

COMMISSION IMPLEMENTING REGULATION (EU) 2021/519**of 24 March 2021****amending Implementing Regulation (EU) 2015/1375 as regards testing for *Trichinella* in solipeds and the derogation of the United Kingdom from testing for *Trichinella* in domestic swine****(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) ⁽¹⁾, and in particular point (a) of the first subparagraph of Article 18(8) thereof,

Whereas:

- (1) Regulation (EU) 2017/625 lays down rules for the performance of official controls and for action to be taken by the competent authorities in relation to the production of products of animal origin intended for human consumption.
- (2) *Trichinella* is a parasite which may be present in the meat of susceptible species, such as pigs and horses, and causes food-borne illness in humans when infected meat is consumed. Commission Implementing Regulation (EU) 2015/1375 ⁽²⁾ lays down specific rules on official controls for *Trichinella* in meat, including conditions for derogating from *Trichinella* testing at entry of meat of domestic swine into the Union.
- (3) On 6 June 2013, the European Food Safety Authority adopted a scientific opinion on the human health hazards to be covered by the inspection of meat (solipeds) ⁽³⁾. That opinion recommends the control of *Trichinella* in all solipeds (not only horses but also asses and mules) as a high priority. Commission Implementing Regulation (EU) 2019/627 ⁽⁴⁾ therefore lays down the mandatory testing of *Trichinella* in the carcasses of all solipeds. Implementing Regulation (EU) 2015/1375 lays down the mandatory testing of horses and other susceptible species. For reasons of consistency and to avoid any ambiguity, Implementing Regulation (EU) 2015/1375 should also refer to solipeds instead of horses.
- (4) Commission Regulation (EU) No 206/2010 ⁽⁵⁾ authorises the entry into the Union of meat of domestic swine from the United Kingdom. That Regulation lists the United Kingdom as applying a derogation from *Trichinella* testing of carcasses and meat of not weaned domestic swine less than five weeks of age in accordance with Article 3(2) of Implementing Regulation (EU) 2015/1375.

⁽¹⁾ OJ L 95, 7.4.2017, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2015/1375 of 10 August 2015 laying down specific rules on official controls for *Trichinella* in meat (OJ L 212, 11.8.2015, p. 7).

⁽³⁾ EFSA Journal 2013;11(6):3263.

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/627 of 15 March 2019 laying down uniform practical arrangements for the performance of official controls on products of animal origin intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council and amending Commission Regulation (EC) No 2074/2005 as regards official controls (OJ L 131, 17.5.2019, p. 51).

⁽⁵⁾ Commission Regulation (EU) No 206/2010 of 12 March 2010 laying down lists of third countries, territories or parts thereof authorised for the introduction into the European Union of certain animals and fresh meat and the veterinary certification requirements (OJ L 73, 20.3.2010, p. 1).

- (5) Commission Delegated Regulation (EU) 2020/692 ⁽⁶⁾ repeals Regulation (EU) No 206/2010 with effect from 21 April 2021. In view of that repeal, Commission Implementing Regulation (EU) 2020/1478 ⁽⁷⁾ adds Annex VII to Implementing Regulation (EU) 2015/1375 with effect from 21 April 2021, which lists the third countries applying a derogation from *Trichinella* testing referred to in Article 13(2) of Implementing Regulation (EU) 2015/1375.
- (6) On 12 January 2021, the United Kingdom provided information that historical data on continuous testing carried out on slaughtered domestic swine population provide at least 95 % confidence that the prevalence of *Trichinella* does not exceed one per million in that population in accordance with Article 3(3)(b) of Implementing Regulation (EU) 2015/1375. Furthermore, the United Kingdom informed the Commission of its intention to apply the derogation from *Trichinella* testing of carcasses and meat of domestic swine where the animals come from a holding officially recognised as applying controlled housing conditions in accordance with Annex IV to that Implementing Regulation.
- (7) Therefore, the United Kingdom should be listed in Annex VII to Implementing Regulation (EU) 2015/1375, without prejudice to the application of Union law to and in the United Kingdom in respect of Northern Ireland in accordance with Article 5(4) of the Protocol on Ireland/Northern Ireland to 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 in conjunction with Annex 2 to that Protocol.
- (8) Annex VII to Implementing Regulation (EU) 2015/1375 should be amended in order to reflect the application of the derogations provided for in Article 3(2) and (3) of that Implementing Regulation by the United Kingdom.
- (9) Therefore, Implementing Regulation (EU) 2015/1375 should be amended accordingly.
- (10) Since Regulation (EU) No 206/2010 is repealed with effect from 21 April 2021 and Implementing Regulation (EU) 2020/1478 adds Annex VII to Implementing Regulation (EU) 2015/1375 with effect from that date, the listing of the United Kingdom in that Annex should apply from the same date.
- (11) 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

Implementing Regulation (EU) 2015/1375 is amended as follows:

- (1) Article 2 is amended as follows:

- (a) the first subparagraph of paragraph 2 is replaced by the following:

‘Carcasses of solipeds, wild boar and other farmed and wild animal species susceptible to *Trichinella* infestation shall be systematically sampled in slaughterhouses or game-handling establishments as part of the post-mortem examination.’;

- (b) paragraph 3 is replaced by the following:

‘3. Pending the results of the *Trichinella* examination and provided full traceability is guaranteed by the food business operator, carcasses of domestic swine and of solipeds may be cut up into a maximum of six parts in a slaughterhouse or in a cutting plant on the same premises.’;

⁽⁶⁾ Commission Delegated Regulation (EU) 2020/692 of 30 January 2020 supplementing Regulation (EU) 2016/429 of the European Parliament and of the Council as regards rules for entry into the Union, and the movement and handling after entry of consignments of certain animals, germinal products and products of animal origin (OJ L 174, 3.6.2020, p. 379).

⁽⁷⁾ Commission Implementing Regulation (EU) 2020/1478 of 14 October 2020 amending Implementing Regulation (EU) 2015/1375 as regards sampling, the reference method for detection and import conditions related to *Trichinella* control (OJ L 338, 15.10.2020, p. 7).

(2) in Annex III, the introductory phrase and points (a) and (b) are replaced by the following:

‘Soliped meat, wild game meat and other meat that could contain *Trichinella* parasites must be examined in accordance with one of the digestion methods specified in Chapter I or II of Annex I, with the following changes:

- (a) specimens weighing at least 10 g are taken from the lingual or jaw muscle of solipeds and from the foreleg, tongue or diaphragm of wild boar;
- (b) in the case of solipeds, where those muscles are lacking, a larger-sized specimen is to be taken from a pillar of the diaphragm at the transition to the sinewy part. The muscle must be clean of connective tissue and fat;’

(3) in Annex IV, point (b) of Chapter II is replaced by the following:

‘(b) The number of tests and the results of testing for *Trichinella* in domestic swine, wild boar, solipeds, game and any other susceptible animals shall be submitted in accordance with Annex IV to Directive 2003/99/EC. Data on domestic swine shall, at least, provide specific information related to:

- (i) tests on animals raised under controlled housing conditions;
- (ii) tests on breeding sows, boars and fattening pigs.’;

(4) Annex VII is replaced by the following:

‘ANNEX VII

Third countries or regions thereof applying the derogations referred to in Article 13(2)

Country ISO code	Third country or regions thereof	Remarks
GB	United Kingdom (*)	Application of the derogations provided for in Article 3(2) and (3)’

(*) 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..

Article 2

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

Article 1(4) shall apply from 21 April 2021.

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

Done at Brussels, 24 March 2021.

For the Commission
The President
 Ursula VON DER LEYEN