

## II

(Non-legislative acts)

## REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) 2022/1389

of 2 August 2022

**amending and correcting Annex IX to Implementing Regulation (EU) 2021/405 as regards the lists of third countries or regions thereof authorised for the entry into the Union of certain fishery products**

(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 127(2) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2019/625 <sup>(2)</sup> sets out the requirements for the entry into the Union of consignments of certain animals and goods intended for human consumption from third countries or regions thereof, in order to ensure that they comply with the applicable requirements established in the rules on food safety referred to in Article 1(2), point (a), of Regulation (EU) 2017/625 or with requirements recognised to be at least equivalent thereto. In particular, entry into the Union of those goods and animals is subject to the requirement that they come from a third country or region thereof which is included in a list in accordance with Article 126(2), point (a) of Regulation (EU) 2017/625.
- (2) Commission Implementing Regulation (EU) 2021/405 <sup>(3)</sup> lays down the lists of third countries and regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Article 126(2), point (a), of Regulation (EU) 2017/625. Annex IX to that Implementing Regulation set outs the list of third countries or regions thereof authorised for the entry into the Union of consignments of certain fishery products, among which products from aquaculture.

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

<sup>(2)</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).

<sup>(3)</sup> Commission Implementing Regulation (EU) 2021/405 of 24 March 2021 laying down the lists of third countries or regions thereof authorised for the entry into the Union of certain animals and goods intended for human consumption in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council (OJ L 114, 31.3.2021, p. 118).

- (3) Implementing Decision (EU) 2022/...<sup>(4)</sup> approved the residue-monitoring plans for all fishery products in the category 'aquaculture' of Bangladesh, Brazil, Colombia, Costa Rica, Ecuador, Honduras, Indonesia, India, South Korea, Sri Lanka, Myanmar/Burma, Mexico, Malaysia, Panama, Peru, Philippines, Saudi Arabia, Thailand, Taiwan and Vietnam and included those third countries in the Annex to Commission Decision 2011/163/EU<sup>(5)</sup>. It is therefore appropriate to amend Annex IX to Implementing Regulation (EU) 2021/405 in order to reflect that approval for all fishery products in the category 'aquaculture'. Those third countries have been informed accordingly.
- (4) Implementing Decision (EU) 2022/... approved the residue-monitoring plan for products of finfish in the category 'aquaculture' of Morocco, and included that third country in the Annex to Decision 2011/163/EU with a note limiting the approval to finfish products. It is therefore appropriate to amend Annex IX to Implementing Regulation (EU) 2021/405 in order to reflect that approval limited to finfish products in the category 'aquaculture'. That third country has been informed.
- (5) Implementing Decision (EU) 2022/... added roes to caviar and crustaceans in the category of aquaculture products in the Annex to Decision 2011/163/EU with a note limiting the approval to roes and caviar and crustaceans. It is therefore appropriate to amend Annex IX to Implementing Regulation (EU) 2021/405 in order to reflect that approval limited to roes and caviar and crustaceans products in the category 'aquaculture'. Iran has been informed accordingly.
- (6) Implementing Decision (EU) 2022/... withdrew the approval of the residue-monitoring plan for finfish products in the category 'aquaculture' of Uganda, as Uganda has not submitted a residue-monitoring plan for that products. Uganda should therefore be removed from the list of third countries or regions thereof authorised for the entry into the Union of consignments of certain fishery products, set out Annex IX to Implementing Regulation (EU) 2021/405, except for wild catch, which does not require a residue-monitoring plan. Annex IX to Implementing Regulation (EU) 2021/405 should therefore be amended accordingly. Uganda has been informed accordingly.
- (7) Implementing Regulation (EU) 2022/363<sup>(6)</sup> amended Implementing Regulation (EU) 2021/405, and erroneously listed the United Arab Emirates in Annex IX to Implementing Regulation (EU) 2021/405 for aquaculture products, although that third country had not provided a residue-monitoring plan for aquaculture products. It is therefore appropriate to correct the entry for the United Arab Emirates in the list of third countries or regions thereof authorised for the entry into the Union of consignments of certain fishery products, set out Annex IX to Implementing Regulation (EU) 2021/405, in order to reflect that the approval concerns only wild catch. The United Arab Emirates has been informed accordingly.
- (8) Annex IX to Implementing Regulation (EU) 2021/405 should therefore be amended and corrected accordingly.
- (9) In order to minimise trade disruptions and ensure legal certainty and consistency with Decision 2011/163/EU, this Regulation should enter into force as a matter of urgency.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

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<sup>(4)</sup> Commission Implementing Decision (EU) 2022/... of 9 August 2022 amending Implementing Decision 2011/163/EU on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (see page ... of this Official Journal).

<sup>(5)</sup> Commission Decision 2011/163/EU of 16 March 2011 on the approval of plans submitted by third countries in accordance with Article 29 of Council Directive 96/23/EC (OJ L 70, 17.3.2011, p. 40).

<sup>(6)</sup> Commission Implementing Regulation (EU) 2022/363 of 24 January 2022 amending and correcting Annex IX to Implementing Decision (EU) 2021/405 as regards the lists of third countries or regions thereof authorised for the entry into the Union of certain fishery products (OJ L 69, 4.3.2022, p. 40).

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex IX to Implementing Regulation (EU) 2021/405 is amended and corrected in accordance with the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the 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, 2 August 2022.

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

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## ANNEX

1. Annex IX to Implementing Regulation (EU) 2021/405 is amended as follows:

(a) the entry for Bangladesh is replaced by the following:

|     |                  |  |
|-----|------------------|--|
| 'BD | Bangladesh (1)'; |  |
|-----|------------------|--|

(b) the entry for Brazil is replaced by the following:

|     |              |  |
|-----|--------------|--|
| 'BR | Brazil (1)'; |  |
|-----|--------------|--|

(c) the entry for Colombia is replaced by the following:

|     |                |  |
|-----|----------------|--|
| 'CO | Colombia (1)'; |  |
|-----|----------------|--|

(d) the entry for Costa Rica is replaced by the following:

|     |                  |  |
|-----|------------------|--|
| 'CR | Costa Rica (1)'; |  |
|-----|------------------|--|

(e) the entry for Ecuador is replaced by the following:

|     |               |  |
|-----|---------------|--|
| 'EC | Ecuador (1)'; |  |
|-----|---------------|--|

(f) the entry for Honduras is replaced by the following:

|     |                |  |
|-----|----------------|--|
| 'HN | Honduras (1)'; |  |
|-----|----------------|--|

(g) the entry for Indonesia is replaced by the following:

|     |                 |  |
|-----|-----------------|--|
| 'ID | Indonesia (1)'; |  |
|-----|-----------------|--|

(h) the entry for India is replaced by the following:

|     |             |  |
|-----|-------------|--|
| 'IN | India (1)'; |  |
|-----|-------------|--|

(i) the entry for Iran is replaced by the following:

|     |      |   |
|-----|------|---|
| 'IR | Iran | Aquaculture: only roes and caviar and crustaceans'; |
|-----|------|---|

(j) the entry for South Korea is replaced by the following:

|     |                   |  |
|-----|-------------------|--|
| 'KR | South Korea (1)'; |  |
|-----|-------------------|--|

(k) the entry for Sri Lanka is replaced by the following:

|     |                 |  |
|-----|-----------------|--|
| 'LK | Sri Lanka (1)'; |  |
|-----|-----------------|--|

(l) the entry for Morocco is replaced by the following:

|     |         |                             |
|-----|---------|-----------------------------|
| 'MA | Morocco | Aquaculture: only finfish'; |
|-----|---------|-----------------------------|

(m) the entry for Myanmar/Burma is replaced by the following:

|     |                     |  |
|-----|---------------------|--|
| 'MM | Myanmar/Burma (!)'; |  |
|-----|---------------------|--|

(n) the entry for Mexico is replaced by the following:

|     |              |  |
|-----|--------------|--|
| 'MX | Mexico (!)'; |  |
|-----|--------------|--|

(o) the entry for Malaysia is replaced by the following:

|     |                |  |
|-----|----------------|--|
| 'MY | Malaysia (!)'; |  |
|-----|----------------|--|

(p) the entry for Panama is replaced by the following:

|     |              |  |
|-----|--------------|--|
| 'PA | Panama (!)'; |  |
|-----|--------------|--|

(q) the entry for Peru is replaced by the following:

|     |            |  |
|-----|------------|--|
| 'PE | Peru (!)'; |  |
|-----|------------|--|

(r) the entry for Philippines is replaced by the following:

|     |                   |  |
|-----|-------------------|--|
| 'PH | Philippines (!)'; |  |
|-----|-------------------|--|

(s) the entry for Saudi Arabia is replaced by the following:

|     |                    |  |
|-----|--------------------|--|
| 'SA | Saudi Arabia (!)'; |  |
|-----|--------------------|--|

(t) the entry for Thailand is replaced by the following:

|     |                |  |
|-----|----------------|--|
| 'TH | Thailand (!)'; |  |
|-----|----------------|--|

(u) the entry for Taiwan is replaced by the following:

|     |              |  |
|-----|--------------|--|
| 'TW | Taiwan (!)'; |  |
|-----|--------------|--|

(v) the entry for the Uganda is replaced by the following:

|     |        |                   |
|-----|--------|-------------------|
| 'UG | Uganda | Only wild catch'; |
|-----|--------|-------------------|

(w) the entry for Vietnam is replaced by the following:

|     |                          |  |
|-----|--------------------------|--|
| 'VN | Vietnam <sup>(1)</sup> . |  |
|-----|--------------------------|--|

(<sup>1</sup>) These third countries or regions thereof can export all fishery products (finfish, products of finfish and crustaceans).

2. Annex IX to Implementing Regulation (EU) 2021/405 is corrected with respect to the entry for the United Arab Emirates, which is replaced by the following:

|     |                      |                   |
|-----|----------------------|-------------------|
| 'AE | United Arab Emirates | Only wild catch'. |
|-----|----------------------|-------------------|