



2023/2156

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COMMISSION IMPLEMENTING REGULATION (EU) 2023/2156

of 17 October 2023

amending Implementing Regulation (EU) 2015/1375 as regards certain reporting requirements for Member States derogated from the testing in slaughterhouses for *Trichinella* in meat and carcasses of 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) <sup>(1)</sup>, and in particular Article 18(8), point (a), thereof,

Whereas:

- (1) Reporting requirements play a key role in ensuring proper monitoring and correct enforcement of legislation. However, it is important to streamline those requirements in order to ensure that they fulfil the purpose for which they were intended and to limit the administrative burden.
- (2) *Trichinella* is a parasite that may be present in the meat of susceptible species, such as pigs, and causes food-borne illness in humans when infected meat is consumed. Commission Implementing Regulation (EU) 2015/1375 <sup>(2)</sup> lays down specific rules on official controls for *Trichinella* in meat, including rules laid down in Article 2(1) thereof for the sampling of carcasses of domestic swine in slaughterhouses as part of the post-mortem inspection, for the purpose of an examination for the presence of that disease.
- (3) In addition, Article 3(3) of Implementing Regulation (EU) 2015/1375 provides for a derogation whereby carcasses and meat of domestic swine may be exempted from the *Trichinella* examination, where the domestic swine come from a holding or a compartment officially recognised as applying controlled housing conditions in accordance with Chapter I of Annex IV to Implementing Regulation (EU) 2015/1375 ('the derogation'). The derogation is subject to certain conditions, including the submission, by the Member State implementing the derogation, of an annual report to the Commission, in accordance with Article 3(4) of Implementing Regulation (EU) 2015/1375, containing the information referred to in Chapter II of Annex IV thereto ('the annual report').
- (4) In accordance with Article 9(1) of Directive 2003/99/EC the European Parliament and of the Council <sup>(3)</sup>, all Member States must also transmit to the Commission a report on trends and sources of zoonoses, zoonotic agents and antimicrobial resistance, covering the data collected pursuant to Article 4 of that Directive during the previous year, including the results of *Trichinella* testing. Chapter II of Annex IV to Implementing Regulation (EU) 2015/1375 lays down the same specific information on *Trichinella* testing to be reported by Member States applying the derogation

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

<sup>(2)</sup> 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).

<sup>(3)</sup> Directive 2003/99/EC of the European Parliament and of the Council of 17 November 2003 on the monitoring of zoonoses and zoonotic agents, amending Council Decision 90/424/EEC and repealing Council Directive 92/117/EEC (OJ L 325, 12.12.2003, p. 31).

for the purpose of Implementing Regulation (EU) 2015/1375 and Directive 2003/99/EC. As a result, the annual report must contain the same information as data required to be transmitted by all Member States in accordance with Article 9(1) of Directive 2003/99/EC.

- (5) Therefore, the annual report is burdensome and unnecessary, as it requires the submission of data that is already required to be transmitted in accordance with Article 9(1) of Directive 2003/99/EC. In this regards, the obligation to submit the annual report to the Commission in accordance with Article 3(4) of Implementing Regulation (EU) 2015/1375 should be deleted without impacting the main policy objectives of that Implementing Regulation. Article 3(4) of Implementing Regulation (EU) 2015/1375 should, therefore, be amended accordingly.
- (6) Implementing Regulation (EU) 2015/1375 should, therefore, be amended accordingly.
- (7) 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*

In Article 3 of Implementing Regulation (EU) 2015/1375, paragraph 4 is replaced by the following:

‘4. Where a Member State implements the derogation provided for in paragraph 3 of this Article, the Member State concerned shall inform the Commission and the other Member States at the Standing Committee on Plants, Animals, Food and Feed. The Commission shall publish the list of Member States implementing that derogation on its website.

Where a Member State fails to submit, in accordance with Article 9(1), second subparagraph of Directive 2003/99/EC, the data on the *Trichinella* examination referred to in Chapter II of Annex IV to this Regulation, the derogation, provided for in paragraph 3 of this Article, shall cease to apply to that Member State.’

#### *Article 2*

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, 17 October 2023.

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