

**Fylgiskjal 2.****COMMISSION IMPLEMENTING REGULATION (EU) 2023/514****of 8 March 2023****amending Implementing Regulation (EU) 2021/405 as regards highly refined products, the list of third countries with an approved control plan and the inclusion of Moldova in the list of third countries authorised for the entry into the Union of consignments of eggs intended for placing on the market as Class A eggs****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) <sup>(1)</sup>, and in particular Article 127(2) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2022/2292 <sup>(2)</sup> supplements Regulation (EU) 2017/625 and aims to ensure that consignments of food-producing animals and certain goods intended for human consumption from third countries or regions thereof comply with certain Union food safety requirements or those recognised to be at least equivalent thereto. In particular, that Regulation identifies the animals and goods intended for human consumption that are subject to the requirement to come from a third country or region thereof which appears on the list referred to in Article 126(2)(a) of Regulation (EU) 2017/625.
- (2) Article 7 of Delegated Regulation (EU) 2022/2292 provides that certain consignments of food-producing animals, products of animal origin and composite products are to enter the Union only from a third country included in the list of third countries approved for the entry into the Union of such consignments for human consumption.
- (3) Commission Implementing Regulation (EU) 2021/405 <sup>(3)</sup> lays down a list of third countries or regions thereof authorised for the entry into the Union of consignments of certain highly refined products, intended for human consumption.

<sup>(1)</sup> OJ L 95, 7.4.2017, p. 1.

<sup>(2)</sup> Commission Delegated Regulation (EU) 2022/2292 of 6 September 2022 supplementing Regulation (EU) 2017/625 of the European Parliament and of the Council with regard to requirements for the entry into the Union of consignments of food-producing animals and certain goods intended for human consumption (OJ L 304, 24.11.2022, p. 1).

<sup>(3)</sup> Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118).

- (4) Since a recent amendment <sup>(4)</sup> of Regulation (EC) No 853/2004 of the European Parliament and of the Council <sup>(5)</sup>, highly refined products also cover fat derivatives and food flavourings that are authorized in accordance with Regulation (EC) No 1334/2008 of the European Parliament and of the Council <sup>(6)</sup>, subject to treatments excluding any public or animal health risk. Implementing Regulation (EU) 2021/405 should be amended to be consistent with this change.
- (5) Azerbaijan has submitted a control plan, which covers roes and caviar. The plan provides sufficient guarantees and should therefore be approved.
- (6) Lebanon has submitted a control plan, which covers honey. The plan provides sufficient guarantees and should therefore be approved.
- (7) Isle of Man is listed in the table of Annex -I to Implementing Regulation (EU) 2021/405 for its export to the Union of ovine and caprine meat. However, Isle of Man has informed the Commission that it is no longer interested in exporting caprine meat to the Union. The entry for Isle of Man for ovine and caprine meat in that table of Annex -I to Implementing Regulation (EU) 2021/405 should therefore only cover ovine meat.
- (8) Japan is listed in the table of Annex -I to Implementing Regulation (EU) 2021/405 for their export to the Union of pork meat. However, Japan has informed the Commission that it is no longer interested in submitting a control plan for pork meat but intends to use only pork meat originating either from Member States or third countries from which such products are authorised for entry into the Union. Consequently, the entry for Japan for pork meat should be adapted accordingly in Annex -I to Implementing Regulation (EU) 2021/405.
- (9) The United Kingdom is listed in the table of Annex -I to Implementing Regulation (EU) 2021/405 for their export to the Union of rabbit meat. However, the United Kingdom has informed the Commission that it is no longer interested to submit a control plan for rabbit meat but intends to use only rabbit meat originating either from Member States or third countries from which such products are authorised for entry into the Union. Consequently, the entry for United Kingdom for rabbit meat should be adapted accordingly in Annex -I to Implementing Regulation (EU) 2021/405.
- (10) Thailand has not submitted to the Commission a control plan for milk. However, Thailand has provided guarantees to use only milk originating either from Member States or third countries from which milk is authorised for entry into the Union. It has also informed the Commission that such milk to be exported to the Union will not be limited to composite products containing processed milk products. Consequently, the entry for Thailand for milk should be adapted accordingly in Annex -I to Implementing Regulation (EU) 2021/405.
- (11) The United States of America has submitted a control plan, which covers casings. The plan provides sufficient guarantees and should therefore be approved.
- (12) Rwanda is currently listed in the table of Annex -I to Implementing Regulation (EU) 2021/405 for honey and Colombia and Syria are listed for casings. As those third countries have not submitted to the Commission plans for the respective products, those entries should be deleted from the table in that Annex.
- (13) Moldova submitted a *Salmonella* control programme in flocks of laying hens in order to be authorised for the entry into the Union of class A eggs in accordance with Article 7 of Implementing Regulation (EU) 2021/405. That control programme was assessed with satisfaction by the Commission. The compliance related to the requirements on *Salmonella* control in accordance with Article 10(6) of Regulation (EC) No 2160/2003 of the European Parliament and of the Council <sup>(7)</sup> was double checked during the audit carried out by the Commission in April 2022 <sup>(8)</sup>. Moldova should therefore be authorised for the entry into the Union of class A eggs.

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<sup>(4)</sup> Commission Delegated Regulation (EU) 2022/2258 of 9 September 2022 amending and correcting Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council on specific hygiene requirements for food of animal origin as regards fishery products, eggs and certain highly refined products, and amending Commission Delegated Regulation (EU) 2019/624 as regards certain bivalve molluscs (OJ L 299, 18.11.2022, p. 5).

<sup>(5)</sup> Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin (OJ L 139, 30.4.2004, p. 55).

<sup>(6)</sup> Regulation (EC) No 1334/2008 of the European Parliament and of the Council of 16 December 2008 on flavourings and certain food ingredients with flavouring properties for use in and on foods and amending Council Regulation (EEC) No 1601/91, Regulations (EC) No 2232/96 and (EC) No 110/2008 and Directive 2000/13/EC (OJ L 354, 31.12.2008, p. 34).

<sup>(7)</sup> 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 (OJ L 325, 12.12.2003, p. 1).

<sup>(8)</sup> DG(SANTE)2021-7268 – final report available on <https://ec.europa.eu/food/audits-analysis/audit-report/details/4533>

- (14) Implementing Regulation (EU) 2021/405 should therefore be amended accordingly.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Amendments to Implementing Regulation (EU) 2021/405**

Implementing Regulation (EU) 2021/405 is amended as follows:

- (1) in Article 22, the introductory phrase is replaced by the following:  
'Consignments of highly refined products as described in Section XVI of Annex III to Regulation (EC) No 853/2004, intended for human consumption, shall only be authorised for the entry into the Union if they come from the following third countries or regions thereof;'
- (2) Annex -I is replaced by text set out in Annex I to this Regulation;
- (3) Annex IV is replaced by the text set out in Annex II to this Regulation.

*Article 2*

**Entry into force and application**

This Regulation shall enter into force on the twentieth 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.

Done at Brussels, 8 March 2023.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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ANNEX I

Annex I to Implementing Regulation (EU) 2021/405 is replaced by the following:

ANNEX I

List of third countries or regions thereof with approved control plans for certain food-producing animals and products of animal origin intended for human consumption, as referred to in Article 2a, Article 3, Article 6, first paragraph, Article 7, first paragraph, Article 10, second paragraph, Articles 11, 15, 16, 21 and Article 25, points (a) and (c)

Country ISO Code	Third country <sup>(1)</sup> or regions thereof	Bovine	Ovine/caprine	Porcine	Equine	Poultry	Aquaculture <sup>(7)</sup>	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
AD	Andorra	X	X	Δ	X		P						X	
AE	United Arab Emirates						Δ P	X <sup>(2)</sup> O	O				X <sup>(1)</sup>	
AL	Albania		X				X <sup>(4)</sup> P	O	X					X
AM	Armenia						X <sup>(4)</sup> P	O	O				X	
AR	Argentina	X	X		X	X	X <sup>(4)</sup> P	X	X	X	X	X	X	X
AU	Australia	X	X		X		X M	X	X		X	X	X	X
AZE	Azerbaijan						X <sup>(6)</sup> P							
BA	Bosnia and Herzegovina	X	X	X		X	X <sup>(4)</sup> P	X	X				X	
BD	Bangladesh						X P	O	O					
BF	Burkina Faso												X	
BJ	Benin												X	
BN	Brunei						X <sup>(5)</sup> P	O	O					
BR	Brazil	X			X	X	X P	O	O				X	X

Country ISO Code	Third country (1) or regions thereof	Bovine	Ovine/caprine	Porcine	Equine	Poultry	Aquaculture (17)	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
BW	Botswana	X					P							
BY	Belarus				X (8)		X (14) P	X	X				X	X
BZ	Belize						X (15) P	O	O					
CA	Canada	X	X	X	X	X	X M	X	X	X	X	X	X	
CH	Switzerland (1)	X	X	X	X	X	X (14) M	X	X	X	X	X	X	X
CL	Chile	X	X <sup>5</sup>	X		X	X (14) M	X	O		X		X	X
CM	Cameroon												X	
CN	China					X	X P	O	X	X			X	X
CO	Colombia						X P	X	Δ					
CR	Costa Rica						X P	O	O					
CU	Cuba						X (15) P	O	O				X	
DO	Dominican Republic												X	
EC	Ecuador						X P	O	O					
EG	Egypt													X
ET	Ethiopia												X	
FK	Falkland Islands	X					X (14) P	O	O					
FO	The Faroe Islands						X (14) P	O	O					

Country ISO Code	Third country <sup>(1)</sup> or regions thereof	Bovine	Ovine/caprine	Porcine	Equine	Poultry	Aquaculture <sup>(2)</sup>	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
GB	United Kingdom <sup>(3)</sup>	X	X	X	X	X	X <sup>(4)</sup> Δ M	X	X	Δ	X	X	X	X
GE	Georgia												X	
GG	Guernsey						O M	X	O					
GL	Greenland		X <sup>(5)</sup>				M					X		
GT	Guatemala						X <sup>(5)</sup> P	O	O				X	
HK	Hong Kong						Δ P		Δ					
HN	Honduras						X P	O	O					
ID	Indonesia						X P	O	O					
IL	Israel <sup>(4)</sup>					X	X <sup>(4)</sup> P	X	X				X	
IM	Isle of Man	X	X <sup>(6)</sup>	X			X <sup>(4)</sup> M	X	O				X	
IN	India					O	X P	O	X				X	X
IR	Iran						X <sup>(5)</sup> X <sup>(6)</sup> P	O	O					X
JE	Jersey	X					M	X	O					
JM	Jamaica						M						X	
JP	Japan	X		Δ		X	X <sup>(4)</sup> M	X	X				Δ	X
KE	Kenya						X <sup>(4)</sup> P	O	O					

Country ISO Code	Third country (1) or regions thereof	Bovine	Ovine/caprine	Porcine	Equine	Poultry	Aquaculture (2)	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey	Casings
KR	South Korea					X	X M	O	O				Δ	
LB	Lebanon												X	X
LK	Sri Lanka						X P	O	O					
MA	Morocco					X	X (14) Δ M	O	O					X
MD	Moldova					X	X (14) P	X	X				X	
ME	Montenegro	X	X (1)	X		X	X (14) P	X	X				X	
MG	Madagascar						X P	O	O				X	
MK	North Macedonia	X	X	X		X	X (14) P	X	X		X		X	
MM	Myanmar						X P	O	O				X	
MN	Mongolia													X
MU	Mauritius						X (14) P	O	O				Δ	
MX	Mexico			Δ			X P	O	X				X	
MY	Malaysia					Δ	X P	O	O					
MZ	Mozambique						X (15) P	O	O					
NA	Namibia	X	X (1)				P				X			
NC	New Caledonia						X (15) P	O	O			X	X	







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(<sup>1</sup>) List of third countries and territories (not limited to third countries recognised by the Union):

- (<sup>2</sup>) Camel milk only.
  - (<sup>3</sup>) Only the region of Ras al Khaimah.
  - (<sup>4</sup>) Hereinafter understood as the State of Israel, excluding the territories under the administration of the State of Israel after 5 June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.
  - (<sup>5</sup>) Ovine species only.
  - (<sup>6</sup>) In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex, references to the United Kingdom do not include Northern Ireland.
  - (<sup>7</sup>) In accordance with the Agreement of 21 June 1999 between the European Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).
  - (<sup>8</sup>) Export to the Union of live equidae intended for slaughter (food-producing animals only).
  - (<sup>9</sup>) Reindeer only.
  - (<sup>10</sup>) Only for consignments of fresh meat originating from New Zealand, destined to the Union and being unloaded, with or without storage, in Singapore and being reloaded in an approved establishment during transit through Singapore.
  - (<sup>11</sup>) Caprine species only.
  - (<sup>12</sup>) This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.
  - (<sup>13</sup>) Rattles only.
  - (<sup>14</sup>) Finfish only.
  - (<sup>15</sup>) Crustaceans only.
  - (<sup>16</sup>) Roes and caviar only.
  - (<sup>17</sup>) Aquaculture covers finfish, including eels, and products of finfish (such as roes and caviar), and crustaceans. The third countries or regions thereof listed for live, chilled, frozen or processed bivalve molluscs, echinoderms, tunicates and marine gastropods in Annex VIII are marked with an "M" in this column.
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## ANNEX II

Annex IV to Implementing Regulation (EU) 2021/405 is replaced by the following:

## 'ANNEX IV

**List of third countries authorized for the entry into the Union of consignments of eggs intended for placing on the market as Class A eggs as referred to in the second paragraph of Article 7**

COUNTRY ISO CODE	THIRD COUNTRY	REMARKS
CH	Switzerland <sup>(1)</sup>	
GB	United Kingdom <sup>(2)</sup>	
JP	Japan	
MD	Moldova	
MK	North Macedonia	
UA	Ukraine	

<sup>(1)</sup> In accordance with the Agreement of 21 June 1999 between the European Community and the Swiss Confederation on trade in agricultural products (OJ L 114, 30.4.2002, p. 132).

<sup>(2)</sup> In accordance with the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, and in particular Article 5(4) of the Protocol on Ireland/Northern Ireland in conjunction with Annex 2 to that Protocol, for the purposes of this Annex references to the United Kingdom do not include Northern Ireland.'