II

(Non-legislative acts)

REGULATIONS

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.

([1]) OJ L 303, 31.10.1990, p. 6.
([2]) OJ L 325, 12.12.2003, p. 1.
([3]) OJ L 226, 23.8.2008, p. 1.
([4]) OJ L 162, 21.6.2008, p. 3.

(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 [1]. 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

[1] OJ L 332, 18.12.2007, p. 81.

ANNEX

Annex I to Regulation (EC) No 798/2008 is amended as follows:

1. Part 1 is replaced by the following:

'PART 1

List of third countries, territories, zones or compartments

ISO code and name of third country or territory	Code of third country, territory, zone or compartment	Description of third country, territory, zone or compartment	Veterinary certificate		Specific conditions	Specific conditions		Avian influenza surveillance status	Avian influenza vaccination status	Salmonella control status
			Model(s)	Additional guarantees		Closing date (1)	Opening date (2)			
1	2	3	4	5	6	6A	6B	7	8	9
AL — Albania	AL-0	Whole country	EP, E							S4
AR — Argentina	AR-0	Whole country	SPF							
			POU, RAT, EP, E					A		S4
			WGM	VIII						
AU — Australia	AU-0	Whole country	SPF							
			EP, E							S4
			BPP, DOC, HEP, SRP							S0, ST0
			BPR	I						
			DOR	II						
			HER	III						
			POU	VI						
			RAT	VII						
BR — Brazil	BR-0	Whole country	SPF							

1	2	3	4	5	6	6A	6B	7	8	9
	BR-1	States of: Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	RAT, BPR, DOR, HER, SRA		N			A		
	BR-2	States of: Mato Grosso, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	BPP, DOC, HEP, SRP		N					S5, ST0
	BR-3	Distrito Federal and States of: Goiás, Minas Gerais, Mato Grosso, Mato Grosso do Sul, Paraná, Rio Grande do Sul, Santa Catarina and São Paulo	WGM	VIII						
			EP, E, POU		N					S4
BW — Botswana	BW-0	Whole country	SPF							
			EP, E							S4
			BPR	I						
			DOR	II						
			HER	III						
			RAT	VII						
BY — Belarus	BY-0	Whole country	EP and E (both “only for transit through the EU”)	IX						
CA — Canada	CA-0	Whole country	SPF							
			EP, E							S4
			BPR, BPP, DOR, HER, SRA, SRP		N			A		S1, ST1
			DOC, HEP		L, N					
			WGM	VIII						
			POU, RAT		N					

1	2	3	4	5	6	6A	6B	7	8	9
CH — Switzerland	CH-0	Whole country	([3])					A		([3])
CL — Chile	CL-0	Whole country	SPF							
			EP, E							S4
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S0, ST0
			WGM	VIII						
			POU, RAT		N					
CN — China	CN-0	Whole country	EP							
	CN-1	Province of Shandong	POU, E	VI	P2	6.2.2004	—			S4
GL — Greenland	GL-0	Whole country	SPF							
			EP, WGM							
HK — Hong Kong	HK-0	The whole territory of the Hong Kong Special Administrative Region	EP							
HR — Croatia	HR-0	Whole country	SPF							
			BPR, BPP, DOR, DOC, HEP, HER, SRA, SRP		N			A		S2, ST0
			EP, E, POU, RAT, WGM		N					
IL — Israel	IL-0	Whole country	SPF							
			BPR, BPP, DOC, DOR, HEP, HER, SRP		N			A		S5, ST1
			WGM	VIII						

1	2	3	4	5	6	6A	6B	7	8	9
			EP, E, POU, RAT		N					S4
IN — India	IN-0	Whole country	EP							
IS — Iceland	IS-0	Whole country	SPF							
			EP, E							S4
KR — Republic of Korea	KR-0	Whole country	EP, E							S4
ME — Montenegro	ME-O	Whole country	EP							
MG — Madagascar	MG-0	Whole country	SPF							
			EP, E, WGM							S4
MY — Malaysia	MY-0	—	—							
	MY-1	Western Peninsular	EP							
			E		P2	6.2.2004				S4
MK — former Yugoslav Republic of Macedonia ([4])	MK-0 ([4])	Whole country	EP							
MX — Mexico	MX-0	Whole country	SPF							
			EP							
NA — Namibia	NA-0	Whole country	SPF							
			BPR	I						
			DOR	II						
			HER	III						

1	2	3	4	5	6	6A	6B	7	8	9
			RAT, EP, E	VII						S4
NC — New Caledonia	NC-0	Whole country	EP							
NZ — New Zealand	NZ-0	Whole country	SPF							
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP							S0, ST0
			WGM	VIII						
			EP, E, POU, RAT							S4
PM — Saint Pierre and Miquelon	PM-0	Whole territory	SPF							
RS — Serbia (5)	RS-0 (5)	Whole country	EP							
RU — Russia	RU-0	Whole country	EP							
SG — Singapore	SG-0	Whole country	EP							
TH — Thailand	TH-0	Whole country	SPF, EP							
			WGM	VIII	P2	23.1.2004				
			E, POU, RAT		P2	23.1.2004				S4
TN — Tunisia	TN-0	Whole country	SPF							
			DOR, BPR, BPP, HER							S1, ST0
			WGM	VIII						
			EP, E, POU, RAT							S4

1	2	3	4	5	6	6A	6B	7	8	9
TR — Turkey	TR-0	Whole country	SPF							
			EP, E							S4
US — United States	US-0	Whole country	SPF							
			BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S3, ST1
			WGM	VIII						
			EP, E, POU, RAT		N					S4
UY — Uruguay	UY-0	Whole country	SPF							
			EP, E, RAT							S4
ZA — South Africa	ZA-0	Whole country	SPF							
			EP, E							S4
			BPR	I				A		
			DOR	II						
			HER	III						
			RAT	VII						
ZW — Zimbabwe	ZW-0	Whole country	RAT	VII						
			EP, E							S4

(1) Commodities, including those transported on the high seas, produced before this date may be imported into the Union during a period of 90 days from this date.
(2) Only commodities produced after this date may be imported into the Union.
(3) In accordance with the agreement between the European Union and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).
(4) The former Yugoslav Republic of Macedonia; provisional code that does not prejudge in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject in the United Nations.
(5) Not including Kosovo, as defined by United Nations Security Council Resolution 1244 of 10 June 1999.'

2. Part 2 is amended as follows:

(a) in the section on the '*Salmonella* control programme', the following entries are added:

' "S5" Prohibition to export into the Union breeding and productive poultry of *Gallus gallus* (BPP), slaughter poultry and poultry for restocking (SRP) of *Gallus gallus* because a *Salmonella* control programme in accordance with Regulation (EC) No 2160/2003 has not been submitted to the Commission or approved by it.

"ST0" Prohibition to export into the Union breeding or productive poultry (BPP) of turkeys, day-old chicks (DOC) of turkeys, slaughter poultry and poultry for restocking (SRP) of turkeys and hatching eggs (HEP) of turkeys because a relevant *Salmonella* control programme in accordance with Regulation (EC) No 2160/2003 has not been submitted to the Commission or approved by it.

"ST1" Prohibition to export into the Union breeding or productive poultry (BPP) of turkeys and slaughter poultry and poultry for restocking (SRP) of turkeys because a relevant *Salmonella* control programme in accordance with Regulation (EC) No 2160/2003 has not been submitted to the Commission or approved by it.';

(b) in the model certificate for breeding and productive poultry other than ratites (BPP), note 6 of Part II is replaced by the following:

'([6]) This guarantee applies for poultry belonging to the species of *Gallus gallus* and turkeys.';

(c) in the model certificate for day-old chicks other than ratites (DOC), note 6 of Part II is replaced by the following:

'([6]) This guarantee applies for poultry belonging to the species of *Gallus gallus* and turkeys.';

(d) in the model certificate for hatching eggs of poultry other than ratites (HEP), note 5 of Part II is replaced by the following:

'([5]) This guarantee applies for poultry belonging to the species of *Gallus gallus* and turkeys.';

(e) in the model certificate for slaughter poultry and poultry for restocking game supplies other than ratites (SRP), note 6 of Part II is replaced by the following:

'([6]) This guarantee applies for poultry belonging to the species of *Gallus gallus* and turkeys.'.