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*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: Commission Decision of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (notified under document C(2011) 1630) (Text with EEA relevance) (2011/163/EU) is up to date with all changes known to be in force on or before 31 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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Commission Decision of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (notified under document C(2011) 1630) (Text with EEA relevance) (2011/163/EU)

COMMISSION DECISION

of 16 March 2011

on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC

(notified under document C(2011) 1630)

(Text with EEA relevance)

(2011/163/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC<sup>(1)</sup>, and in particular the fourth subparagraph of Article 29(1) and Article 29(2) thereof,

Whereas:

- (1) Directive 96/23/EC lays down measures to monitor the substances and groups of residues listed in Annex I thereto. Pursuant to Directive 96/23/EC, the inclusion and retention on the lists of third countries from which Member States are authorised to import animals and animal products covered by that Directive are subject to the submission by the third countries concerned of a plan setting out the guarantees which they offer as regards the monitoring of the groups of residues and substances listed in that Annex. Those plans are to be updated at the request of the Commission, particularly when certain checks render it necessary.
- (2) Commission Decision 2004/432/EC of 29 April 2004 on the approval of residue monitoring plans submitted by third countries in accordance with Council Directive 96/23/EC<sup>(2)</sup> approves the plans provided for in Article 29 of Directive 96/23/EC (the plans) submitted by certain third countries listed in the Annex thereto for the animals and animal products indicated in that list.
- (3) In the light of the recent plans submitted by certain third countries and additional information obtained by the Commission, it is necessary to update the list of third countries from which Member States are authorised to import certain animals and animal products, as provided for in Directive 96/23/EC and currently listed in the Annex to Decision 2004/432/EC (the list).

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- (4) The United Arab Emirates has submitted a plan for camel milk to the Commission. That plan provides sufficient guarantees and should be approved. Therefore, camel milk should be included in the entry for the United Arab Emirates in the list.
- (5) Brunei has submitted a plan for aquaculture to the Commission. That plan provides sufficient guarantees and should be approved. Therefore, Brunei should be included in the list as regards aquaculture.
- (6) The Commission requested that the former Yugoslav Republic of Macedonia provide information on the implementation of its plan for equidae for slaughter. In the absence of a reply from the former Yugoslav Republic of Macedonia there are not sufficient guarantees for approval. The entry for that third country concerning equidae for slaughter should therefore be deleted from the list. The former Yugoslav Republic of Macedonia has been informed accordingly.
- (7) The entry for Malaysia in the list includes poultry but the plan provided by Malaysia and the additional information obtained by the Commission do not provide sufficient guarantees in respect of poultry. However, the only establishment processing such raw material currently approved in accordance with Article 12 of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption<sup>(3)</sup> imports all its raw material from a Member State. In order to permit the continuation of that activity, the entry for Malaysia should include poultry but it should be restricted to raw material imported from other third countries included in the list for such material or from Member States. Malaysia has been informed accordingly. A footnote setting out this limitation should be included in the list for that third country.
- (8) The Commission requested that Russia provide information on the implementation of its plan for equidae for slaughter. In the absence of a reply from Russia there are not sufficient guarantees for approval. The entry for that third country concerning equidae for slaughter should be deleted from the list. Russia has been informed accordingly.
- (9) The Commission requested that Ukraine provide information on the implementation of its plan for equine animals and products. In the absence of a reply from Ukraine there are not sufficient guarantees for approval. The entry for that third country concerning equine animals and products should be deleted from the list. Ukraine has been informed accordingly.
- (10) The United States has been asked to provide information on the implementation of its plan for equine animals and products. However, the United States did not provide the respective guarantees as the slaughter of equidae for export to the Union has ceased in that third country. The entry for that that third country concerning equine animals and products should therefore be deleted from the list. The United States has been informed accordingly.
- (11) A Commission inspection to Uruguay has revealed serious shortcomings concerning the implementation of the plan for rabbit and farmed game. For rabbit, there was no residue monitoring plan in place and for farmed game, no sampling or testing was possible

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because of a cessation in production. The entries for Uruguay concerning rabbit and farmed game should therefore be deleted from the list. Uruguay has been informed accordingly.

- (12) Certain third countries export animal products derived from raw material originating from Member States or from other third countries that comply with the provisions of Directive 96/23/EC for such materials and which are therefore included in the list. In order to ensure that animal products imported into the Union are covered by an approved plan, third countries that import such raw material for subsequent export to the Union should include a statement in their plan to that effect.
- (13) In order to avoid any disruption to trade, a transitional period should be laid down to cover the relevant consignments from the former Yugoslav Republic of Macedonia, Russia, Ukraine and Uruguay, which were dispatched to the Union before the date of application of this Decision.
- (14) Decision 2004/432/EC has been amended several times. In the interests of clarity of Union legislation, it should be repealed and replaced by this Decision.
- (15) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

### *[<sup>F1</sup>Article 1*

1 The plans provided for in Article 29 of Directive [96/23/EC](#) or under the correlating provisions of, or under, Regulation (EU) 2017/625 submitted to the appropriate authority by the third countries listed in the table set out in the Annex are approved for the animals and animal products that are intended for human consumption and marked with an ‘X’ in that table.

2 In paragraph 1, “appropriate authority” means the Secretary of State (in relation to England), the Welsh Ministers (in relation to Wales) and the Scottish Ministers (in relation to Scotland); but the “appropriate authority” is the Secretary of State if consent is given by:

- a in relation to Wales, the Welsh Ministers;
- b in relation to Scotland, the Scottish Ministers.

3 In this Decision, “third country” means any country or territory other than the British Islands.]

#### **Textual Amendments**

**F1** [Art. 1](#) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(2)** (with regs. 69-71)

### *Article 2*

1 Third countries using raw material imported from other third countries approved for production of food of animal origin in accordance with this Decision <sup>F2</sup>... to be exported to [<sup>F3</sup>Great Britain] and which are unable to provide a residue monitoring plan equivalent to that required by Article 7 of Directive 96/23/EC [<sup>F4</sup>or under the correlating provisions of Regulation (EU) 2017/625] for such raw material shall complement the plan with the following statement:

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The competent authority of [third country] ensures that animal products for human consumption exported to [<sup>F5</sup>Great Britain], in particular products produced from raw material imported into [third country], shall only come from establishments approved in accordance [<sup>F6</sup>with Article 126 of Regulation (EU) 2017/625] and having reliable procedures in place to guarantee that raw material of animal origin used in such food originates only from [<sup>F7</sup>the United Kingdom] or third countries listed for the respective raw material in the Annex to Commission Decision 2011/163/EU without a restrictive footnote as provided for in Article 2(2) of the Decision..

2 The entry in the Annex to this Decision of a third country exporting animal products for human consumption produced only with raw material of animal origin obtained from [<sup>F8</sup>the United Kingdom] or from third countries that provided a plan in accordance with Article 29 of Directive 96/23/EC [<sup>F9</sup>or under the correlating provisions of Regulation (EU) 2017/625] shall be complemented with the following restrictive footnote:

Third countries using only raw material <sup>F10</sup>... from other third countries approved for imports of such raw material to [<sup>F11</sup>Great Britain], in accordance with Article 2..

#### Textual Amendments

- F2** Words in Art. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(a)(i)** (with regs. 69-71)
- F3** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(a)(ii)** (with regs. 69-71)
- F4** Words in Art. 2(1) inserted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(a)(iii)** (with regs. 69-71)
- F5** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(b)(i)** (with regs. 69-71)
- F6** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(b)(ii)** (with regs. 69-71)
- F7** Words in Art. 2(1) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(b)(iii)** (with regs. 69-71)
- F8** Words in Art. 2(2) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(c)(i)** (with regs. 69-71)
- F9** Words in Art. 2(2) inserted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(c)(ii)** (with regs. 69-71)
- F10** Word in Art. 2(2) omitted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(d)(i)** (with regs. 69-71)
- F11** Words in Art. 2(2) substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(3)(d)(ii)** (with regs. 69-71)

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<sup>F12</sup>Article 3

**Textual Amendments**

**F12** Art. 3 omitted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(4)** (with regs. 69-71)

Article 4

Decision 2004/432/EC is repealed.

Article 5

**F13**  
...

It shall apply from 15 March 2011.

**Textual Amendments**

**F13** Words in Art. 5 omitted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(4)** (with regs. 69-71)

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[<sup>F14</sup>ANNEX**Textual Amendments**

**F14** Substituted by Commission Implementing Decision (EU) 2020/1141 of 29 July 2020 amending Decision 2011/163/EU on the approval of residue monitoring plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (notified under document number C(2020) 5076) (Text with EEA relevance).

**Modifications etc. (not altering text)**

**C1** Annex: power to amend conferred (31.12.2020) by The Trade in Animals and Animal Products (Legislative Functions) and Veterinary Surgeons (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1225), regs. 1(3), 12; 2020 c. 1, Sch. 5 para. 1(1)

Code ISO2	Country	Bovine	Ovine/caprine	Porcine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farm game	Honey
AD	Andorra	X	X	X <sup>c</sup>	X								X
AE	United Arab Emirates						X <sup>c</sup>	X <sup>a</sup>					
AL	Albania		X				X <sup>g</sup>		X				
AM	Armenia						X						X
AR	Argentina	X	X		X	X	X	X	X	X	X	X	X
AU	Australia	X	X		X		X	X			X	X	X
BA	Bosnia and Herzegovina	X	X	X		X	X <sup>g</sup>	X	X				X
BD	Bangladesh						X						
BF	Burkina Faso												X
BJ	Benin												X
BN	Brunei						X						
BR	Brazil	X			X	X	X						X
BW	Botswana	X											
BY	Belarus				X <sup>b</sup>		X	X	X				
BZ	Belize						X						
CA	Canada	X	X	X	X	X	X	X	X	X	X	X	X
CH	Switzerland <sup>(1)</sup>	X	X	X	X	X	X	X	X	X	X	X	X
CL	Chile	X	X	X		X	X	X			X		X

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CM	Cameroon											X
CN	China				X	X		X	X			X
CO	Colombia					X	X					
CR	Costa Rica					X						
CU	Cuba					X						X
DO	Dominican Republic											X
EC	Ecuador					X						
ET	Ethiopia											X
	[ <sup>F19</sup> EU member States, Liechtenstein and Norway <sup>(j)</sup> ]											
FK	Falkland Islands	X				X						
FO	Faeroe Islands					X						
GH	Ghana											X
GE	Georgia											X
GL	Greenland	X									X	
GT	Guatemala					X						X
HN	Honduras					X						
ID	Indonesia					X						
IL	Israel <sup>e</sup>				X	X	X	X			X	X
IN	India					X		X				X
IR	Iran					X <sup>i</sup>						
JM	Jamaica											X
JP	Japan	X	X		X	X	X	X				
KE	Kenya					X						
KG	Kyrgyzstan											X
KR	South Korea				X	X						

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LK	Sri Lanka						X						
MA	Morocco				X	X							
MD	Moldova				X	X			X				X
ME	Montenegro	X	X		X	X	X	X					X
MG	Madagascar					X							X
MKD	North Macedonia	X	X		X	X	X	X		X			X
MM	Republic of the Union of Myanmar					X							X
MU	Mauritius					X							X <sup>c</sup>
MX	Mexico					X			X				X
MY	Malaysia				X <sup>c</sup>	X							
MZ	Mozambique					X							
NA	Namibia	X	X										
NC	New Caledonia					X <sup>i</sup>					X		X
NI	Nicaragua					X							X
NZ	New Zealand	X	X	X		X	X			X	X		X
PA	Panama					X							
PE	Peru					X							
PH	Philippines					X							
PM	Saint Pierre and Miquelon				X								
PN	Pitcairn Islands												X
PY	Paraguay	X	X										
RS	Serbia	X	X	X	X <sup>b</sup>	X	X	X	X		X		X
RU	Russia	X	X	X		X		X	X			X <sup>d</sup>	X
RW	Rwanda												X
SA	Saudi Arabia						X						



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SG	Singapore	X <sup>e</sup>	X <sup>c</sup>	X <sup>f</sup>	X <sup>c</sup>	X	X <sup>c</sup>			X <sup>f</sup>	X <sup>f</sup>	
SL	Sierra Leone											X
SM	San Marino	X	X <sup>c</sup>				X					X
SV	El Salvador											X
SZ	Eswatini	X										
TH	Thailand				X	X						X
TN	Tunisia					X <sup>g</sup>				X		
TR	Turkey				X	X	X	X				X
TW	Taiwan					X						X
TZ	Tanzania					X						X
UA	Ukraine	X	X		X	X	X	X	X			X
UG	Uganda					X						X
US	United States	X	X		X	X	X	X	X	X	X	X
UY	Uruguay	X		X		X	X			X		X
VE	Venezuela					X						
VN	Vietnam					X						X
ZA	South Africa									X	X <sup>h</sup>	
XK	Kosovo				X <sup>c</sup>							
ZM	Zambia											X

**a** Camel milk only.

**b** Export to [<sup>F15</sup>Great Britain] of live equidae for slaughter (food producing animals only).

**c** Third countries using only raw material <sup>F16</sup>... from other third countries approved for imports of such raw material to [<sup>F17</sup>Great Britain], in accordance with Article 2.

**d** Only for reindeers from the Murmansk and Yamalo-Nenets regions.

**e** Hereafter understood as the State of Israel, excluding the territories under Israeli administration since June 1967, namely the Golan Heights, the Gaza Strip, East Jerusalem and the rest of the West Bank.

**f** Only for commodities of fresh meat originating from New Zealand, destined to [<sup>F18</sup>Great Britain] and being unloaded, reloaded and transited with or without storage through Singapore.

**g** Finfish only.

**h** Ratites only.

**i** Crustaceans only.

**j** [<sup>F19</sup>This is subject to any specific certification requirements for imports from EU member States, Liechtenstein, Norway and Switzerland, in such form as the Secretary of State may, with the consent of the appropriate authority, publish from time to time.]]

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### Textual Amendments

- F15** Words in Annex substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(b)(i)** (with regs. 69-71)
- F16** Words in Annex omitted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(b)(ii)** (with regs. 69-71)
- F17** Words in Annex substituted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(b)(i)** (with regs. 69-71)
- F18** Words in Annex substituted (E.W.S.) (31.12.2020) by virtue of [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(b)(i)** (with regs. 69-71)
- F19** Words in Annex inserted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(a)(ii)** (with regs. 69-71)
- F20** Word in Annex inserted (E.W.S.) (31.12.2020) by [The Import of, and Trade in, Animals and Animal Products \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1462\)](#), regs. 1(3), **59(5)(a)(i)** (with regs. 69-71)

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- (1) OJ L 125, 23.5.1996, p. 10.
- (2) OJ L 154, 30.4.2004, p. 44-50.
- (3) OJ L 139, 30.4.2004, p. 206.

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