List of third countries approved to export animal and animal products to EU (public health)

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Single Regulation for the list of third countries approved to export animal and animal products to the EU (food safety and residues)

Commission Implementing Regulation (EU) 2022/2293 of 18 November 2022 amending Implementing Regulation (EU) 2021/405 as regards the list of third countries with an approved control plan on the use of pharmacologically active substances, the maximum residue limits of pharmacologically active substances and pesticides and the maximum levels of contaminants

Update

On 24 November 2022, the EU published a Regulation aiming to simplify the EU legislation dealing with the list of third countries approved to export animal and animal products as regards public health issues (food safety and residues). The Regulation repeals Decision 2011/163/EU listing approved third countries regarding the requirements on residues, and inserts its content into Regulation 2021/405, so that there will be a single Regulation.

Impacted products

food-producing animals, animal products, composite products

What is changing?

The EU has simplified the EU legislation dealing with the list of third countries approved to export animals, animal products and composite products to the EU, as regards public health issues. Decision 2011/163/EU is repealed from 15 December 2022 onwards. Its content – the list of third countries that have their residue plan approved – is inserted into Regulation (EU) 2021/405 in a new annex.

All references to Decision 2011/163/EU in Regulation (EU) 2021/405 are therefore replaced by reference to the new “Annex-I”.

The consolidated version of Regulation (EU) 2021/405, including these modifications, has been published.

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Why?

To ensure transparency and consistency and facilitate exports of food-producing animals and animal products to the EU, the lists of approved third countries are laid down in a single Implementing Act.

Timeline

Date of publication: 24 November 2022

Date of application: 15 December 2022

What are the major implications for exporting countries?

AGRINFO partners must be clear that, from 15 December onwards, the list of approved third countries regarding food safety and residues is consolidated in Regulation (EU) 2021/405.

The table on residues is not merged with the table on food safety, and third countries must be listed both in Annex-I (residues) and Annex I (food safety).

In addition, third countries need to be approved for animal health issues in Regulation (EU) 2021/404.

When a third country wishes to be approved to export animals and animal products to the EU, the order recommended for requesting the approvals is:

1. Animal health (Regulation (EU) 2021/404)
2. Residues (Regulation (EU) 2021/405 Annex-I)
3. Food safety (Regulation (EU) 2021/405 Annex I).

A third country cannot be approved for residues if it is not yet approved for animal health. A third country cannot be approved for food safety if it is not yet approved both for animal health and residues. This procedure is agreed between the relevant Commission services for coordination and efficiency.

See AGRINFO explainers on Third country lists for animal health and Third country lists for public health.

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Recommended Actions

From 15 December 2022, partner countries should ensure they have updated their reference to the EU Regulation. The single reference for the list of third countries as regards public health (food safety and residues) will be Regulation (EU) 2021/405. Any reference to Decision 2011/163/EU should be deleted.

Background

Over the past years, the EU has entirely reviewed its framework legislation dealing with Official controls, Animal Health and Plant Health.

Most of the legislation is already applied. The last ones were effectively repealed by 15 December 2022 and final adjustments were necessary.

From 15 December onwards the relevant legislation is:

- Regulation (EU) 2017/625 – the Official Control Regulation
- Delegated Regulation (EU) 2022/2292 – specific rules for exports from third countries to the EU
- Implementing Regulation (EU) 2021/405 – The list of approved third countries as regards public health issues,

However, for third countries wishing to export animals and animal products to the EU, it is not enough to be listed in Regulation (EU) 2021/405. They must also be approved and listed in Implementing Regulation (EU) 2021/404 as regards animal health requirements.

Third countries must also list establishments that export animals or goods of animal origin to the EU, in accordance with public health requirements (Regulation (EU) 2022/2292 Arts. 1.2.a.ii. and 13) and animal health requirements Regulation (EU) 2020/692 Art. 8). This list is published in the EU's Establishment Lists which are updated regularly.

Products must be accompanied by the relevant health certificate (Implementing Regulation (EU) 2020/2235).

See AGRINFO explainers on Approval of third country establishments and EU official health certificates.

Resources

Online resources from the European Commission:

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- EU entry conditions
- Access2Markets

The procedure for third countries to apply for listing is described at the end of the following factsheets:

- European Union import conditions for poultry and poultry products
- EU import conditions for fresh meat and meat products
- EU import conditions for seafood and other fishery products

Sources

Commission Implementing Regulation (EU) 2022/2293

Regulation (EU) 2021/404

Regulation (EU) 2021/405

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