Commission Regulation (EU) No 517/2011 of 25 May 2011 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of certain Salmonella serotypes in laying hens of Gallus gallus and amending Regulation (EC) No 2160/2003 and Commission Regulation (EU) No 200/2010 (Text with EEA relevance)

COMMISSION REGULATION (EU) No 517/2011

of 25 May 2011

implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of certain *Salmonella* serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No 2160/2003 and Commission Regulation (EU) No 200/2010

(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 2160/2003 of the European Parliament and of the Council of 17 November 2003 on the control of *Salmonella* and other specified food-borne zoonotic agents[(1)], and in particular the second subparagraph of Article 4(1), and Article 13(1), thereof,

Whereas:

(1) The purpose of Regulation (EC) No 2160/2003 is to ensure that measures are taken to detect and control *Salmonella* and other zoonotic agents at all relevant stages of production, processing and distribution, particularly at the level of primary production, in order to reduce their prevalence and the risk they pose to public health.

(2) Regulation (EC) No 2160/2003 provides for Union targets to be established for the reduction of the prevalence of the zoonoses and zoonotic agents listed in Annex I thereto in the animal populations listed therein. It also lays down certain requirements for those targets. Such reduction is important in view of the strict measures which have to be applied to infected flocks in accordance with Regulation (EC) No 2160/2003. In particular, eggs originating from flocks with unknown *Salmonella* status, that are suspected of being infected or from infected flocks, may be used for human consumption only if treated in a manner that guarantees the elimination of *Salmonella* serotypes with public health significance in accordance with Union legislation on food hygiene.

(3) Annex I to Regulation (EC) No 2160/2003 refers to all *Salmonella* serotypes with public health significance in laying flocks of *Gallus gallus*. Those laying flocks may spread *Salmonella* infection via their eggs to the consumer. Therefore, a reduction in the prevalence of *Salmonella* in laying flocks contributes to the control of that zoonotic agent in eggs, which is an important public health risk.

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(4) Commission Regulation (EC) No 1168/2006 of 31 July 2006 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain*Salmonella* serotypes in laying hens of *Gallus gallus* and amending Regulation (EC) No 1003/2005[(2)] provides for a Union target for the reduction of the prevalence of *Salmonella Enteritidis* and *Salmonella Typhimurium* in adult laying hens of *Gallus gallus*. The Union target for each Member State is an annual minimum percentage of reduction of positive flocks of adult laying hens by 10 to 40 % depending on the prevalence in the preceding year. Alternatively, a reduction of the maximum percentage to 2 % or less.

(5) Regulation (EC) No 2160/2003 provides that experience gained under existing national measures and information forwarded to the Commission or to the European Food Safety Authority ('EFSA') under existing Union requirements, in particular in the framework of information provided for in Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC[(3)], and in particular Article 5 thereof, is to be taken into account when setting the Union target.

(6) The Community Summary Report on Trends and Sources of Zoonoses, Zoonotic Agents and Food-borne Outbreaks in the European Union in 2008[(4)] showed that *Salmonella Enteritidis* and *Salmonella Typhimurium* are the serovars most frequently associated with human illness. Human cases caused by *S. Enteritidis* decreased markedly in 2008, while an increase in *S. Typhimurium* cases was observed. In accordance with the requirements of Regulation (EC) No 2160/2003, the EFSA has been consulted on the setting of a permanent Union target for laying flocks of *Gallus gallus*.

(7) On 10 March 2010, the Panel on Biological Hazards of EFSA adopted on a request from the Commission a Scientific Opinion on a quantitative estimation of the public health impact of setting a new target for the reduction of *Salmonella* in laying hens[(5)]. It concludes that *Salmonella Enteritidis* is the most successful vertically transmitted zoonotic *Salmonella* serotype in poultry. It also concludes that Union control measures in laying hens have successfully contributed to the control of *Salmonella* infections in production stock and to the reduction of human health risks from poultry.

(8) Monophasic strains of *Salmonella Typhimurium* have rapidly become one of the most commonly found *Salmonella* serotypes in several species of animals and in clinical isolates of humans. According to the Scientific Opinion on monitoring and assessment of the public health risk of '*Salmonella Typhimurium*-like strains'[(6)], adopted by the Panel on Biological Hazards of EFSA on 22 September 2010, monophasic *Salmonella Typhimurium* strains with the antigenic formula **[**[X1]1,4,[5],12:i:-**]** are considered as variants of *Salmonella Typhimurium* and pose a public health risk comparable to that of other *Salmonella Typhimurium* strains.

(9) Accordingly, for the purposes of clarity of Union legislation, it is appropriate to amend Regulation (EC) No 2160/2003 and Commission Regulation (EU) No 200/2010 of 10 March 2010 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of

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Salmonella serotypes in adult breeding flocks of *Gallus gallus*[7] in order to provide that *Salmonella Typhimurium* include monophasic strains with the antigenic formula **[**[X1]1,4,[5],12:i:-**]**.

(10) Taking into account the Scientific Opinion of 22 September 2010 and considering that more time is needed to assess the trend of *Salmonella* in flocks after the introduction of national control programmes, it is appropriate to provide for a Union target for the reduction of *Salmonella* in adult laying flocks of *Gallus gallus* similar to the Union target provided for in Regulation (EC) No 1168/2006.

(11) In order to ascertain progress in the achievement of the Union target, it is necessary to provide for repeated sampling of flocks of adult laying hens of *Gallus gallus*.

(12) The technical amendments introduced in the Annex to this Regulation are directly applicable and harmonised in Member States, therefore possible adaptations of national control programmes in accordance with this Regulation do not require reapproval by the Commission.

(13) National control programmes for the achievement of the Union target for 2011 for flocks of adult laying hens of *Gallus gallus* have been submitted for Union co-financing in accordance with Council Decision 2009/470/EC of 25 May 2009 on expenditure in the veterinary field[8]. Those programmes were based on Regulation (EC) No 1168/2006 and approved in accordance with Commission Decision 2010/712/EU of 23 November 2010 approving annual and multiannual programmes and the financial contribution from the Union for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2011 and following years[9].

(14) Regulation (EC) No 1168/2006 should be repealed and replaced by this Regulation. The technical provisions in the Annex to Regulation (EC) No 1168/2006 achieve the same results as the Annex to this Regulation. Therefore, Member States would be able to apply the latter immediately without the need of a transitional period.

(15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health and neither the European Parliament nor the Council has opposed them,

HAS ADOPTED THIS REGULATION:

Editorial Information

X1 Substituted by Corrigendum to Commission Regulation (EU) No 517/2011 of 25 May 2011 implementing Regulation (EC) No 2160/2003 of the European Parliament and of the Council as regards a Union target for the reduction of the prevalence of certain Salmonella serotypes in laying hens of Gallus gallus and amending Regulation (EC) No 2160/2003 and Commission Regulation (EU) No 200/2010 (Official Journal of the European Union L 138 of 26 May 2011).

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Article 1

Target

1 The Union target referred to in Article 4(1) of Regulation (EC) No 2160/2003 for the reduction of the prevalence of *Salmonella Enteritidis* and *Salmonella Typhimurium* in adult laying hens of *Gallus gallus* ('Union target') shall be as follows:

a an annual minimum percentage of reduction of positive flocks of adult laying hens equal to at least:

(i) 10 % where the prevalence in the preceding year was less than 10 %;

(ii) 20 % where the prevalence in the preceding year was more than or equal to 10 % and less than 20 %;

(iii) 30 % where the prevalence in the preceding year was more than or equal to 20 % and less than 40 %;

(iv) 40 % where the prevalence in the preceding year was more than or equal to 40 %;

or

b a reduction of the maximum percentage equal to 2 % or less of positive flocks of adult laying hens; however, for Member States with less than 50 flocks of adult laying hens, not more than one adult flock may remain positive.

The Union target shall be achieved every year based on the monitoring of the previous year. As regards the target to be achieved in 2011, the results of the year 2010 based on the monitoring carried out in accordance with Article 1 of Regulation (EC) No 1168/2006 shall be used as reference.

As regards monophasic *Salmonella Typhimurium*, serotypes with the antigenic formula **[**[X1]1,4,[5],12:i:-**]** shall be included in the Union target.

2 The testing scheme necessary to verify progress on the achievement of the Union target is set out in the Annex ('testing scheme').

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Article 2

Review of the Union target

The Union target shall be reviewed by the Commission taking into account the information collected in accordance with the testing scheme and the criteria laid down in Article 4(6)(c) of Regulation (EC) No 2160/2003.

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Article 3

Amendment to Regulation (EC) No 2160/2003

In Annex II to Regulation (EC) No 2160/2003, in Part C, the following subparagraph is inserted:

6. All references in this section to "*Salmonella Typhimurium*" shall also include monophasic *Salmonella Typhimurium* with the antigenic formula **[**[X1]1,4,[5],12:i:-**]**,.

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Article 4

Amendment to Regulation (EU) No 200/2010

In Article 1(1), the first subparagraph is replaced by the following:

1. From 1 January 2010, the Union target, as referred to in Article 4(1) of Regulation (EC) No 2160/2003, for the reduction of *Salmonella* spp. in breeding flocks of *Gallus gallus* ("the Union target") shall be a reduction to 1 % or less of the maximum percentage of adult breeding flocks of *Gallus gallus* remaining positive for *Salmonella Enteritidis*, *Salmonella Infantis*, *Salmonella Hadar*, *Salmonella Typhimurium*, including monophasic *Salmonella Typhimurium* with the antigenic formula **[**[X1]1,4,[5],12:i:-**]**, and *Salmonella Virchow* (the relevant *Salmonella* serotypes)..

Editorial Information

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Article 5

Repeal of Regulation (EC) No 1168/2006

Regulation (EC) No 1168/2006 is repealed.

References to Regulation (EC) No 1168/2006 shall be construed as references to this Regulation.