Commission Regulation (EU) No 332/2010 of 22 April 2010 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Israel in the list of third countries, territories, zones or compartments (Text with EEA relevance)

COMMISSION REGULATION (EU) No 332/2010

of 22 April 2010

amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Israel in the list of third countries, territories, zones or compartments

(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 paragraph of point 1 of Article 8 and point 4 of Article 8 thereof,

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[(2)], and in particular Article 24(2) thereof,

Whereas:

(1) Directive 2002/99/EC lays down the general animal health rules governing all stages of the production, processing and distribution within the Union and the introduction from third countries of products of animal origin and products obtained therefrom intended for human consumption. That Directive provides that special import conditions are to be established for each third country or group of third countries, having regard to their animal health situation.

(2) Directive 2009/158/EC lays down the animal health conditions governing trade within the Union and imports from third countries of poultry and hatching eggs. That Directive provides that poultry is to come from third countries free of avian influenza or which, although they are not free from that disease, apply measures to control it which are at least equivalent to those laid down by the relevant Union legislation.

(3) 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[(3)] provides that the commodities covered by it are only to be imported into and transited through the Union from the third countries, territories, zones or compartments listed in the table in Part 1 of Annex I thereto.

(4) Pursuant to that Regulation, where an outbreak of highly pathogenic avian influenza (HPAI) occurs in a third country, territory, zone or compartment previously free of that

Changes to legislation: *Commission Regulation (EU) No 332/2010 is up to date with all changes known to be in force on or before 15 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*

disease, that third country, territory, zone or compartment is to again be considered as free of HPAI, provided that certain conditions are met; said conditions concern the implementation of a stamping out policy to control the disease, including adequate cleansing and disinfection carried out on all previously infected establishments. In addition, avian influenza surveillance must have been carried out in accordance with Part II of Annex IV to that Regulation during a three-month period following completion of the stamping out policy and cleansing and disinfection.

(5) Israel is currently listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country free from highly pathogenic avian influenza. Imports of poultry commodities to which that Regulation applies are therefore authorised from the whole territory of that third country.

(6) Israel has notified to the Commission an outbreak of highly pathogenic avian influenza of the H5N1 subtype on its territory.

(7) Due to the confirmed outbreak of HPAI, the territory of Israel may no longer be considered as free from that disease and the veterinary authorities of Israel have suspended issuing veterinary certificates for consignments of certain poultry commodities accordingly. Israel has also implemented a stamping out policy in order to control the disease and limit its spread.

(8) The information on the control measures taken has been submitted to the Commission. That information and the epidemiological situation in Israel have been evaluated by the Commission.

(9) The prompt and decisive action taken by Israel to confine the disease and the positive outcome of the evaluation of the epidemiological situation allows limiting the restrictions on imports into the Union for certain poultry commodities to the zones affected by the disease, which the veterinary authorities of Israel have placed under restrictions due to the outbreak of highly pathogenic avian influenza.

(10) In addition, Israel is carrying out surveillance activities for avian influenza which appear to meet the requirements laid down in Part II of Annex IV to Regulation (EC) No 798/2008.

(11) Taking into account the favourable development of the epidemiological situation and related surveillance activities for avian influenza in resolving the outbreak, it is appropriate to limit the time period during which the authorisation for imports into the Union is suspended until 1 May 2010.

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

(13) In order to implement the zoning requirements and thereby allowing trade to resume as soon as possible this Regulation should enter into force the day after publication.

(14) 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:

***Changes to legislation:** Commission Regulation (EU) No 332/2010 is up to date with all changes known to be in force on or before 15 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*

Article 1

Part 1 of Annex I to Regulation (EC) No 798/2008 is replaced by the text in the Annex to this Regulation.

Article 2

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

It shall apply from 26 January 2010.

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

Done at Brussels, 22 April 2010.

For the Commission

The President

José Manuel BARROSO