Commission Implementing Regulation (EU) 2016/39 of 14 January 2016 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Mexico in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2016/39

of 14 January 2016

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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,

Whereas:

(1) Commission Regulation (EC) No 798/2008[(2)] 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 may only 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) Mexico 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 specified pathogen-free eggs ('SPF-eggs') and egg products are authorised.

(4) Following HPAI outbreaks of the subtype H7N3 on the Mexican territory in January 2013, imports into or transit through the Union of egg products were prohibited by Commission Implementing Regulation (EU) No 437/2013[(3)].

(5) The latest HPAI outbreak of that disease was confirmed at the beginning of March 2015.

Changes to legislation: Commission Implementing Regulation (EU) 2016/39 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

(6) On 8 May 2015, Mexico has submitted information on its HPAI situation. Mexico applied a stamping out policy and has carried surveillance for avian influenza. It did not detect any further virus circulation.

(7) That information has been evaluated by the Commission. On the basis of that evaluation and the guarantees provided by Mexico, the Commission services concluded that the imports into or transit through the Union of egg products should again be authorised from the whole territory of Mexico.

(8) The entry for Mexico in Part 1 of Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.

(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

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 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, 14 January 2016.

For the Commission

The President

Jean-Claude JUNCKER