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 Salmonella serotypes in adult breeding flocks of Gallus gallus (Text with EEA relevance)

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 *Salmonella* serotypes in adult breeding flocks of *Gallus gallus*

(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 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.

(3) Annex I to Regulation (EC) No 2160/2003 refers to all salmonella serotypes with public health significance in breeding flocks of *Gallus gallus*. Those breeding flocks may spread salmonella infection to their progeny, in particular to flocks of laying hens and broilers. Therefore, a reduction in the prevalence of salmonella in breeding flocks contributes to the control of that zoonotic agent in eggs and meat derived from the progeny, which is an important public health risk.

(4) Commission Regulation (EC) No 1003/2005 of 30 June 2005 implementing Regulation (EC) No 2160/2003 as regards a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus*[(2)] lays down a Community target for the reduction of the prevalence of certain salmonella serotypes in breeding flocks of *Gallus gallus* for a transitional period expiring on 31 December 2009. By that date, the maximum percentage of adult breeding flocks of *Gallus gallus* remaining positive for *Salmonella enteritidis, Salmonella infantis, Salmonella hadar,*

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Salmonella typhimurium and *Salmonella virchow* (the relevant *Salmonella* spp.) is to be 1 % or less. Accordingly, it is necessary to lay down a permanent Union target for the reduction of the relevant *Salmonella* spp. once that period has expired.

(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[(3)], and in particular Article 5 thereof, is to be taken into account when setting the Union target.

(6) In accordance with the requirements of Regulation (EC) No 2160/2003, the EFSA has been consulted on the setting of the permanent Union target for breeding flocks of *Gallus gallus*. Accordingly, on 26 March 2009, the Panel on Biological Hazards adopted on a request from European Commission a scientific Opinion on a Quantitative estimation of the impact of setting a new target for the reduction of salmonella in breeding hens of *Gallus gallus*[(4)]. It concluded that *Salmonella enteritidis* and *Salmonella typhimurium* have the greatest potential for transmission, from breeding hens to their progeny in the broiler meat and egg layer chains. It also concluded that EU control measures for these two serotypes in breeding hens are expected to contribute to the control of salmonella infections in production stock, and to reduce human health risks from poultry. That Scientific Opinion also stated that the marginal benefits of additional EU-wide control for other serotypes in breeders are relatively small: they are less frequently associated with human illness and have less potential for vertical transmission.

(7) Taking into account the Scientific Opinion of the EFSA and considering that more time is needed to assess the trend of salmonella in flocks after the introduction of national control programmes, a Union target for the reduction of salmonella in adult breeding flocks of *Gallus gallus* similar to the one laid down in Regulation (EC) No 1003/2005 should be maintained.

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

(9) National control programmes for the achievement of the target in 2010 have been approved in accordance with Commission Decision 2009/883/EC of 26 November 2009 approving annual and multiannual programmes and the financial contribution from the Community for the eradication, control and monitoring of certain animal diseases and zoonoses presented by the Member States for 2010 and the following years[(5)]. These programmes were based on the legal provisions applicable at the time of submission of these programmes. The programmes in breeding flocks of *Gallus gallus* were approved based on the provisions in Regulation (EC) No 1003/2005. A transitional measure is therefore needed for the control programmes already approved.

(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,

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HAS ADOPTED THIS REGULATION:

Article 1

Union target

[F1 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).**]**

However, for Member States with less than 100 adult breeding flocks of *Gallus gallus*, the Union target, from 1 January 2010, shall be that no more than one such flock may remain positive for the relevant salmonella serotypes per year.

2 The testing scheme which is necessary to ascertain progress in the achievement of the Union target is set out in the Annex.

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).

Textual Amendments

F1 Substituted by 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).

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 provided for in Article 1(2) of this Regulation and the criteria laid down in Article 4(6)(c) of Regulation (EC) No 2160/2003.

Article 3

Repeal of Regulation (EC) No 1003/2005

1 Regulation (EC) No 1003/2005 is repealed.

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2 References to the repealed Regulation shall be construed as references to this Regulation.

Article 4

Transitional measures

The provisions in the Annex of Regulation (EC) No 1003/2005 shall continue to apply for the control programmes approved before the entering into force of this Regulation.

Article 5

Entry into force and applicability

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 entirety and directly applicable in all Member States.

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ANNEX

Testing scheme necessary to ascertain the achievement of the Union target for the reduction of the relevant *Salmonella* serotypes in adult breeding flocks of *Gallus gallus*

1. SAMPLING FRAME

The sampling framework to detect the presence of *Salmonella enteritidis, Salmonella infantis, Salmonella hadar, Salmonella typhimurium* and *Salmonella virchow* (the relevant salmonella serotypes) shall cover all adult breeding flocks of domestic fowl (*Gallus gallus*) comprising at least 250 birds (breeding flocks). It shall be without prejudice to the provisions in Regulation (EC) No 2160/2003 and Directive 2003/99/EC as regards the monitoring requirements in other animal populations or other serotypes.

2. MONITORING IN BREEDING FLOCKS

2.1. **Location, frequency and status of sampling**

Breeding flocks shall be sampled at the initiative of the food business operator and as part of official controls.

2.1.1. *Sampling at the initiative of the food business operator*

Sampling shall take place every two weeks at the place designated by the competent authority from the following two possible options:

(a) at the hatchery; or

(b) at the holding.

The competent authority may decide to implement one of the options referred to in points (a) or (b) to the whole testing scheme for all broiler breeding flocks and one of those options for all layer breeding flocks. However, sampling of breeding flocks laying hatching eggs intended for the trade within the Union must take place on the holding.

A procedure shall be set up to guarantee that the detection of the presence of the relevant *Salmonella* serotypes during sampling at the initiative of the food business operator is notified without delay to the competent authority by the laboratory performing the analyses. Timely notification of the detection of the presence of any of the relevant *Salmonella* serotypes shall remain the responsibility of the food business operator and the laboratory performing the analyses.

By way of derogation from the first paragraph of this point, if the Union target has been achieved for at least two consecutive calendar years in the whole Member State, sampling at the holding may be extended to take place every three weeks, at the discretion of the competent authority. However, the competent authority may decide to keep or revert to a two-week testing interval in the case of detection of the presence of the relevant *Salmonella* serotypes in a breeding flock on the holding and/or in any other case deemed appropriate by the competent authority.

2.1.2. *Sampling as part of official controls*

Sampling as part of official controls shall consist of:

2.1.2.1. If sampling at the initiative of the food business operator takes place at the hatchery:

(a) routine sampling every 16 weeks at the hatchery;