Statement by the Commission and Member States in the framework of the PAFF Committee for the application of animal health requirements for the entry into the Union of composite products from 21 April

Delegated Regulation (EU) 2020/692 laying down animal health requirements for the entry into the Union of animals, germinal products and products of animal origin enters into application on 21 April 2021. Its Article 163 lays down specific requirements for the entry into the Union of products of animal origin contained in shelf-stable composite products.

In accordance with that Article and Article 14 of Commission Delegated Regulation (EU) 2019/625, shelf-stable composite products not containing meat products (with the exception of gelatine, collagen or highly refined products) are to be accompanied by a private attestation prepared and signed by the importing food business operator. The processed products of animal origin they contain must however be subject to a strict risk-mitigating treatment that ensures their safety from the animal health point of view.

Nevertheless, it would appear indeed disproportionate to require such strict risk-mitigating treatments to dairy products that originate from countries that are already authorised for the entry into the Union of raw milk or dairy products. Therefore, the Commission intends to amend Delegated Regulation (EU) 2020/692 in order to allow the entry into the Union of shelf-stable composite products containing dairy products that originate from third countries listed for the entry into the Union of:

- raw milk and dairy products not subject to a risk-mitigating treatment, without undergoing any specific risk-mitigating treatment;
- dairy products subject to a risk-mitigating treatment, if they have undergone a risk-mitigating treatment in accordance with Article 157 of Delegated Regulation (EU) 2020/692.

This will grant safe trade of those products avoiding, at the same time, unnecessary burdens. Once the Delegated Regulation is amended, the model attestation for the entry into the Union of shelf-stable composite products provided for in Implementing Regulation (EU) 2020/2235 will be amended accordingly.

As those envisaged amendments will not be in place by 21 April. Member States and the Commission have therefore agreed, in the framework of the PAFF Committee, on the following transitional practical elements for implementation of the rules for issuing the model attestation provided for in Annex V to Regulation (EU) 2020/2235 until the above-mentioned amendments are published in the Official Journal:

1. **Composite products containing dairy products that have been obtained in third countries or zones thereof authorised for the entry into the Union of raw milk or dairy products not subject to risk-mitigating treatments or in the Union**

   Point 10 of Part II of the attestation may be deleted if:

   a. dairy products are listed as ingredients in point 4 of Part II of the attestation; **and**

b. the third country of origin of the composite product (ISO country code inserted in box 1.7 of Part I of the attestation) **and** the third country where the approved establishment of origin of the raw milk or the dairy product (indicated in point 5 of the attestation) is located*, are listed for the entry into the Union of raw milk and dairy products not subject to risk-mitigating treatments pursuant either:
    i. column A and B of the table set out in Annex I to Regulation (EU) No 605/2010, **or**
    ii. Annex XVII to Implementing Regulation (EU) 2021/404.

* It also applies if the approved establishment of origin of the raw milk or the dairy product (indicated in point 5 of the attestation) is located in the Union.

2. <u>Composite products containing dairy products that have been obtained in third countries or zones thereof authorised for the entry into the Union of dairy products subject to risk-mitigating treatments</u>

The reference to column B of the table set out in Annex XXVII to Regulation (EU) 2020/692 in point 10 of part II of the attestation may be changed to a reference to column A of that table if:

a. dairy products are listed as ingredients in point 4 of Part II of the attestation; **and**
b. the country of origin of the composite product (ISO country code inserted in box 1.7 of Part I of the attestation) **and** the third country where the approved establishment of origin of the raw milk or the dairy product is located (indicated in point 5 of the attestation) is located, are listed for the entry into the Union of dairy products subject to risk-mitigating treatments pursuant either:
    i. column C of the table set out in Annex I to Regulation (EU) No 605/2010, **or**
    ii. Annex XVIII to Implementing Regulation (EU) 2021/404.

3. <u>Composite products containing dairy products that have been obtained in third countries or zones thereof not authorised for the entry into the Union of milk or dairy products</u>

The content of point 10 of part II of the attestation must be kept as it is in the model and the dairy products contained in the composite products must comply with the treatment requirements indicated therein.