



EUROPEAN  
COMMISSION

Brussels, **XXX**  
SANTE/10434/2020 feedback  
(POOL/G4/2020/10434/10434-EN.docx)  
[...] (2020) **XXX** draft

**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of XXX**

**amending Implementing Regulation (EU) 2015/1375 as regards the reference method for  
detection and import conditions related to *Trichinella* control**

(Text with EEA relevance)

*This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.*

COMMISSION IMPLEMENTING REGULATION (EU) .../...

of **XXX**

**amending Implementing Regulation (EU) 2015/1375 as regards the reference method for detection and import conditions related to *Trichinella* control**

(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)(a) thereof,

After consulting the Standing Committee on Plants, Animals, Food and Feed,

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 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 laboratory examination of meat samples of all slaughter pigs.
- (3) Pending the result of the *Trichinella* examination, carcasses might be cut into a maximum of six parts under certain conditions. For the production of certain specific products derived from domestic swine, warm cutting into more parts is required before the result of the *Trichinella* examination are available. For such specific products, cutting into more parts should therefore be allowed provided that the safety of the meat is ensured.
- (4) The Implementing Regulation (EU) 2015/1375 also provides for a derogation from *Trichinella* examination at entry into the Union where pigs are coming from officially

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<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)

*Trichinella*-free holdings applying controlled housing conditions. A third country can only apply this derogation if it has informed the Commission of the application of such derogation and if it has been listed for that purpose by the Commission.

- (5) While no third country has made such request for derogation yet, Article 13 of Regulation (EU) 2015/1375 refers to third countries listed in Commission Regulation (EU) No 206/2010<sup>3</sup> and Commission Decision 2007/777/EC<sup>4</sup> for the purpose of this listing. Commission Delegated Regulation (EU) 2020/692<sup>5</sup> repeals Commission Regulation (EU) No 206/2010 and Commission Decision 2007/777/EC with effect from 21 April 2021. Therefore, and for reasons of simplification, the possibility to lay down lists of third countries applying the derogations on *Trichinella* should therefore be provided for directly in this Regulation.
- (6) Article 14 of Implementing Regulation (EU) 2015/1375 also requires attestation on *Trichinella* examination or *Trichinella* status of the holding to be inserted into the official certificates for intra-Union trade in live domestic swine and for entry into the Union of such swine and their meat.
- (7) Article 126(2)(c) of Regulation (EU) 2017/625 and Article 13 of Commission Delegated Regulation (EU) 2019/625<sup>6</sup> requires that consignments of certain animals and good should be accompanied by an official certificate to ensure that the animals and goods comply with the relevant requirements established by the rules referred to in Article 1(2) of that Regulation. This Article has therefore become redundant and should therefore be deleted.
- (8) Implementing Regulation (EU) 2015/1375 also sets a reference method of detection of *Trichinella* in samples collected from carcasses of domestic swine. In 2015, the International Organization for Standardization adopted global standard ISO 18743:2015 specifying a method of detection of *Trichinella* spp. muscle stage larvae in meat of individual animal carcasses intended for human consumption. ISO 18743:2015 is completely based on the reference method of detection of *Trichinella*, laid down in Implementing Regulation (EU) 2015/1375. [*seems contradictory*].
- (9) It is therefore appropriate to replace the reference method in Regulation (EU) 2015/1375 by ISO 18743:2015 to bring the Union reference method in line with this global standard. This will facilitate export of pig meat from the Union, without creating any additional requirements or burden to European laboratories using the reference methods for official controls.

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<sup>3</sup> 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)

<sup>4</sup> Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC (OJ L 312, 30.11.2007, p. 49)

<sup>5</sup> 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)

<sup>6</sup> Commission Delegated Regulation (EU) 2019/625 of 4 March 2019 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 certain animals and goods intended for human consumption (OJ L 131, 17.5.2019, p. 18)

- (10) Since Regulation (EU) No 206/2010 and Decisions 2007/777/EC are only repealed from 20 April 2021, the amendment of listing of third countries and model certificates should only apply from that 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) In Article 2, Point 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 horses may be cut up into a maximum of six parts in a slaughterhouse or in a cutting plant on the same premises.

By way of derogation from the place of cutting in the first subparagraph and following approval by the competent authority, such carcasses may be cut up at a cutting plant attached to or separate from the slaughterhouse provided that:

- (a) the procedure is under supervision by the competent authority;
- (b) a carcass or the parts thereof have not more than one cutting plant as its destination;
- (c) the cutting plant is situated within the territory of the Member State; and
- (d) in the case of a positive result all the parts are declared unfit for human consumption.’

By way of derogation from the cutting into a maximum of six parts in the first subparagraph and following approval by the competent authority, such carcasses derived from domestic swine may be cut up into more part in a slaughterhouse or in a cutting plant on the same premises [or attached to the slaughterhouse] provided that:

- (a) the procedure is under supervision by the competent authority;
- (b) warm cutting is necessary for the production of specific products;
- (c) in the case of a positive result all the parts are declared unfit for human consumption.’

(2) In Article 13, Point 2 is replaced by the following:

2. Only the following third countries may apply the derogations provided for in Article 3(2) and (3) after having informed the Commission on the application of those derogations: none.’

(3) Article 14 is deleted.

(4) In Annex I, Chapter I is replaced by the following:

#### ‘CHAPTER I

#### **REFERENCE METHOD OF DETECTION**

The reference method of detection for the examination of samples for *Trichinella*, is the latest version of ISO 18743:2015.’

*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*.

Article 1(2) and (3) shall apply from 21 April 2021.

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

Done at Brussels,

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

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