Commission Regulation (EU) 2019/759 of 13 May 2019 laying down transitional measures for the application of public health requirements of imports of food containing both products of plant origin and processed products of animal origin (composite products) (Text with EEA relevance)

COMMISSION REGULATION (EU) 2019/759

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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 Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin[(1)], and in particular the first paragraph of Article 9 thereof,

Whereas:

(1) Regulation (EC) No 853/2004 provides for significant changes to the public health (food safety) rules and procedures to be complied with by food business operators. In particular, it lays down certain conditions for imports of food containing both products of plant origin and processed products of animal origin (composite products) into the Union.

(2) Commission Regulation (EU) 2017/185[(2)] provides for transitional measures derogating from these rules for food business operators importing food containing both products of plant origin and processed products of animal origin (composite products), others than those referred to in Article 3(1) and (3) of Commission Regulation (EU) No 28/2012[(3)], for which the public health conditions for importing into the Union have not yet been laid down at Union level. This derogation applies until 31 December 2020.

(3) Regulation (EU) 2016/429 of the European Parliament and of the Council ('Animal Health Law')[(4)] lays down rules for the prevention and control of animal diseases which are transmissible to animals or to humans. It applies to products of animal origin, and therefore to composite products as defined in Article 2(a) of Commission Decision 2007/275/EC[(5)]. Once applicable, the Regulation will set out requirements for the entry into the Union of animals, germinal products and products of animal origin from third countries and territories. This Regulation shall apply from 21 April 2021.

(4) In order to ensure legal clarity and consistency and to facilitate operators and competent authorities' transition to the new rules, it is necessary to have a single date of application for the new import conditions for composite products covered by Article 6(4) of

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) 2019/759. (See end of Document for details)*

Regulation (EC) No 853/2004. The end of these transitional measures should therefore be extended to 20 April 2021.

(5) 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

Subject matter

This Regulation lays down transitional measures for the application of certain provisions of Regulation (EC) No 853/2004 for a transitional period from 1 January 2021 to 20 April 2021.

Article 2

Definitions

For the purpose of this Regulation, ‘composite product’ means composite product as defined in Article 2(a) of Decision 2007/275/EC.

Article 3

Derogation concerning public health requirements of imports of food containing both products of plant origin and processed products of animal origin

By way of derogation from Article 6(4) of Regulation (EC) No 853/2004, food business operators importing food containing both products of plant origin and processed products of animal origin, others than those referred to in Article 3(1) and (3) of Regulation (EU) No 28/2012 shall be exempt from the requirements referred to in Article 6(4) of Regulation (EC) No 853/2004.

Imports of such products shall comply with the public health import requirements of the Member State of import.

Article 4

Entry into force and application

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2021 to 20 April 2021.

This Regulation shall be binding in its entirety and directly applicable in all Member States.