Commission Regulation (EU) No 254/2010 of 10 March 2010 approving a control programme for Salmonella in poultry in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Annex I to Regulation (EC) No 798/2008 as regards the Salmonella control status of certain third countries (Text with EEA relevance)

COMMISSION REGULATION (EU) No 254/2010

of 10 March 2010

approving a control programme for *Salmonella* in poultry in certain third countries in accordance with Regulation (EC) No 2160/2003 of the European Parliament and of the Council and amending Annex I to Regulation (EC) No 798/2008 as regards the *Salmonella* control status of certain third countries

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs[(1)], and in particular Article 21(1) thereof,

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[(2)], and in particular Article 10(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[(3)] provides that the commodities covered by that Regulation are only to be imported into and transit through the Union from the third countries, territories, zones or compartments listed in Annex I thereto.

(2) Regulation (EC) No 2160/2003 lays down rules for the control of *Salmonella* in different poultry populations in the Union. Admission to or retention on the list of third countries provided for in Union legislation from which Member States are authorised to import animals covered by that Regulation is subject to the submission to the Commission by the third country concerned of a control programme for *Salmonella* with equivalent guarantees as those contained in the national control programmes for *Salmonella* in the Member States.

(3) In accordance with Commission Regulation (EC) No 584/2008[(4)], *Salmonella* control programmes concerning breeding and productive poultry of turkeys, hatching eggs thereof, day-old chicks of turkeys and slaughter poultry and poultry for restocking of

turkeys provided for in Regulation (EC) No 2160/2003, are to apply from 1 January 2010 within the Union.

(4) Canada, Israel and the United States have submitted to the Commission a control programme for *Salmonella* in breeding flocks of turkeys, hatching eggs thereof and day-old chicks of turkeys. These programmes provide the guarantees required by Regulation (EC) No 2160/2003 and should therefore be approved.

(5) Certain third countries currently listed in Annex I to Regulation (EC) No 798/2008 have not yet submitted any control programme for *Salmonella* in flocks of turkeys to the Commission, or alternatively the programmes submitted by them do not provide guarantees equivalent to those required by Regulation (EC) No 2160/2003. Imports of breeding and productive poultry of turkeys, hatching eggs thereof, day-old chicks of turkeys and slaughter poultry and poultry for restocking of turkeys should therefore no longer be authorised from those third countries from 1 January 2010.

(6) Israel has submitted to the Commission a control programme for *Salmonella* in day-old chicks of *Gallus gallus*, intended for flocks of laying hens and broilers, supplementing the control programme of Israel approved by Commission Decision 2007/843/EC[(5)]. Control programmes for *Salmonella* in flocks of breeding hens and hatching eggs thereof and day-old chicks of *Gallus gallus* were also submitted by Brazil. These programmes provide the guarantees required by Regulation (EC) No 2160/2003 and should therefore be approved.

(7) The list of third countries, territories, zones or compartments and the model veterinary certificates for the import of breeding and productive poultry, day old chicks and hatching eggs set out in Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.

(8) 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

The control programme in accordance with Article 10(1) of Regulation (EC) No 2160/2003 is hereby approved as regards *Salmonella*:

(a) in breeding flocks of turkeys, hatching eggs thereof and day-old chicks of turkeys submitted by Canada, Israel and the United States;

(b) in day-old chicks of *Gallus gallus* intended for flocks of laying hens or broilers submitted by Israel;

(c) in breeding hens of *Gallus gallus*, hatching eggs thereof and day-old chicks of *Gallus gallus* submitted by Brazil.

Article 2

Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 3

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 January 2010.

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

Done at Brussels, 10 March 2010.

For the Commission

The President

José Manuel BARROSO