Commission Regulation (EU) No 810/2010 of 15 September 2010 amending Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (Text with EEA relevance)

COMMISSION REGULATION (EU) No 810/2010

of 15 September 2010

amending Regulation (EU) No 206/2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC[(1)], and in particular Article 17(3)(a) thereof,

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[(2)], and in particular the introductory phrase of Article 8, the first subparagraph of point (1) of Article 8, point (4) of Article 8, Article 9(2) and Article 9(4)(b) thereof,

Having regard to Council Directive 2004/68/EC of 26 April 2004 laying down animal health rules for the importation into and transit through the Community of certain live ungulate animals, amending Directives 90/426/EEC and 92/65/EEC and repealing Directive 72/462/EEC[(3)], and in particular the first and second subparagraphs of Article 3(1), the first subparagraph of Article 6(1), point (e) of Article 7, Article 8, the first subparagraph of Article 10 and Article 13(1) thereof,

Whereas:

(1) Commission Regulation (EU) No 206/2010[(4)] lays down the veterinary certification requirements for the introduction into the Union of certain consignments of live animals or fresh meat. It also lays down the lists of third countries, territories or parts thereof from which those consignments may be introduced into the Union.

(2) Regulation (EU) No 206/2010 provides that consignments of fresh meat intended for human consumption are to be imported into the Union only if they come from the third countries, territories or parts thereof listed in Part 1 of Annex II to that Regulation for which there is a model veterinary certificate corresponding to the consignment concerned listed in that Part. In addition, those consignments must comply with the

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requirements set out in the appropriate veterinary certificate which must be drawn up in accordance with the models set out in Part 2 of that Annex.

(3) In addition, Regulation (EU) No 206/2010 provides that consignments of certain species of bees are only to be introduced into the Union from third countries or territories listed in Part 1 of Annex II to that Regulation where the presence of the small hive beetle (*Aethina tumida*) is subject to compulsory notification throughout the whole territory of the third country or territory concerned. However, consignments of bees may be introduced into the Union from a part of a third country or territory listed in that Part 1 which is a geographically and epidemiologically isolated part of the third country or territory and listed in the third column of the table in Section 1 of Part 1 of Annex IV. The State of Hawaii is currently listed in that column.

(4) Regulation (EU) No 206/2010 provided for a transitional period until 30 June 2010 during which time consignments of live animals and fresh meat intended for human consumption and accompanied by veterinary certificates issued in accordance with the rules in force before the entry into force of that Regulation may continue to be introduced into the Union.

(5) Due to some transposition errors in the published version of Regulation (EU) No 206/2010 in particular in the model certificates set out in the Annexes to that Regulation it has been republished in the Official Journal[(5)]. The transitional period provided for in Regulation (EU) No 206/2010 should therefore be extended to take account of the period between the initial publication of that Regulation and the republication of the corrected version.

(6) Argentina has requested the authorisation to export to the Union de-boned and matured wild deer meat of animals from an EU approved area free of foot and mouth disease with vaccination (AR-1). That third country has also provided sufficient animal health guarantees in support of its request. The model veterinary certificate RUW should therefore be indicated in column 4 of the table in Part 1 of Annex II to Regulation (EU) No 206/2010 for the part of the territory of Argentina indicated as AR-1 in the second column of that Part.

(7) Considering that provided the EU animal health rules are respected and in particular that the bovine, caprine and ovine animals collected at assembly centres including markets can be guaranteed to be of the same health status by an adequate animal identification and traceability system, then those animals destined for slaughter for production of fresh meat to be exported to the Union could be sourced from one assembly centre and then sent directly to an approved slaughterhouse. The animal identification and traceability system in Namibia has been shown to ensure that animals at such collection centres have the same health status concerning export requirements to the EU and can fulfil the supplementary guarantees (J) as referred to in the appropriate column in Part 1 of Annex II to this Regulation.

(8) On 5 May 2010, the United States notified the Commission of outbreaks of the small hive beetle in parts of the State of Hawaii. The introduction of consignments of bees from that state could pose a serious threat to bee populations in the Union. Accordingly,

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the listing of the State of Hawaii in the third column of the table in Section 1 of Part 1 of Annex IV to Regulation (EU) No 206/2010 should be suspended from that date.

(9) Regulation (EU) No 206/2010 should therefore be amended accordingly.

(10) It is necessary to provide for a transitional period in order to give Member States and the industry sufficient time to take the necessary measures to comply with the requirements laid down in Regulation (EU) No 206/2010, as amended by this Regulation, without disrupting trade.

(11) It is necessary for this Regulation to have retroactive effect in order to avoid any unnecessary disruption to trade in view of the very recent publication of the corrigendum affecting in particular the veterinary certificates.

(12) 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

Regulation (EU) No 206/2010 is amended as follows:

(1) Article 19 is replaced by the following wording:

> For a transitional period those consignments of live animals, except bees coming from the State of Hawaii, and fresh meat intended for human consumption certified before 30 November 2010 in accordance with Decisions 79/542/EEC and 2003/881/EC may continue to be introduced into the Union until 31 May 2011.

(2) Annex II is amended in accordance with the Annex to this Regulation.

(3) In Annex IV, Part 1, the table in Section 1 is replaced by the following:

'Country/territory	**Code of part of the country/territory**	**Description of part of the country/territory**
US – United States	US-A	The State of Hawaii[a]

a Suspended from 5 May 2010.'

Article 2

For a transitional period, consignments of fresh meat intended for human consumption in respect of which the relevant veterinary certificates have been certified before 30 November 2010, in accordance with the models BOV and OVI, as set out in Part 2 of Annex II to Regulation (EU) No 206/2010 before the amendments introduced by Article 1(2) of this Regulation, may continue to be introduced into the Union until 31 May 2011.

Article 3

This Regulation shall enter into force on the third 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

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Done at Brussels, 15 September 2010.

For the Commission

The President

José Manuel BARROSO

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ANNEX

Annex II is amended as follows:

(1) Part 1 is replaced by the following:

PART 1

(2) Part 2 is amended as follows:

(a) the introductory list is replaced by the following:

PART 2

Models of veterinary certificates

Model(s):

"BOV"	:	Model of veterinary certificate for fresh meat, including minced meat, of domestic bovine animals (including *Bison* and *Bubalus* species and their cross-breeds).
"OVI"	:	Model of veterinary certificate for fresh meat, including minced meat, of domestic ovine animals (*Ovis aries*) and domestic caprine animals (*Capra hircus*).
"POR"	:	Model of veterinary certificate for fresh meat, including minced meat, of domestic porcine animals (*Sus scrofa*).
"EQU"	:	Model of veterinary certificate for fresh meat, excluding minced meat, of domestic solipeds (*Equus caballus*, *Equus asinus* and their cross-breeds).
"RUF"	:	Model of veterinary certificate for fresh meat, excluding offal and minced meat, of farmed non-domestic animals of the order Artiodactyla (excluding bovine animals (including *Bison* and *Bubalus* species and their cross-breeds), *Ovis aries*, *Capra hircus*, Suidae and Tayassuidae), and of the families Rhinocerotidae and Elephantidae.
"RUW"	:	Model of veterinary certificate for fresh meat, excluding offal and minced meat, of wild non-domestic animals of the order Artiodactyla (excluding bovine animals (including *Bison* and *Bubalus* species and their cross-breeds), *Ovis aries, Capra hircus*, Suidae and Tayassuidae), and