Commission Implementing Regulation (EU) 2020/386 of 9 March 2020 amending Annex II to Decision 2007/777/EC as regards the list of third countries or parts thereof from which the introduction into the Union of meat products and treated stomachs, bladders and intestines is authorised, and amending Annex II to Regulation (EU) No 206/2010 as regards the list of third countries, territories or parts thereof from which the introduction into the Union of fresh meat is authorised (Text with EEA relevance)

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption[(1)], and in particular the introductory phrase of Article 8, the first subparagraph of point (1) of Article 8, point (4) of Article 8, and Article 9(4)(c) thereof,

Having regard to Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption[(2)], and in particular Article 11(1) thereof,

Whereas:

(1) Commission Decision 2007/777/EC[(3)] lays down, inter alia, the animal and public health rules for imports into the Union, and the transit and storage in the Union, of consignments of certain meat products and of treated stomachs, bladders and intestines which have undergone one of the treatments set out in Part 4 of Annex II thereto ('the commodities'). In addition, Part 3 of Annex II to Decision 2007/777/EC sets out a list of third countries or parts thereof which are authorised for imports into the Union of biltong/jerky and pasteurised meat products, provided that they have undergone one of the treatments referred to in Part 4 of that Annex.

(2) Commission Regulation (EU) No 206/2010[(4)] lays down, inter alia, the veterinary certification requirements for the introduction into the Union of consignments of fresh meat of ungulates. Part 1 of Annex II to that Regulation establishes a list of third countries, territories or parts thereof from which such consignments may be

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imported into the Union, as well as the specific conditions for the introduction of those consignments from certain third countries.

(3) Certain parts of South Africa are listed in Parts 1 and 3 of Annex II to Decision 2007/777/EC as authorised for imports into the Union of the commodities and of biltong respectively.

(4) Certain parts of South Africa are also listed in Part 1 of Annex II to Regulation (EU) No 206/2010 as authorised for imports into the Union of consignments of fresh meat of certain domestic and wild ungulates, other than equine animals. However, imports of fresh meat from those species are suspended since 2011 due to the foot-and-mouth situation in the zone.

(5) Decision 2007/777/EC and Regulation (EU) No 206/2010 recognise regionalisation of third countries. The description of part of the territory of South Africa, by the code 'ZA-1', as amended by the South African authorities following an outbreak of foot-and-mouth disease in 2011, which is referred to in those two acts, is no longer accurate.

(6) The Annex to Commission Decision 2011/163/EU[(5)] sets out a list of third countries whose plans for the monitoring of groups of residues and substances in animals and animal products intended for human consumption have been approved by the Commission. Imports into the Union from South Africa of meat products from all species of animals, with the exception of wild game meat products, are not permitted under that Decision, as South Africa does not have an approved plan.

(7) In February 2017, a Commission audit was carried out in South Africa in order to evaluate the animal health control system in place in that third country, in particular as regards the controls concerning foot-and-mouth disease ('the 2017 Commission audit'). The Commission found that, although the control system governing the production of commodities covered by the audit could, in principle, provide adequate guarantees that they are produced in accordance with relevant Union requirements, its effectiveness is weakened by the problems noted in its implementation, in particular concerning the performance of the official controls and staffing difficulties. Also, certification rules and principles offer, overall, guarantees equivalent to those laid down in Union law, but the shortcomings observed in their implementation compromise their reliability and the guarantees concerning some of the statements signed in the certificates for import into the Union.

(8) As imports of fresh meat and meat products of ungulates from South Africa are not permitted under Decision 2011/163/EU, and taking into account the findings of the 2017 Commission audit, and in particular the lack of guarantees about the official controls for foot-and-mouth disease, and to maintain clarity and consistency of Union legislation, the entry 'ZA-1' covering part of the territory of South Africa should be deleted from the entry of South Africa in Parts 1 and 3 of Annex II to Decision 2007/777/EC and from the list of third countries authorised for import of fresh meat of ungulates in Part 1 of Annex II to Regulation (EU) No 206/2010.

(9) Following United Nations (UN) facilitation, Athens and Skopje reached a bilateral agreement ('Prespa agreement') in June 2018, to change the UN provisional reference

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for the former Yugoslav Republic of Macedonia. This agreement has now been ratified by both countries and the Republic of North Macedonia has formally notified the EU about its entry into force.

(10) Annex II to Decision 2007/777/EC and Annex II to Regulation (EU) No 206/2010 should therefore be amended accordingly.

(11) 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

Annex II to Decision 2007/777/EC is amended in accordance with Annex I to this Regulation.

Article 2

Annex II to Regulation (EU) No 206/2010 is amended in accordance with Annex II to this Regulation.

Article 3

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, 9 March 2020.

For the Commission

The President

Ursula VON DER LEYEN