Commission Implementing Regulation (EU) 2020/1478 of 14 October 2020 amending Implementing Regulation (EU) 2015/1375 as regards sampling, the reference method for detection and import conditions related to Trichinella control (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1478

of 14 October 2020

amending Implementing Regulation (EU) 2015/1375 as regards sampling, the reference method for detection and import conditions related to *Trichinella* control

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

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)[(1)], and in particular Article 18(8)(a) thereof,

After consulting the Standing Committee on Plants, Animals, Food and Feed,

Whereas:

(1) Regulation (EU) 2017/625 lays down rules for the performance of official controls and for action to be taken by the competent authorities in relation to the production of products of animal origin intended for human consumption.

(2) *Trichinella* is a parasite which may be present in the meat of susceptible species such as pigs and causes food-borne illness in humans when infected meat is consumed. Commission Implementing Regulation (EU) 2015/1375[(2)] lays down specific rules on official controls for *Trichinella* in meat, including laboratory examination of meat samples of all slaughter pigs.

(3) Pending the result of the *Trichinella* examination, carcases may be cut into a maximum of six parts under certain conditions. For the production of certain specific products derived from domestic swine, warm cutting into more parts is required before the result

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1478. (See end of Document for details)*

of the *Trichinella* examination are available. For such specific products, cutting into more parts should therefore be allowed provided that the safety of the meat is ensured.

(4) The Implementing Regulation (EU) 2015/1375 provides for a derogation from *Trichinella* examination at entry into the Union where pigs are coming from officially *Trichinella*-free holdings applying controlled housing conditions. A third country can only apply this derogation if it has informed the Commission of the application of such derogation and if it has been listed for that purpose by the Commission.

(5) In this regard, Article 13 of Regulation (EU) 2015/1375 refers to third countries listed in Commission Regulation (EU) No 206/2010[(3)] and Commission Decision 2007/777/EC[(4)]. Commission Delegated Regulation (EU) 2020/692[(5)] repeals Regulation (EU) No 206/2010 and Decision 2007/777/EC with effect from 21 April 2021. Therefore, and for reasons of simplification, the possibility to lay down lists of third countries applying the derogations on *Trichinella* should therefore be provided for directly in that Implementing Regulation.

(6) Article 126(2)(c) of Regulation (EU) 2017/625 and Article 13 of Commission Delegated Regulation (EU) 2019/625[(6)] require that consignments of certain animals and good should be accompanied by an official certificate to ensure that the animals and goods comply with the relevant requirements established by the rules referred to in Article 1(2) of Regulation (EU) 2017/625. Article 14 of Implementing Regulation (EU) 2015/1375, which requires attestation on *Trichinella* examination or *Trichinella* status of the holding to be inserted into the official certificates for intra-Union trade in live domestic swine and for entry into the Union of such swine and their meat, has therefore become redundant and should therefore be deleted.

(7) Chapter I of Annex I to Implementing Regulation (EU) 2015/1375 sets a reference method of detection of *Trichinella* in samples collected from carcases of domestic swine. In 2015, the International Organization for Standardization adopted global standard ISO 18743:2015 specifying a method of detection of *Trichinella* spp. muscle stage larvae in meat of individual animal carcasses intended for human consumption. The reference method of detection of *Trichinella*, laid down in Implementing Regulation (EU) 2015/1375 complies with the requirements of ISO 18743:2015.

(8) It is therefore appropriate to replace the reference method in Regulation (EU) 2015/1375 by ISO 18743:2015 to bring the Union reference method in line with this global standard. This will facilitate export of pig meat from the Union, without creating any additional requirements or burden to European laboratories using the reference methods for official controls.

(9) Since Regulation (EU) No 206/2010 and Decision 2007/777/EC are only repealed from 20 April 2021, the amendment of listing of third countries and model certificates should only apply from that date.

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

HAS ADOPTED THIS REGULATION:

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1478. (See end of Document for details)*

Article 1

Implementing Regulation (EU) 2015/1375 is amended as follows:

(1) in Article 2, the second subparagraph of paragraph 3 is deleted;

(2) in Article 3, the following paragraph 5 is inserted:

5. By way of derogation from Article 2(3) and following approval by the competent authority:

a carcasses may be cut up at a cutting plant attached to or separate from the slaughterhouse provided that:

(i) the procedure is approved by the competent authority;

(ii) a carcass or the parts thereof have not more than one cutting plant as its destination;

(iii) the cutting plant is situated within the territory of the Member State; and

(iv) in the case of a positive result all the parts are declared unfit for human consumption;

b carcasses derived from domestic swine may be cut up into more parts in a cutting plant on the same premises or attached to the slaughterhouse provided that:

(i) the procedure is approved by the competent authority;

(ii) warm cutting is necessary for the production of specific products;

(iii) in the case of a positive result all the parts are declared unfit for human consumption.;

(3) Article 4 is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by:

Carcases as referred to in Article 2 or parts thereof, except for those referred to in Article 3(5), may not leave the premises, before the result of the *Trichinella* examination is found to be negative.;

(b) paragraph 3 is replaced by:

3. Where a procedure is in place in the slaughterhouse to ensure that no part of carcases examined leaves the premises until the result of the *Trichinella* examination is found to be negative and the procedure is formally approved by the competent authority or where the derogation provided for in Article 3(5) applies, the health mark provided for in Article 18(4) of Regulation (EU) 2017/625 may be applied before the results of the *Trichinella* examination are available.;

(4) in Article 13, paragraph 2 is replaced by the following:

2. Only the third countries listed in Annex VII may apply the derogations provided for in Article 3(2) and (3) after having informed the Commission on the application of those derogations;

(5) Article 14 is deleted;