outbreaks of highly pathogenic avian influenza in poultry: two outbreaks are located in the state of Idaho, United States, one in the state of Minnesota, United States and one in the state of Pennsylvania, United States, and they were confirmed on 18 May 2022 by laboratory analysis (RT-PCR).
- (14) Moreover, the United States notified the Commission of two outbreaks of highly pathogenic avian influenza in poultry: one outbreak is located in the state of Idaho, United States, and one is in the state of South Dakota, United States; both were confirmed on 19 May 2022 by laboratory analysis (RT-PCR).
- (15) Moreover, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in the state of Minnesota, United States, and was confirmed on 21 May 2022 by laboratory analysis (RT-PCR).
- (16) Additionally, the United States notified the Commission of an outbreak of highly pathogenic avian influenza in poultry. The outbreak is located in the state of Pennsylvania, United States, and was confirmed on 23 May 2022 by laboratory analysis (RT-PCR).
- (17) The veterinary authorities of Canada, the United Kingdom and the United States established a 10 km control zone around the affected establishments and implemented a stamping-out policy in order to control the presence of highly pathogenic avian influenza and limit the spread of that disease.
- (18) Canada, the United Kingdom and the United States have submitted information to the Commission on the epidemiological situation on their territory and the measures they have taken to prevent the further spread of highly pathogenic avian influenza. That information has been evaluated by the Commission. On the basis of that evaluation and in order to protect the animal health status of the Union, the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat from poultry and game birds from the areas under restrictions established by the veterinary authorities of Canada, the United Kingdom and the United States due to the recent outbreaks of highly pathogenic avian influenza should no longer be authorised.
- (19) Moreover, the United Kingdom has submitted updated information on the epidemiological situation on its territory in relation to ten outbreaks of HPAI in poultry establishments: eight outbreaks near Alford, East Lindsey, Lincolnshire, England, United Kingdom, confirmed on 11, 12, 13, 14 and 18 December 2021, one outbreak near Grimsby, North East Lincolnshire, Lincolnshire, England, United Kingdom, confirmed on 21 February 2022 and one outbreak near Newtown, Montgomeryshire, Powys, Wales, United Kingdom, confirmed on 21 February 2022. The United Kingdom has also submitted the measures it has taken to prevent the further spread of that disease. In particular, following these outbreaks of HPAI, the United Kingdom has implemented a stamping out policy in order to control and limit the spread of that disease. In addition, the United Kingdom completed the requisite cleaning and disinfection measures following the implementation of the stamping out policy on the infected poultry establishments on its territory.

- (20) The Commission has evaluated the information submitted by the United Kingdom and concluded that the HPAI outbreaks near Alford, East Lindsey, Lincolnshire, England, United Kingdom, near Grimsby, North East Lincolnshire, Lincolnshire, England, United Kingdom and near Newtown, Montgomeryshire, Powys, Wales, United Kingdom, in poultry establishments have been cleared and that there is no longer any risk associated with the entry into the Union of poultry commodities from the zones of the United Kingdom from which the entry into the Union of poultry commodities have been suspended due to these outbreaks.
- (21) Annexes V and XIV to Implementing Regulation (EU) 2021/404 should be therefore amended accordingly.
- (22) Taking into account the current epidemiological situation in Canada, the United Kingdom and the United States as regards highly pathogenic avian influenza and the serious risk of its introduction into the Union, the amendments to be made to Implementing Regulation (EU) 2021/404 by this Regulation should take effect as a matter of urgency.
- (23) 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 V and XIV 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, 10 June 2022.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

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

(1) Annex V is amended as follows:

(a) Part 1 is amended as follows:

(i) in the entry for Canada, the following rows for the zones CA-2.55 to CA-2.63 are added after the rows for the zone CA-2.54:

CA Canada	CA-2.55	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		3.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		3.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		3.5.2022	
		Ratites intended for slaughter	SR	N, P1		3.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		3.5.2022	
		Day-old chicks of ratites	DOR	N, P1		3.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		3.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		3.5.2022	
		Hatching eggs of ratites	HER	N, P1		3.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		3.5.2022		
	CA-2.56	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		4.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		4.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		4.5.2022	
		Ratites intended for slaughter	SR	N, P1		4.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		4.5.2022	
		Day-old chicks of ratites	DOR	N, P1		4.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		4.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		4.5.2022	
		Hatching eggs of ratites	HER	N, P1		4.5.2022	
Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		4.5.2022			

CA-2.57	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		5.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		5.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		5.5.2022	
	Ratites intended for slaughter	SR	N, P1		5.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		5.5.2022	
	Day-old chicks of ratites	DOR	N, P1		5.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		5.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		5.5.2022	
	Hatching eggs of ratites	HER	N, P1		5.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		5.5.2022	
CA-2.58	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		5.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		5.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		5.5.2022	
	Ratites intended for slaughter	SR	N, P1		5.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		5.5.2022	
	Day-old chicks of ratites	DOR	N, P1		5.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		5.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		5.5.2022	
	Hatching eggs of ratites	HER	N, P1		5.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		5.5.2022	
CA-2.59	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		5.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		5.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		5.5.2022	
	Ratites intended for slaughter	SR	N, P1		5.5.2022	

		Day-old chicks other than ratites	DOC	N, P1		5.5.2022	
		Day-old chicks of ratites	DOR	N, P1		5.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		5.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		5.5.2022	
		Hatching eggs of ratites	HER	N, P1		5.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		5.5.2022	
	CA-2.60	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		10.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		10.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		10.5.2022	
		Ratites intended for slaughter	SR	N, P1		10.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		10.5.2022	
		Day-old chicks of ratites	DOR	N, P1		10.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		10.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		10.5.2022	
		Hatching eggs of ratites	HER	N, P1		10.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		10.5.2022	
	CA-2.61	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		12.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		12.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		12.5.2022	
		Ratites intended for slaughter	SR	N, P1		12.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		12.5.2022	
		Day-old chicks of ratites	DOR	N, P1		12.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		12.5.2022	

		Hatching eggs of poultry other than ratites	HEP	N, P1		12.5.2022		
		Hatching eggs of ratites	HER	N, P1		12.5.2022		
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		12.5.2022		
	CA-2.62	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		12.5.2022		
		Breeding ratites and productive ratites	BPR	N, P1		12.5.2022		
		Poultry intended for slaughter other than ratites	SP	N, P1		12.5.2022		
		Ratites intended for slaughter	SR	N, P1		12.5.2022		
		Day-old chicks other than ratites	DOC	N, P1		12.5.2022		
		Day-old chicks of ratites	DOR	N, P1		12.5.2022		
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		12.5.2022		
		Hatching eggs of poultry other than ratites	HEP	N, P1		12.5.2022		
		Hatching eggs of ratites	HER	N, P1		12.5.2022		
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		12.5.2022		
		CA-2.63	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		13.5.2022	
			Breeding ratites and productive ratites	BPR	N, P1		13.5.2022	
	Poultry intended for slaughter other than ratites		SP	N, P1		13.5.2022		
	Ratites intended for slaughter		SR	N, P1		13.5.2022		
	Day-old chicks other than ratites		DOC	N, P1		13.5.2022		
	Day-old chicks of ratites		DOR	N, P1		13.5.2022		
	Less than 20 heads of poultry other than ratites		POU-LT20	N, P1		13.5.2022		
	Hatching eggs of poultry other than ratites		HEP	N, P1		13.5.2022		
	Hatching eggs of ratites		HER	N, P1		13.5.2022		
	Less than 20 hatching eggs of poultry other than ratites		HE-LT20	N, P1		13.5.2022';		

(ii) in the entry for the United Kingdom, the rows for zones GB-2.59 and GB-2.60 are replaced by the following:

‘GB United Kingdom	GB-2.59	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		12.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		12.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		12.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		12.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		12.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		12.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		12.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		12.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		12.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		12.12.2021	31.5.2022
	GB-2.60	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		13.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		13.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		13.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		13.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		13.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		13.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		13.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		13.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		13.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		13.12.2021	31.5.2022’;

(iii) in the entry for the United Kingdom, the rows for zone GB-2.62 are replaced by the following:

‘GB United King- dom	GB-2.62	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		11.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		11.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		11.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		11.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		11.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		11.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		11.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		11.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		11.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		11.12.2021	31.5.2022’;

(iv) in the entry for the United Kingdom, the rows for zones GB-2.65 and GB-2.66 are replaced by the following:

‘GB United King- dom	GB-2.65	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		14.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		14.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		14.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		14.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		14.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		14.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		14.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		14.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		14.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		14.12.2021	31.5.2022
GB-2.66	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		14.12.2021	31.5.2022	

		Breeding ratites and productive ratites	BPR	N, P1		14.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		14.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		14.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		14.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		14.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		14.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		14.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		14.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		14.12.2021	31.5.2022';

(v) in the entry for the United Kingdom, the rows for zones GB-2.71 to GB-2.73 are replaced by the following:

'GB United King- dom	GB-2.71	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		18.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		18.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		18.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		18.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		18.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		18.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		18.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.12.2021	31.5.2022
	GB-2.72	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		18.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		18.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		18.12.2021	31.5.2022

		Day-old chicks other than ratites	DOC	N, P1		18.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		18.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		18.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		18.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.12.2021	31.5.2022
	GB-2.73	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.12.2021	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		18.12.2021	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		18.12.2021	31.5.2022
		Ratites intended for slaughter	SR	N, P1		18.12.2021	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		18.12.2021	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		18.12.2021	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.12.2021	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		18.12.2021	31.5.2022
		Hatching eggs of ratites	HER	N, P1		18.12.2021	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.12.2021	31.5.2022';

(vi) in the entry for the United Kingdom, the rows for zone GB-2.98 and GB-2.99 are replaced by the following:

'GB United Kingdom	GB-2.98	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		21.2.2022	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		21.2.2022	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		21.2.2022	31.5.2022
		Ratites intended for slaughter	SR	N, P1		21.2.2022	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		21.2.2022	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		21.2.2022	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		21.2.2022	31.5.2022

		Hatching eggs of poultry other than ratites	HEP	N, P1		21.2.2022	31.5.2022
		Hatching eggs of ratites	HER	N, P1		21.2.2022	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		21.2.2022	31.5.2022
	GB-2.99	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		21.2.2022	31.5.2022
		Breeding ratites and productive ratites	BPR	N, P1		21.2.2022	31.5.2022
		Poultry intended for slaughter other than ratites	SP	N, P1		21.2.2022	31.5.2022
		Ratites intended for slaughter	SR	N, P1		21.2.2022	31.5.2022
		Day-old chicks other than ratites	DOC	N, P1		21.2.2022	31.5.2022
		Day-old chicks of ratites	DOR	N, P1		21.2.2022	31.5.2022
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		21.2.2022	31.5.2022
		Hatching eggs of poultry other than ratites	HEP	N, P1		21.2.2022	31.5.2022
		Hatching eggs of ratites	HER	N, P1		21.2.2022	31.5.2022
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		21.2.2022	31.5.2022';

(vii) in the entry for the United Kingdom, the following rows for the zone GB-2.122 are added after the rows for the zone GB-2.121:

'GB United Kingdom	GB-2.122	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		30.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		30.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		30.5.2022	
		Ratites intended for slaughter	SR	N, P1		30.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		30.5.2022	
		Day-old chicks of ratites	DOR	N, P1		30.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		30.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		30.5.2022	
		Hatching eggs of ratites	HER	N, P1		30.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		30.5.2022';	

(viii) in the entry for the United States, the following rows for the zones US-2.210 to US-2.223 are added after the rows for the zone US-2.209:

US United States	US-2.210	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
		Ratites intended for slaughter	SR	N, P1		17.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
		Day-old chicks of ratites	DOR	N, P1		17.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
		Hatching eggs of ratites	HER	N, P1		17.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	
	US-2.211	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
		Ratites intended for slaughter	SR	N, P1		17.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
		Day-old chicks of ratites	DOR	N, P1		17.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
		Hatching eggs of ratites	HER	N, P1		17.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	

US-2.212	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
	Ratites intended for slaughter	SR	N, P1		17.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
	Day-old chicks of ratites	DOR	N, P1		17.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
	Hatching eggs of ratites	HER	N, P1		17.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	
US-2.213	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
	Ratites intended for slaughter	SR	N, P1		17.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
	Day-old chicks of ratites	DOR	N, P1		17.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
	Hatching eggs of ratites	HER	N, P1		17.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	
US-2.214	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
	Ratites intended for slaughter	SR	N, P1		17.5.2022	

		Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
		Day-old chicks of ratites	DOR	N, P1		17.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
		Hatching eggs of ratites	HER	N, P1		17.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	
	US-2.215	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		17.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		17.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		17.5.2022	
		Ratites intended for slaughter	SR	N, P1		17.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		17.5.2022	
		Day-old chicks of ratites	DOR	N, P1		17.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		17.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		17.5.2022	
		Hatching eggs of ratites	HER	N, P1		17.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		17.5.2022	
	US-2.216	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		18.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		18.5.2022	
		Ratites intended for slaughter	SR	N, P1		18.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		18.5.2022	
		Day-old chicks of ratites	DOR	N, P1		18.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		18.5.2022	
	Hatching eggs of ratites	HER	N, P1		18.5.2022		

	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.5.2022	
US-2.217	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		18.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		18.5.2022	
	Ratites intended for slaughter	SR	N, P1		18.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		18.5.2022	
	Day-old chicks of ratites	DOR	N, P1		18.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		18.5.2022	
	Hatching eggs of ratites	HER	N, P1		18.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.5.2022	
US-2.218	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		18.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		18.5.2022	
	Ratites intended for slaughter	SR	N, P1		18.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		18.5.2022	
	Day-old chicks of ratites	DOR	N, P1		18.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		18.5.2022	
	Hatching eggs of ratites	HER	N, P1		18.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.5.2022	

US-2.219	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		18.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		18.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		18.5.2022	
	Ratites intended for slaughter	SR	N, P1		18.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		18.5.2022	
	Day-old chicks of ratites	DOR	N, P1		18.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		18.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		18.5.2022	
	Hatching eggs of ratites	HER	N, P1		18.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		18.5.2022	
US-2.220	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		19.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		19.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		19.5.2022	
	Ratites intended for slaughter	SR	N, P1		19.5.2022	
	Day-old chicks other than ratites	DOC	N, P1		19.5.2022	
	Day-old chicks of ratites	DOR	N, P1		19.5.2022	
	Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		19.5.2022	
	Hatching eggs of poultry other than ratites	HEP	N, P1		19.5.2022	
	Hatching eggs of ratites	HER	N, P1		19.5.2022	
	Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		19.5.2022	
US-2.221	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		19.5.2022	
	Breeding ratites and productive ratites	BPR	N, P1		19.5.2022	
	Poultry intended for slaughter other than ratites	SP	N, P1		19.5.2022	

		Ratites intended for slaughter	SR	N, P1		19.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		19.5.2022	
		Day-old chicks of ratites	DOR	N, P1		19.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		19.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		19.5.2022	
		Hatching eggs of ratites	HER	N, P1		19.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		19.5.2022	
	US-2.222	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		21.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		21.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		21.5.2022	
		Ratites intended for slaughter	SR	N, P1		21.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		21.5.2022	
		Day-old chicks of ratites	DOR	N, P1		21.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		21.5.2022	
		Hatching eggs of poultry other than ratites	HEP	N, P1		21.5.2022	
		Hatching eggs of ratites	HER	N, P1		21.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		21.5.2022	
	US-2.223	Breeding poultry other than ratites and productive poultry other than ratites	BPP	N, P1		23.5.2022	
		Breeding ratites and productive ratites	BPR	N, P1		23.5.2022	
		Poultry intended for slaughter other than ratites	SP	N, P1		23.5.2022	
		Ratites intended for slaughter	SR	N, P1		23.5.2022	
		Day-old chicks other than ratites	DOC	N, P1		23.5.2022	
		Day-old chicks of ratites	DOR	N, P1		23.5.2022	
		Less than 20 heads of poultry other than ratites	POU-LT20	N, P1		23.5.2022	

		Hatching eggs of poultry other than ratites	HEP	N, P1		23.5.2022	
		Hatching eggs of ratites	HER	N, P1		23.5.2022	
		Less than 20 hatching eggs of poultry other than ratites	HE-LT20	N, P1		23.5.2022;	

(b) Part 2 is amended as follows:

(i) in the entry for Canada, the following descriptions of the zones CA-2.55 to CA-2.63 are added after the description of the zone CA-2.54:

‘Canada	CA-2.55	British Columbia - Latitude 49.17 Longitude -123.1 The municipalities involved are: 3km PZ: Richmond 10km SZ: Vancouver, Westham Island, Tilbury Island and Delta
	CA-2.56	Ontario - Latitude 44.13 Longitude -79.31 The municipalities involved are: 3km PZ: Mt Albert and Holt 10km SZ: Alder, Zephyr, Sandford, Cedar Valley, Pleasantville, Vivian, Siloam, Roseville and Ballantrae
	CA-2.57	Alberta - Latitude 50.56 Longitude -111.97 The municipalities involved are: 3km PZ: Brooks 10km SZ: Cassils
	CA-2.58	British Columbia - Latitude 49.87 Longitude -119.43 The municipalities involved are: 3km PZ: Kelowna 10km SZ: South Kelowna and Myra
	CA-2.59	Ontario - Latitude 44.12 Longitude -79.33 The municipalities involved are: 3km PZ: Holt 10km SZ: Maple Hill, Ravenshoe, Alder, Mt Albert, East Gwillimbury, Newmarket, Pleasantville, Cedar Valley, Vivian and Ballantrae
	CA-2.60	British Columbia - Coordinates: Latitude 49.72 Longitude -124.92 The municipalities involved are: 3km PZ: Comox 10km SZ: Grantham, Courtenay and Royston
	CA-2.61	Alberta - Latitude 53.76 Longitude -112.02 The municipalities involved are: 3km PZ: Hairy Hill and Norma 10km SZ: Boian and Warwick

	CA-2.62	Saskatchewan - Latitude 49.47 Longitude -103.58 The municipalities involved are: 3km PZ: Halbrite 10km SZ: Weyburn
	CA-2.63	Saskatchewan - Latitude 50.0 Longitude -102.98 The municipalities involved are: 3km PZ: Glenavon 10km SZ: Huronville.;

(ii) in the entry for the United Kingdom, the following description of the zone GB-2.122 is added after the description of the zone GB-2.121:

'United Kingdom	GB-2.122	On the Island of Whalsay, Shetland Islands, Scotland, United Kingdom: The area contained with a circle of a radius of 10 km, centred on WGS84 dec, coordinates N60.34 and W1.01.;
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(iii) in the entry for the United States, the following descriptions of the zones US-2.210 to US-2.223 are added after the description of the zone US-2.209:

'United States	US-2.210	State of Idaho - Ada 06 Ada County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 116.2942052°W 43.7596877°N)
	US-2.211	State of Idaho - Canyon 03 Canyon County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 116.5601572°W 43.6373214°N).
	US-2.212	State of Idaho - Canyon 05 Canyon County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 116.5252876°W 43.7007781°N).
	US-2.213	State of New Jersey Monmouth County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 74.4899182°W 40.1937298°N).
	US-2.214	State of Oregon Lane County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 123.1040971°W 44.2377266°N).
	US-2.215	State of Pennsylvania - Berks 07 Berks County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.2189347°W 40.4722983°N).
	US-2.216	State of Idaho - Canyon 06 Canyon County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 117.0345763°W 43.8710421°N).

US-2.217	State of Idaho - Canyon 07 Canyon County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 116.5738993°W 43.6703578°N).
US-2.218	State of Minnesota - Kandiyohi 09 Kandiyohi County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 95.1435678°W 45.1627774°N).
US-2.219	State of Pennsylvania - Berks 08 Berks County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0252129°W 40.5701955°N).
US-2.220	State of Idaho - Ada 08 Ada County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 116.4369480°W 43.5751494°N).
US-2.221	State of South Dakota Codington County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 97.4206029°W 45.0104929°N).
US-2.222	State of Minnesota Dakota County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 93.1415862°W 44.5914563°N).
US-2.223	State of Pennsylvania - Berks 09 Berks County: A circular zone of a 10 km radius starting with North point (GPS coordinates: 76.0276477°W 40.5655261°N).;

(2) in Annex XIV, Part 1 is amended as follows:

(i) in the entry for Canada, the following rows for the zones CA-2.55 to CA-2.63 are added after the rows for the zone CA-2.54:

CA Canada	CA-2.55	Fresh meat of poultry other than ratites	POU	N, P1		3.5.2022	
		Fresh meat of ratites	RAT	N, P1		3.5.2022	
		Fresh meat of game birds	GBM	P1		3.5.2022	
	CA-2.56	Fresh meat of poultry other than ratites	POU	N, P1		4.5.2022	
		Fresh meat of ratites	RAT	N, P1		4.5.2022	
		Fresh meat of game birds	GBM	P1		4.5.2022	
	CA-2.57	Fresh meat of poultry other than ratites	POU	N, P1		5.5.2022	
		Fresh meat of ratites	RAT	N, P1		5.5.2022	
		Fresh meat of game birds	GBM	P1		5.5.2022	

CA-2.58	Fresh meat of poultry other than ratites	POU	N, P1		5.5.2022		
	Fresh meat of ratites	RAT	N, P1		5.5.2022		
	Fresh meat of game birds	GBM	P1		5.5.2022		
	CA-2.59	Fresh meat of poultry other than ratites	POU	N, P1		5.5.2022	
		Fresh meat of ratites	RAT	N, P1		5.5.2022	
		Fresh meat of game birds	GBM	P1		5.5.2022	
	CA-2.60	Fresh meat of poultry other than ratites	POU	N, P1		10.5.2022	
		Fresh meat of ratites	RAT	N, P1		10.5.2022	
		Fresh meat of game birds	GBM	P1		10.5.2022	
CA-2.61	Fresh meat of poultry other than ratites	POU	N, P1		12.5.2022		
	Fresh meat of ratites	RAT	N, P1		12.5.2022		
	Fresh meat of game birds	GBM	P1		12.5.2022		
CA-2.62	Fresh meat of poultry other than ratites	POU	N, P1		12.5.2022		
	Fresh meat of ratites	RAT	N, P1		12.5.2022		
	Fresh meat of game birds	GBM	P1		12.5.2022		
CA-2.63	Fresh meat of poultry other than ratites	POU	N, P1		13.5.2022		
	Fresh meat of ratites	RAT	N, P1		13.5.2022		
	Fresh meat of game birds	GBM	P1		13.5.2022';		

(ii) in the entry for the United Kingdom, the rows for the zones GB-2.59 and 2.60 are replaced by the following:

'GB United King- dom	GB-2.59	Fresh meat of poultry other than ratites	POU	N, P1		12.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		12.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		12.12.2021	31.5.2022
	GB-2.60	Fresh meat of poultry other than ratites	POU	N, P1		13.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		13.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		13.12.2021	31.5.2022';

(iii) in the entry for the United Kingdom, the rows for the zone GB-2.62 are replaced by the following:

'GB United King- dom	GB-2.62	Fresh meat of poultry other than ratites	POU	N, P1		11.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		11.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		11.12.2021	31.5.2022';

(iv) in the entry for the United Kingdom, the rows for the zones GB-2.65 and GB-2.66 are replaced by the following:

'GB United King- dom	GB-2.65	Fresh meat of poultry other than ratites	POU	N, P1		14.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		14.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		14.12.2021	31.5.2022
	GB-2.66	Fresh meat of poultry other than ratites	POU	N, P1		14.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		14.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		14.12.2021	31.5.2022';

(v) in the entry for the United Kingdom, the rows for the zone GB-2.71 to GB-2.73 are replaced by the following:

'GB United King- dom	GB-2.71	Fresh meat of poultry other than ratites	POU	N, P1		18.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		18.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		18.12.2021	31.5.2022
	GB-2.72	Fresh meat of poultry other than ratites	POU	N, P1		18.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		18.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		18.12.2021	31.5.2022
	GB-2.73	Fresh meat of poultry other than ratites	POU	N, P1		18.12.2021	31.5.2022
		Fresh meat of ratites	RAT	N, P1		18.12.2021	31.5.2022
		Fresh meat of game birds	GBM	P1		18.12.2021	31.5.2022';

(vi) in the entry for the United Kingdom, the rows for the zone GB-2.98 and GB-2.99 are replaced by the following:

'GB United King- dom	GB-2.98	Fresh meat of poultry other than ratites	POU	N, P1		21.2.2022	31.5.2022
		Fresh meat of ratites	RAT	N, P1		21.2.2022	31.5.2022
		Fresh meat of game birds	GBM	P1		21.2.2022	31.5.2022
	GB-2.99	Fresh meat of poultry other than ratites	POU	N, P1		21.2.2022	31.5.2022
		Fresh meat of ratites	RAT	N, P1		21.2.2022	31.5.2022
		Fresh meat of game birds	GBM	P1		21.2.2022	31.5.2022;

(vii) in the entry for the United Kingdom, the following rows for the zone GB-2.122 are added after the rows for the zone GB-2.121:

'GB United King- dom	GB-2.122	Fresh meat of poultry other than ratites	POU	N, P1		30.5.2022	
		Fresh meat of ratites	RAT	N, P1		30.5.2022	
		Fresh meat of game birds	GBM	P1		30.5.2022;	

(viii) in the entry for the United States, the following rows for the zones US-2.210 to US-2.223 are added after the rows for the zone US-2.209:

'US United States	US-2.210	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
		Fresh meat of ratites	RAT	N, P1		17.5.2022	
		Fresh meat of game birds	GBM	P1		17.5.2022	
	US-2.211	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
		Fresh meat of ratites	RAT	N, P1		17.5.2022	
		Fresh meat of game birds	GBM	P1		17.5.2022	
	US-2.212	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
		Fresh meat of ratites	RAT	N, P1		17.5.2022	
		Fresh meat of game birds	GBM	P1		17.5.2022	
	US-2.213	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
		Fresh meat of ratites	RAT	N, P1		17.5.2022	
		Fresh meat of game birds	GBM	P1		17.5.2022	

US-2.214	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
	Fresh meat of ratites	RAT	N, P1		17.5.2022	
	Fresh meat of game birds	GBM	P1		17.5.2022	
US-2.215	Fresh meat of poultry other than ratites	POU	N, P1		17.5.2022	
	Fresh meat of ratites	RAT	N, P1		17.5.2022	
	Fresh meat of game birds	GBM	P1		17.5.2022	
US-2.216	Fresh meat of poultry other than ratites	POU	N, P1		18.5.2022	
	Fresh meat of ratites	RAT	N, P1		18.5.2022	
	Fresh meat of game birds	GBM	P1		18.5.2022	
US-2.217	Fresh meat of poultry other than ratites	POU	N, P1		18.5.2022	
	Fresh meat of ratites	RAT	N, P1		18.5.2022	
	Fresh meat of game birds	GBM	P1		18.5.2022	
US-2.218	Fresh meat of poultry other than ratites	POU	N, P1		18.5.2022	
	Fresh meat of ratites	RAT	N, P1		18.5.2022	
	Fresh meat of game birds	GBM	P1		18.5.2022	
US-2.219	Fresh meat of poultry other than ratites	POU	N, P1		18.5.2022	
	Fresh meat of ratites	RAT	N, P1		18.5.2022	
	Fresh meat of game birds	GBM	P1		18.5.2022	
US-2.220	Fresh meat of poultry other than ratites	POU	N, P1		19.5.2022	
	Fresh meat of ratites	RAT	N, P1		19.5.2022	
	Fresh meat of game birds	GBM	P1		19.5.2022	
US-2.221	Fresh meat of poultry other than ratites	POU	N, P1		19.5.2022	
	Fresh meat of ratites	RAT	N, P1		19.5.2022	
	Fresh meat of game birds	GBM	P1		19.5.2022	
US-2.222	Fresh meat of poultry other than ratites	POU	N, P1		21.5.2022	
	Fresh meat of ratites	RAT	N, P1		21.5.2022	
	Fresh meat of game birds	GBM	P1		21.5.2022	

	US-2.223	Fresh meat of poultry other than ratites	POU	N, P1		23.5.2022	
		Fresh meat of ratites	RAT	N, P1		23.5.2022	
		Fresh meat of game birds	GBM	P1		23.5.2022.	

RECOMMENDATIONS

COUNCIL RECOMMENDATION (EU) 2022/915

of 9 June 2022

on operational law enforcement cooperation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 87(3) and Article 89, in conjunction with Article 292, thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Cross-border law enforcement cooperation is essential to address security threats in and ensure the proper functioning of the Schengen area. It is essential that persons be prevented from escaping law enforcement authorities simply by moving from one Member State to another. Enhanced cross-border law enforcement cooperation between all law enforcement authorities of the Member States will help to improve the prevention, detection and investigation of criminal offences in the Union. Such enhanced cooperation covers cross-border actions between two or more Member States, such as cross-border hot pursuits and cross-border surveillance, and trans-national actions, such as joint operations, which involve the deployment of law enforcement officers in other Member States.
- (2) Cross-border hot pursuits and cross-border surveillance are indispensable operational law enforcement cooperation instruments without which persons can escape law enforcement authorities by crossing the border to take advantage of the change of jurisdiction and the absence of continuity of law enforcement action. It should be recommended that the Member States address the existing limitations that some Member States have put in place, as they create obstacles which hinder the carrying out of such actions on their territory. It is also necessary, while respecting the competences of judicial authorities of each Member State, to adjust certain rules of engagement in cross-border law enforcement operations to monitor and detain persons under cross-border surveillance, in cross-border hot pursuits and during joint operations.
- (3) Setting up permanent joint patrols and other joint operation capabilities is necessary to address criminal activities and the challenges for operational law enforcement cooperation that the permanent and growing mobility of people, goods and services inside the Union entails. By exchanging information, existing structures, such as the Police and Customs Cooperation Centres (PCCCs), play a major role in the fight against cross-border criminality. Where relevant, the PCCCs should be able to support joint patrols and other joint operations based on shared risk analysis and needs assessment, in accordance with the applicable legal requirements, in order to prevent and detect cross-border crimes conducted in internal Union border areas, and support investigations into those cross-border crimes.
- (4) In order for the Member States, the Council and the Commission to acquire an accurate quantitative picture of the state of play of the implementation of cross-border law enforcement cooperation activities in the Union, it should be recommended that Member States, on an annual basis, collect data and compile statistics on their operational law enforcement cooperation and report those statistics. Those statistics could provide detailed knowledge and a more thorough understanding of the needs of the Member States and of any potential issues that need to be addressed at Union level.

- (5) Criminal networks take advantage of the absence of controls at internal borders of the Union to pursue their criminal activities. Joint patrols and other joint operations are valuable tools to counter all types of cross-border crime.
- (6) Where relevant and appropriate, it should be possible for Member States to implement the recommendations on cross-border operational law enforcement cooperation in the context of the European Multidisciplinary Platform Against Criminal Threats (EMPACT) to tackle identified and prioritised threats posed by serious and organised international crime. For instance, targeted joint patrols are a flexible instrument based on intelligence-led policing that can be initiated by the relevant law enforcement authorities. Targeted joint patrols could also be used by Member States alongside other operational actions in the operational action plans (OAPs) of EMPACT to tackle specific priority crime areas.
- (7) The limited availability of law enforcement officers that Member States can deploy abroad and the lack of coordinated deployment based on prior joint analysis can render law enforcement deployment in other Member States ineffective. To simplify the administrative and logistical management of joint patrols and other joint operations, it should be recommended that a support platform with pan-European dimension be set up. Through such a support platform, Member States could exchange information regarding their needs and facilitate the efficient and effective deployment of joint patrols and other joint operations, in order to maintain and enhance public order and safety, to prevent criminal offences and to help address specific crime waves in key locations, at specific times and in specific situations. Where appropriate, the support platform could benefit from Union funding, and administrative and logistical support from the European Union Agency for Law Enforcement Cooperation (Europol) established by Regulation (EU) 2016/794 of the European Parliament and of the Council ⁽¹⁾.
- (8) Communication and access to available information are critical for successful cross-border operational law enforcement cooperation. It should be recommended that Member States allow law enforcement officers acting in another Member State to have real-time access to information held in Union information systems by means of the European Search Portal (ESP) and to their relevant national databases through mobile solutions, such as portable devices or in-car mounted law enforcement computers, in accordance with applicable access rights and applicable Union and national law. It should be recommended that the information provided to the law enforcement authorities of another Member State be limited to that required by the law enforcement officers for the performance of their duties during cross-border law enforcement cooperation. It should also be recommended that law enforcement officers acting in another Member State be equipped with reliable and secure, real-time interconnectable mobile means of communication, such as instant messaging tools, that function across borders in order to communicate directly with their authorities and the authorities of the host Member State. It is necessary to ensure the interconnectivity of secure means of communication across borders that, as a minimum, enable the secure use of real-time mobile means of communication, as well as the geolocation of law enforcement vehicles used by the law enforcement officers, for example through GPS tracking or drones, during a cross-border law enforcement operation.

Therefore, it should be recommended that the Member States, according to their specific needs, make use of the technical solutions to be provided, for instance, by Europol on the advice in particular of its innovation lab as well as drawing from the relevant work and projects of the European Innovation hub for internal security, by dedicated expert groups such as the Core Group on Secure Communications and European Network of Law Enforcement Technology Services (ENLETS), as well as by projects such as the BroadWay project. Member States can also ensure such interconnectivity by interlinking legacy systems with neighbouring Member States.

- (9) Effective cross-border operational law enforcement cooperation necessitates moving towards a common Union law enforcement culture. Setting up of joint initial training courses, such as those set up by Spain and France in Valdemoro, exchange programmes between law enforcement cadets on matters relating to that cooperation and continuous development courses on those matters for law enforcement officers and crime investigators is

⁽¹⁾ Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).

instrumental in building skills, knowledge and confidence. It is important that Member States include, within their national initial training courses for law enforcement cadets, the possibility of a course on cross-border operational law enforcement cooperation. It is also important that Member States seek to design or adjust, in cooperation with the European Union Agency for Law Enforcement Training (CEPOL) established by Regulation (EU) 2015/2219 of the European Parliament and of the Council ⁽²⁾, courses on cross-border operational law enforcement cooperation, and that Member States provide language training to be used for national continuous training of officers.

Career paths could be envisaged for law enforcement cadets and officers who complete such training courses. It should be recommended that Member States continue to make best use of CEPOL by informing CEPOL of their training needs, supporting CEPOL's activities and contributing to the alignment of their training portfolio to the priorities related to cross-border law enforcement cooperation set in the EU Strategic Training Needs Assessments (EU-STNAs). It should be recommended that Member States reflect on the possibility of creating large-scale and long-term pan-European joint training and exchange programmes for law enforcement cadets and officers in the field of cross-border operational law enforcement cooperation.

- (10) Given the importance of coordination and cooperation in relation to the issues addressed in this Recommendation, and in particular its implementation, there should be a standing discussion point on cross-border operational law enforcement cooperation in the relevant working party of the Council. That working party could serve as a permanent forum for Member States to discuss those issues, including the convergence of their rules and agreements, other measures to address obstacles to the effectiveness and efficiency of cross-border law enforcement cooperation operations, reporting on the progress made, as well as issues relating to necessary guidance and good practices.
- (11) It should be recommended that effect is given to this Recommendation within a reasonable timeframe. It should also be recommended that Member States, as soon as reasonably possible, initiate a process to review, where relevant and appropriate, the national rules and bilateral and multilateral agreements with other Member States in order to give effect to this Recommendation.
- (12) This Recommendation does not affect rules on the carrying and use of service weapons, including in situations of defence of others, the use of road traffic privileges, the use of technical means for conducting cross-border surveillance or the performance of identity checks and detention of persons trying to avoid such checks. Similarly, rules on the determination of what falls within the scope of judicial cooperation or what requires authorisation by a judicial authority should also remain unaffected.
- (13) In order to ensure consistency, the definitions and the guarantees contained in this Recommendation should, where relevant, be based on and be interpreted in line with applicable Union law, in particular the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders ⁽³⁾ (CISA), in particular Articles 39 to 46 thereof, and Council Decisions 2008/615/JHA ⁽⁴⁾ and 2008/616/JHA ⁽⁵⁾ (the 'Prüm Decisions'), in particular Articles 17 to 19 of Decision 2008/615/JHA. The same applies for references to the need to respect national law where Union law already refers to national standards.

⁽²⁾ Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA (OJ L 319, 4.12.2015, p. 1).

⁽³⁾ OJ L 239, 22.9.2000, p. 19.

⁽⁴⁾ Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combatting terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 1).

⁽⁵⁾ Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combatting terrorism and cross-border crime (OJ L 210, 6.8.2008, p. 12).

- (14) The progress made in giving effect to this Recommendation should be reviewed after a certain time period. Therefore, at the latest two years after the adoption of this Recommendation, the Commission should assess the progress made and present a report after having consulted the Member States. That report should be discussed within the Council with a view *inter alia* to the Commission proposing legally binding acts of Union law if such acts are needed in the area of operational law enforcement cooperation.
- (15) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union (TEU) and to the Treaty on the Functioning of the European Union (TFEU), Denmark is not taking part in the adoption of this Recommendation and is not bound by it or subject to its application. Given that this Recommendation builds upon the Schengen *acquis*, Denmark should, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Recommendation whether it will implement it in its national law.
- (16) This Recommendation, with the exception of sections 2.1, 2.2 and 2.3, constitutes a development of the provisions of the Schengen *acquis* in which Ireland takes part, in accordance with Article 5(1) of Protocol No 19 on the Schengen *acquis* integrated into the framework of the European Union, annexed to the TEU and to the TFEU, and Article 6(2) of Council Decision 2002/192/EC ⁽⁶⁾; Ireland is therefore taking part in the adoption of this Recommendation.
- (17) As regards Iceland and Norway, this Recommendation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ⁽⁷⁾ which fall within the area referred to in Article 1, point H of Council Decision 1999/437/EC ⁽⁸⁾.
- (18) As regards Switzerland, this Recommendation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁹⁾ which fall within the area referred to in Article 1, point H of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽¹⁰⁾ and with Article 3 of Council Decision 2008/149/JHA ⁽¹¹⁾.
- (19) As regards Liechtenstein, this Recommendation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss

⁽⁶⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

⁽⁷⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁸⁾ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁽⁹⁾ OJ L 53, 27.2.2008, p. 52.

⁽¹⁰⁾ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽¹¹⁾ Council Decision 2008/149/JHA of 28 January 2008 on the conclusion on behalf of the European Union of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 50).

Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽¹²⁾ which fall within the area referred to in Article 1, point H of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽¹³⁾ and with Article 3 of Council Decision 2011/349/EU ⁽¹⁴⁾.

- (20) As regards Cyprus, sections 2.1 and 2.2 of this Recommendation, constitute an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession.
- (21) As regards Bulgaria and Romania, sections 2.1 and 2.2 of this Recommendation, constitute an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 4(2) of the 2005 Act of Accession.
- (22) As regards Croatia, sections 2.1 and 2.2 of this Recommendation, constitute an act building upon, or otherwise relating to, the Schengen *acquis* within the meaning of Article 4(2) of the 2011 Act of Accession,

HEREBY RECOMMENDS:

GENERAL FRAMEWORK

- (a) Taking into account that this Recommendation does not have legally binding force, it is recommended that Member States give effect to the measures set out therein in accordance with the applicable Union law, especially that which has legally binding force;
- (b) This Recommendation should not be understood as seeking to affect the national rules providing for powers, roles, competences, limitations, safeguards or conditions that are not specifically addressed in this Recommendation and that apply to the relevant cross-border operational law enforcement cooperation activities pursuant to acts of Union law with legally binding force, including the CISA and the Prüm Decisions, and national law in accordance with Union law;
- (c) This Recommendation is in line with the obligation to respect the fundamental rights and legal principles as enshrined in Article 6 TEU, including the right to an effective remedy and the right to a fair trial, as well as the high data protection standards laid down in Union law, especially in Directive (EU) 2016/680 of the European Parliament and of the Council ⁽¹⁵⁾;
- (d) The Member States may maintain in force or adopt rules and conclude agreements providing for closer cooperation than the measures set out in this Recommendation;

⁽¹²⁾ OJ L 160, 18.6.2011, p. 21.

⁽¹³⁾ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

⁽¹⁴⁾ Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating in particular to judicial cooperation in criminal matters and police cooperation (OJ L 160, 18.6.2011, p. 1).

⁽¹⁵⁾ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89).

- (e) It is recommended that Member States give effect to this Recommendation without prejudice to the Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations ⁽¹⁶⁾ (Naples II).

PURPOSE AND SCOPE

The purpose of this Recommendation is to strengthen operational law enforcement cooperation between law enforcement authorities.

Operational law enforcement cooperation covers situations where law enforcement authorities of a Member State operate in the territory of another Member State in the context of cross-border and other trans-national actions between two or more Member States, for example during a cross-border hot pursuit, cross-border surveillance, joint patrols or other joint operations, or in connection with the touristic season or a mass-event.

1. DEFINITIONS

For the purposes of this Recommendation, the following definitions apply:

- (a) 'law enforcement authority' means the competent authority within the meaning of Article 87(1) TFEU;
- (b) 'cross-border hot pursuit' means a law enforcement operation whereby officers of a law enforcement authority of a Member State pursue, in that Member State, one or more persons and, in the course of that pursuit, cross the border to another Member State and continue that pursuit on the territory of one or more other Member States after the person or persons crossed the border;
- (c) 'cross-border surveillance' means a law enforcement operation whereby officers of a law enforcement authority of a Member State keep one or more persons under surveillance, as part of a criminal investigation in that Member State, and continue that surveillance on the territory of one or more other Member States, after the person or persons crossed the border;
- (d) 'joint operations' means law enforcement operations, including joint patrols and other joint operations, in the field of public order, public security and crime prevention, carried out jointly by officers of the law enforcement authorities of two or more Member States, whereby officers from one Member State operate on the territory of another Member State;
- (e) 'single point of contact' means the national central body designated for the international law enforcement cooperation in accordance with the section "General Framework" of this Recommendation;
- (f) 'Police and Customs Cooperation Centre' or 'PCCC' means a joint law enforcement structure aimed at exchanging information and providing support to other law enforcement activities in internal Union border areas, which has been established by a Member State on the basis of a on bilateral or multilateral agreement with one or more neighbouring Member States and which is located in the immediate vicinity of the borders between the Member States concerned;
- (g) 'statistics' refer to the non-personal data collected by Member States and reported to the Council and the Commission in relation to cross-border law enforcement cooperation operations as set out in the section 2.

2. ADDRESSING OBSTACLES TO OPERATIONAL LAW ENFORCEMENT COOPERATION WHEN LAW ENFORCEMENT OFFICERS OPERATE IN ANOTHER MEMBER STATE

2.1. Cross-border hot pursuit

- (a) It is recommended that Member States:
 - (i) ensure that the forms of crimes in relation to which a cross-border hot pursuit can be carried out on their territory cover the criminal offences listed in the Annex as well as all other criminal offences which may give rise to extradition or surrender and, where compliant with national law, also evading checks from law enforcement authorities;

⁽¹⁶⁾ OJ C 24, 23.1.1998, p. 2.

- (ii) allow cross-border hot pursuits to be carried out on their territory across land, river, lake and air borders;
 - (iii) allow cross-border hot pursuits to continue on their territory without any geographical or temporal limitation, until the arrival of the officers from their law enforcement authority;
 - (iv) on an annual basis, collect data and compile statistics on the cross-border hot pursuits carried out by their law enforcement authorities and report those statistics to the Council and the Commission; those annual statistics include:
 - the number of cross-border hot pursuits which were carried out;
 - the Member States on whose territories the cross-border hot pursuits were carried out;
- (b) It is recommended that Member States allow officers from the law enforcement authority of another Member State who conduct a cross-border hot pursuit on their territory to do the following:
- (i) carry their service weapons and ammunition and other service equipment;
 - (ii) use their service weapons in legitimate self-defence, and in the defence of others in accordance with the national law of the host Member State;
 - (iii) use road traffic privileges applicable in the Member States where the cross-border hot pursuit takes place;
 - (iv) in accordance with the national law of the host Member State, use their GPS systems to have vehicles of officers conducting cross-border hot pursuits tracked by the law enforcement authority of that other Member State;
 - (v) operate secure real-time means of communication across borders;
- (c) It is recommended that Member States consider allowing officers from the law enforcement authority of another Member State, who carry out a cross-border hot pursuit on their territory to stop and provisionally detain a pursued person in accordance with the procedures under the national law of the host Member State, including through means of coercion and physical force, and with the right to conduct a security search, pending the arrival of officers of the law enforcement authority of the host Member State.

2.2. Cross-border surveillance

- (a) It is recommended Member States:
- (i) allow cross-border surveillance to be carried out on their territory in relation to persons suspected of preparing for, or having committed or participated in one or more of the criminal offences listed in the Annex as well as all other criminal offences which may give rise to extradition or surrender, but also in relation to persons that can lead to the identification or the tracing of such suspected persons;
 - (ii) ensure that cross-border surveillance may be carried out for the purpose of establishing whether concrete criminal offences have been committed or are being prepared;
 - (iii) allow the conduct of cross-border surveillance on their territory across land, sea, river, lake and air borders;
 - (iv) based on jointly agreed procedures, allow and facilitate the pooling of material, for the purpose of carrying out cross-border surveillance more efficiently;
 - (v) designate a central authority or authorities to coordinate inbound and outbound cross-border surveillance, to be part of or work in close cooperation with the single point of contact, and to be able to process and provide requests for authorisation 24 hours a day, 7 days a week;

- (b) It is recommended that Member States allow officers from the law enforcement authority of another Member State conducting cross-border surveillance on their territory to do the following:
- (i) carry their service weapons and ammunitions and other service equipment;
 - (ii) use their service weapons in legitimate self-defence, and in the defence of others in accordance with national law of the host Member State;
 - (iii) in accordance with the national law of the host Member State, use any technical means necessary to conduct the cross-border surveillance, including GPS trackers, drones, audio and video equipment;
 - (iv) operate secure real-time means of communication across borders.

2.3. Joint operations

- (a) It is recommended that Member States allow officers from the law enforcement authority of another Member State involved in joint operations conducted on their territory, provided that similar powers are granted and similar equipment, including uniforms, is provided to the officers of their own law enforcement authorities, to do at least the following:
- (i) perform identity checks and provisionally detain any person who tries to avoid an identity check;
 - (ii) to wear their uniform and carry their service weapons and ammunition and other service equipment;
 - (iii) use their service weapons in legitimate self-defence, and in the defence of others;
 - (iv) operate secure real-time means of communication across borders or provide other possibilities for cross-border communication; for that purpose, the necessary technical preconditions for secure real-time communication should be provided for;
- (b) It is recommended that Member States coordinate joint operations in cases where multiple operations are carried out by their law enforcement authorities;
- (c) It is recommended that Member States, on an annual basis, collect data and compile statistics on joint patrols and other joint operations carried out by their law enforcement authorities on the territory of other Member States and report those statistics to the Council and the Commission; those annual statistics include:
- (i) the number of joint patrols and other joint operations which were carried out;
 - (ii) the Member States on whose territories the joint patrols or other joint operations were carried out.

3. POLICE AND CUSTOMS COOPERATION CENTRES

- (a) It is recommended that Member States, which host or participate in a PCCC, ensure that, in addition to their existing focus on information exchange, PCCCs carry out the following tasks:
- (i) facilitating, supporting and, where relevant, coordinating joint patrols and other joint operations in internal Union border areas;

- (ii) contributing to or producing joint analysis of cross-border crimes specific to their internal Union border area and, where appropriate, sharing such analysis through the national single point of contact with relevant national authorities, other Member States and competent Union agencies and bodies, such as Europol, the European Border and Coast Guard established by Regulation (EU) 2019/1896 of the European Parliament and of the Council ⁽¹⁷⁾ and the European Anti-Fraud Office (OLAF) established by Commission Decision 1999/352/EC, ECSC, Euratom ⁽¹⁸⁾;
 - (iii) supporting investigations into cross-border crimes occurring in the internal Union border areas;
- (b) It is recommended that Member States strengthen cross-border law enforcement cooperation and adopt best practices regarding such cooperation with their neighbouring States, on a bilateral or multilateral basis, including through joint police stations and PCCCs.
4. A SUPPORT PLATFORM FOR JOINT PATROLS AND OTHER JOINT OPERATIONS
- (a) It is recommended that Member States set up a support platform which would enable the needs of each Member State to be identified and recorded centrally without any personal data being transmitted as regards the organisation of joint patrols or other joint operations:
- (i) in locations that are of particular importance to prevent and counter crime, such as key criminal hubs or touristic areas visited by tourists from other Member States;
 - (ii) during mass gatherings and major events likely to attract visitors from other Member States such as large sport events or international summits;
 - (iii) in the case of disaster or serious accident, in coordination with the Union Civil Protection Mechanism (UCPM), and in particular the Emergency Response Coordination Centre (ERCC); ⁽¹⁹⁾
- (b) It is recommended that Member States:
- (i) provide the support platform with information on their needs and the circumstances of the request to maintain public order and security and prevent criminal offences;
 - (ii) designate, depending on the nature of the joint operations, an appropriate point of contact as a national contact point for such joint patrols and other joint operations and the transmission of relevant information.

5. ENSURING EFFECTIVE ACCESS TO INFORMATION AND COMMUNICATION

- (a) It is recommended that Member States ensure that the officers from their law enforcement authorities involved in the cross-border operational law enforcement cooperation covered by this Recommendation and acting in the territory of another Member State:
- (i) have secure remote access to their own national databases and to Union and international databases through the ESP, as permitted under Union law and their national law, allowing them to carry out their law enforcement functions in the territory of another Member State as part of cross-border operational law enforcement cooperation, such as performing identity checks;
 - (ii) can use secure real-time means of communication that are capable of operating in the territory of another Member State, allowing them to communicate directly with the law enforcement authority of their Member State and with the officers of law enforcement authorities of the other Member State or Member States concerned;

⁽¹⁷⁾ Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1).

⁽¹⁸⁾ Commission Decision 1999/352/EC, ECSC, Euratom of 28 April 1999 establishing the European Anti-fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 20).

⁽¹⁹⁾ During crises and emergencies (mostly linked to disasters or large accidents), any affected Member State or third country may call for civil protection or humanitarian assistance through the UCPM. ERCC then coordinates, facilitates and co-finances Member States' response to the request for assistance.

- (b) It is recommended that Member States ensure secure real-time direct communication across borders either by making use of the technical solutions to be provided, for instance, by Europol, dedicated expert groups or Union funded projects, or by interlinking legacy systems with neighbouring Member States.

6. JOINT TRAINING AND PROFESSIONAL DEVELOPMENT RELATING TO CROSS-BORDER OPERATIONAL LAW ENFORCEMENT COOPERATION

It is recommended that Member States:

- (a) include the possibility of a course on cross-border operational law enforcement cooperation in the initial training courses in order to familiarise law enforcement cadets with the European culture of law enforcement;
- (b) as far as reasonably implementable within national structures, set up, together with neighbouring Member States, joint initial training courses and exchange programmes for their law enforcement cadets on cross-border operational law enforcement cooperation;
- (c) seek to design or adjust, in cooperation with CEPOL at the request of Member States, their national courses on cross-border operational law enforcement cooperation, to be used for national continuous professional development training of law enforcement officers;
- (d) set up joint continuous professional development courses and initiatives for law enforcement officers to develop skills and knowledge on cross-border operational law enforcement cooperation, in particular on relevant law, rules of engagement, tools, techniques, mechanisms, procedures and best practices;
- (e) seek to design and offer career paths for law enforcement officers who complete joint initial training courses, exchange programmes or specific cross-border operational law enforcement cooperation courses;
- (f) provide language training and training for officers from the law enforcement authorities likely to be involved in cross-border operational law enforcement cooperation on operational procedures, administrative and criminal law, criminal procedures of other Member States and the authorities to contact in other Member States;
- (g) with due consideration of the needs of the Member States, seek to align their training portfolio to the priorities related to cross-border operational law enforcement cooperation set in the EU-STNAs;
- (h) inform CEPOL of their training needs in relation to cross-border operational law enforcement cooperation and support relevant CEPOL activities, so that CEPOL can contribute to the training of law enforcement officers;
- (i) consider the possibility of creating large-scale and long-term pan-European joint training and exchange programmes for law enforcement cadets and officers in the field of cross-border operational law enforcement cooperation.

7. FINAL PROVISIONS

- (a) It is recommended that Member States discuss and take forward the issues covered by this Recommendation, in particular issues relating to its implementation;
- (b) It is recommended that Member States make full use of the financial support made available through the instrument for financial support for police cooperation, preventing and combating crime, and crisis management established by Regulation (EU) No 513/2014 of the European Parliament and of the Council ⁽²⁰⁾ (Internal Security Fund – Police) to improve and intensify cross-border operational cooperation;

⁽²⁰⁾ Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management and repealing Council Decision 2007/125/JHA (OJ L 150, 20.5.2014, p. 93).

- (c) It is recommended that, when giving effect to this Recommendation, Member States, as soon as reasonably possible after the date of adoption of this Recommendation and where relevant, initiate a review of their national rules and bilateral and multilateral agreements on operational law enforcement cooperation with other Member States;
- (d) It is recommended that, at the latest two years after the date of adoption of this Recommendation, the Commission assesses the effect given to this Recommendation by the Member States and, after having consulted the Member States, publishes a report and presents it to the Council.

Done at Luxembourg, 9 June 2022.

For the Council
The President
É. DUPOND-MORETTI

ANNEX

List of criminal offences referred to in subsections 2.1 and 2.2

- Participation in a criminal organisation;
- terrorism;
- trafficking in human beings;
- sexual exploitation of children and child pornography;
- illicit trafficking in narcotic drugs and psychotropic substances;
- illicit trafficking in weapons, munitions and explosives;
- corruption, including bribery;
- fraud, including that affecting Union's financial interests as defined in Directive (EU) 2017/1371 of the European Parliament and of the Council ⁽¹⁾;
- laundering of the proceeds of crime;
- counterfeiting currency, including of the euro;
- computer-related crime;
- environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- facilitation of unauthorised entry and residence;
- murder and grievous bodily injury;
- illicit trade in human organs and tissue;
- kidnapping, illegal restraint and hostage taking;
- racism and xenophobia;
- organised or armed robbery;
- illicit trafficking in cultural goods, including antiques and works of art;
- swindling;
- racketeering and extortion;
- counterfeiting and piracy of products;
- forgery of administrative documents and trafficking therein;
- forgery of means of payment;
- illicit trafficking in hormonal substances and other growth promoters;
- illicit trafficking in nuclear or radioactive materials;
- trafficking in stolen vehicles;
- rape;
- arson;
- crimes falling within the jurisdiction of the International Criminal Court;
- unlawful seizure of aircraft/ships, spacecraft;
- sabotage.

⁽¹⁾ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).

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