Commission Implementing Regulation (EU) 2019/723 of 2 May 2019 laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2019/723

of 2 May 2019

laying down rules for the application of Regulation (EU) 2017/625 of the European Parliament and of the Council as regards the standard model form to be used in the annual reports submitted by Member States

(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) 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 113(2) and point (f) of the first paragraph of Article 134 thereof,

Whereas:

(1) Article 113(1) of Regulation (EU) 2017/625 provides that each Member State is to submit to the Commission, by 31 August every year, an annual report on its official controls, cases of non-compliance and implementation of its multi-annual national control plan (MANCP). The first such report is to be submitted by 31 August 2021.

(2) A standard model form should be adopted in order to ensure the uniform presentation of Member States' annual reports.

(3) The standard model form to be used in the annual reports submitted by Member States should integrate other existing standard model forms adopted by the Commission for the submission of reports on official controls that the competent authorities are required to submit to the Commission in accordance with the rules referred to in Article 1(2) of Regulation (EU) 2017/625. This is to avoid multiple reporting and creating unnecessary administrative burdens.

Changes to legislation: *There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/723. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) It should be mandatory for Member States to complete the standard model form in electronic format as this will facilitate the compilation of information and data, as well as avoid transcription errors.

(5) To allow for the use of advanced communication and the most efficient use of the data and information contained in the annual reports, the standard model form should be provided in the computerised information management system for official controls (IMSOC) and Member States should transmit the annual reports using IMSOC.

(6) The standard model form sets out certain information and data to be reported by Member States to the Commission, including information and data on the welfare of animals kept for farming purposes. Commission Decision 2006/778/EC[(2)] currently sets out the requirements for the collection of information during the inspections of production sites on which certain animals are kept for farming purposes and the reporting of such information to the Commission. In the interests of coherence and legal certainty, Decision 2006/778/EC should therefore be repealed and replaced by this Regulation.

(7) The standard model form also includes information and data on the protection of animals during transport to be reported by the Member States to the Commission. Commission Implementing Decision 2013/188/EU[(3)] currently lays down rules on the annual reports of inspections on the protection of animals during transport. For the sake of coherence and legal certainty, Implementing Decision 2013/188/EU should therefore be repealed and replaced by this Regulation.

(8) As Regulation (EU) 2017/625 applies with effect from 14 December 2019, this Regulation should also apply from that date.

(9) 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 establishes the standard model form for the information and data to be included in the annual report submitted by each Member State in accordance with Article 113(1) of Regulation (EU) 2017/625.

Article 2

Standard model form

Member States shall submit the information and data referred to in Article 113(1) of Regulation (EU) 2017/625 by means of the standard model form set out in the Annex to this Regulation. This shall be done using the electronic version of the standard model form provided in the computerised information management system for official controls (IMSOC).

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/723. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Article 3

Repeal

Decision 2006/778/EC and Implementing Decision 2013/188/EU are repealed with effect from 14 December 2019.

Article 4

Entry into force and application

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

It shall apply from 14 December 2019.

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

Done at Brussels, 2 May 2019.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are outstanding changes not yet made to Commission Implementing Regulation (EU) 2019/723. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX

Annual Report submitted by (Member State) for the period from 1/1/(xxxx) to 31/12/(xxxx)

PART I

1. Introduction	
2. Measures taken to ensure the effective operation of the Multi-Annual National Control Plan, including enforcement action and the results of such measures	
3. Amendments to the Multi-Annual National Control Plan	
4. Fees or charges	

PART II

1. Food and food safety, integrity and wholesomeness at any stage of production, processing and distribution of food, including rules aimed at ensuring fair practices in trade and protecting consumer interests and information, and the manufacture and use of materials and articles intended to come into contact with food

1.1 Overall conclusion on the level of compliance achieved	

1.2 Official controls on operators/establishments

Approved establishments	**Number of establishments**	**Number of official controls performed**
General activity establishments (cold stores, re-wrapping and re-packing establishments, wholesale markets, reefer vessels)		
Meat of domestic ungulates		

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Meat from poultry and lagomorphs		
Meat of farmed game		
Wild game meat		
Minced meat, meat preparations and mechanically separated meat (MSM)		
Meat products		
Live bivalve molluscs		
Fishery products		
Colostrum, raw milk, colostrum-based and dairy products		
Egg and egg products		
Frogs' legs and snails		
Rendered animal fats and greaves		
Treated stomach, bladders and intestines		
Gelatine		
Collagen		
Highly refined chondroitin sulphate, hyaluronic acid, other hydrolysed cartilage products, chitosan, glucosamine, rennet, isinglass and amino acids (HRP)		
Honey		
Sprouts		
Registered operators/ establishments	**Number of operators/ establishments**	**Number of official controls performed**
Growing of crops		
Animal production		
Mixed farming		
Hunting		
Fishing		
Aquaculture		
Processing and preserving of fruit and vegetables		