Commission Implementing Regulation (EU) 2015/1349 of 3 August 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for South Africa 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) 2015/1349

of 3 August 2015

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for South Africa 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)

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) South Africa 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 breeding and productive ratites, hatching eggs and day-old chicks thereof, ratite meat, eggs, egg products and SPF-eggs are authorised.

(4) Following HPAI outbreaks of the subtype H5N2 on the South African territory in April 2011, imports of breeding and productive ratites, hatching eggs and day-old chicks of ratites, as well as of ratite meat were prohibited by Commission Implementing Regulation (EU) No 536/2011[(3)].

Changes to legislation: Commission Implementing Regulation (EU) 2015/1349 is up to date with all changes known to be in force on or before 28 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

(5) Furthermore, Commission Implementing Regulations (EU) No 991/2011[(4)] and (EU) No 110/2012[(5)] were adopted in relation to the evolution of the disease situation.

(6) Pending South Africa's declaration of HPAI freedom of its whole territory, imports of ratite meat produced from ratites kept on registered closed ratite holdings was authorised by Commission Implementing Regulation (EU) No 166/2014[(6)] and further adapted by Commission Implementing Regulation (EU) No 952/2014[(7)].

(7) On 2 March 2015, South Africa has submitted information on its HPAI status and declared its whole territory as free from that disease and has requested the authorisation to resume exports of ratite meat to the Union.

(8) That information has been evaluated by the Commission services. On the basis of that evaluation and the guarantees provided by South Africa, the Commission services concluded that the imports of ratite meat should again be authorised from the whole territory of South Africa.

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

(10) 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, 3 August 2015.

For the Commission

The President

Jean-Claude JUNCKER