Changes to legislation: *Commission Regulation (EU) No 955/2010 is up to date with all changes known to be in force on or before 27 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*

Commission Regulation (EU) No 955/2010 of 22 October 2010 amending Regulation (EC) No 798/2008 as regards the use of vaccines against Newcastle disease (Text with EEA relevance)

COMMISSION REGULATION (EU) No 955/2010

of 22 October 2010

amending Regulation (EC) No 798/2008 as regards the use of vaccines against Newcastle disease

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs[(1)], and in particular Article 25(1)(b) and Article 26(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements[(2)] lays down veterinary certification requirements for those commodities. Those requirements take into account whether or not additional guarantees or specific conditions are required due to the Newcastle disease status of those third countries, territories, zones or compartments.

(2) Regulation (EC) No 798/2008 also lays down conditions for determining whether or not a third country, territory, zone or compartment is to be considered as free from Newcastle disease. One such criterion is that no vaccination against that disease is carried out using vaccines that do not comply with the criteria for recognised Newcastle disease vaccines set out in Part I of Annex VI to that Regulation. Point 2 of Part II of that Annex sets out specific criteria for Newcastle disease vaccines including for inactivated vaccines.

(3) The Manual of Diagnostic Tests and Vaccines for Terrestrial Animals of the World Organisation for Animal Health (the OIE Manual) sets out requirements for vaccines against Newcastle disease including safety controls at different stages of the manufacturing process.

(4) In the interests of safeguarding the health status of poultry in the Union and in order to facilitate trade in poultry and poultry meat, it is appropriate that the requirements for Newcastle disease vaccines and their use in third countries from where poultry and poultry meat may be imported, take into account the requirements for such vaccines set out in the OIE Manual.

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(5) For that purpose, the general criteria for recognised Newcastle disease vaccines set out in Part I of Annex VI to Regulation (EC) No 798/2008 should refer to the requirements of the OIE Manual, which should be kept as a dynamic reference to take into account the regular updates to that Manual in the light of new scientific developments.

(6) In addition, in view of technical progress that has been made in relation to the production of Newcastle disease vaccines, in particular as regards inactivation techniques, as well as the requirements laid down in the OIE Manual, the specific criteria for inactivated Newcastle disease vaccines set out in point 2 of Part II of Annex VI to Regulation (EC) No 798/2008 should be deleted.

(7) It is necessary to amend certain provisions for meat of poultry set out in Annex VII to Regulation (EC) No 798/2008 and the corresponding model veterinary certificate for meat of poultry (POU) set out in Annex I, in order to take account of the amendments to Annex VI to that Regulation.

(8) Regulation (EC) No 798/2008 should therefore be amended accordingly.

(9) It is appropriate to lay down a date of application of this Regulation, in order to align it with the date of application of Commission Decision 93/152/EEC[(3)], as amended by Decision 2010/633/EU[(4)], which introduces corresponding amendments for the criteria for inactivated vaccines against Newcastle disease.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I, VI and VII to Regulation (EC) No 798/2008 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 December 2010.

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

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ANNEX

Annexes I, VI and VII to Regulation (EC) No 798/2008 are amended as follows:

(a) in Part 2 of Annex I the model veterinary certificate for meat of poultry (POU) is replaced by the following:

Model veterinary certificate for meat of poultry (POU)

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COUNTRY **POU (meat of poultry)**

Part II: Certification

II.	Health information	II.a. Certificate reference number	II.b.

II.1. **Public Health Attestation**

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Regulations (EC) Nos 178/2002, 852/2004, 853/2004 and 854/2004 and hereby certify that the meat of poultry ([1]) described in this certificate has been obtained in accordance with those requirements, and in particular that:

(a) it comes from (an) establishments(s) implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004;

(b) it has been produced in compliance with the conditions set out in Sections II and V of Annex III to Regulation (EC) No 853/2004;

(c) it has been found fit for human consumption following ante and post-mortem inspections carried out in accordance with Section IV, Chapter V of Annex I to Regulation (EC) No 854/2004;

(d) it has been marked with an identification mark in accordance with Section I of Annex II to Regulation (EC) No 853/2004;

(e) it satisfies the relevant criteria set out in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs;

(f) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled;

([2]) [(g) it fulfils the requirements of Regulation (EC) No 1688/2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning *Salmonella* for consignments to Finland and Sweden of certain meat and eggs.]

II.2. **Animal health attestation**

I, the undersigned official veterinarian, hereby certify that the meat of poultry described in this certificate:

II.2.1. comes from:

([3]) ([4]) ([6]) *either* [the territory of code .....;]

([4]) ([5]) *or* [compartment(s) .....;]

which at the date of issue of the certificate was (were) free from:

highly pathogenic avian influenza as defined in Regulation (EC) No 798/2008, and Newcastle disease as defined in Regulation (EC) No 798/2008;

II.2.2. has been obtained from poultry which:

([4]) *either* [has not been vaccinated against avian influenza;]

([4]) *or* [has been vaccinated against avian influenza in accordance with vaccination plan under Regulation (EC) No 798/2008 using:

.....

(name and type of used vaccine(s))

at the age of ..... weeks;]

II.2.3. has been obtained from poultry which has been kept in:

([3]) ([4]) ([9]) *either* [the territory(ies) of code .....;]

([4]) ([5]) ([9]) *or* [compartment(s) .....;]

since hatching or has been imported as day-old chicks or slaughter poultry from (a) third country(ies) listed for that commodity in Part 1 of Annex I to Regulation (EC) No 798/2008 under conditions at least equivalent to those in that Regulation;

II.2.4. has been obtained from poultry coming from establishments:

(a) which are not subject to any animal health restriction;

(b) within a 10 km radius of which, including, where appropriate, the territory of a neighbouring country, there has been no outbreak of highly pathogenic avian influenza or Newcastle disease for at least the previous 30 days;

II.2.5. has been obtained from poultry that:

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COUNTRY **POU (meat of poultry)**

Part II: Certification

II.	Health information	II.a. Certificate reference number	II.b.

II.1. **Public Health Attestation**

I, the undersigned official veterinarian, declare that I am aware of the relevant provisions of Regulations (EC) Nos 178/2002, 852/2004, 853/2004 and 854/2004 and hereby certify that the meat of poultry ([1]) described in this certificate has been obtained in accordance with those requirements, and in particular that:

(a) it comes from (an) establishments(s) implementing a programme based on the HACCP principles in accordance with Regulation (EC) No 852/2004;

(b) it has been produced in compliance with the conditions set out in Sections II and V of Annex III to Regulation (EC) No 853/2004;

(c) it has been found fit for human consumption following ante and post-mortem inspections carried out in accordance with Section IV, Chapter V of Annex I to Regulation (EC) No 854/2004;

(d) it has been marked with an identification mark in accordance with Section I of Annex II to Regulation (EC) No 853/2004;

(e) it satisfies the relevant criteria set out in Regulation (EC) No 2073/2005 on microbiological criteria for foodstuffs;

(f) the guarantees covering live animals and products thereof provided by the residue plans submitted in accordance with Directive 96/23/EC, and in particular Article 29 thereof, are fulfilled;

([2]) [(g) it fulfils the requirements of Regulation (EC) No 1688/2005 implementing Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards special guarantees concerning *Salmonella* for consignments to Finland and Sweden of certain meat and eggs.]

II.2. **Animal health attestation**

I, the undersigned official veterinarian, hereby certify that the meat of poultry described in this certificate:

II.2.1. comes from:

([3]) ([4]) ([6]) *either* [the territory of code .....;]

([4]) ([5]) *or* [compartment(s) .....;]

which at the date of issue of the certificate was (were) free from:

highly pathogenic avian influenza as defined in Regulation (EC) No 798/2008, and Newcastle disease as defined in Regulation (EC) No 798/2008;

II.2.2. has been obtained from poultry which:

([4]) *either* [has not been vaccinated against avian influenza;]

([4]) *or* [has been vaccinated against avian influenza in accordance with vaccination plan under Regulation (EC) No 798/2008 using:

.....

(name and type of used vaccine(s))

at the age of ..... weeks;]

II.2.3. has been obtained from poultry which has been kept in:

([3]) ([4]) ([9]) *either* [the territory(ies) of code .....;]

([4]) ([5]) ([9]) *or* [compartment(s) .....;]

since hatching or has been imported as day-old chicks or slaughter poultry from (a) third country(ies) listed for that commodity in Part 1 of Annex I to Regulation (EC) No 798/2008 under conditions at least equivalent to those in that Regulation;

II.2.4. has been obtained from poultry coming from establishments:

(a) which are not subject to any animal health restriction;

(b) within a 10 km radius of which, including, where appropriate, the territory of a neighbouring country, there has been no outbreak of highly pathogenic avian influenza or Newcastle disease for at least the previous 30 days;

II.2.5. has been obtained from poultry that: