Commission Implementing Regulation (EU) 2019/1872 of 7 November 2019 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Japan in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1872

of 7 November 2019

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Japan in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union

(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) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs[(2)], and in particular Article 23(1) thereof,

Whereas:

(1) Commission Regulation (EC) No 798/2008[(3)] lays down veterinary certification requirements for imports into and transit, including storage during transit, through the Union of poultry and poultry products (‘the commodities’). It provides that the commodities are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.

(2) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment to be considered as free from highly pathogenic avian influenza (HPAI).

(3) Japan is listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of eggs and egg products are authorised from the whole of its territory.

(4) Japan had also requested to be authorised for imports into and transit through the Union of meat of poultry and has submitted the relevant information. The Commission has carried out an audit in Japan to evaluate the animal health controls in place for meat of poultry intended for export to the Union with favourable outcome. However, due to an

Changes to legislation: Commission Implementing Regulation (EU) 2019/1872 is up to date with all changes known to be in force on or before 24 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

outbreak of HPAI of subtype H5N6 in January 2018, the country could not satisfy the conditions laid down in Article 9 of Regulation (EC) No 798/2008 for being considered free from that disease and was therefore not authorised for that commodity.

(5) More than 12 months have now past since HPAI was present in the territory of Japan and the country can now be considered free from that disease in accordance with Article 9 of Regulation (EC) No 798/2008. On the basis of the current epidemiological situation, it is therefore appropriate to amend the entry for Japan in the table in Part 1 of Annex I to Regulation (EC) No 798/2008 to authorise that third country for imports into and transit through the Union of meat of poultry.

(6) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.

(7) 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

Part 1 of Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 7 November 2019.

For the Commission

The President

Jean-Claude JUNCKER