

Current situation on the spread of highly pathogenic avian influenza

(06/01) In **Germany**, an outbreak of avian influenza was officially detected in the district of Vorpommern-Rügen on 4 February 2024. Affected is a laying hen farm with 72,000 animals in Gingst, district of Volsvitz. On 3 February 2024, the outbreak of avian influenza (H5N1) was officially detected in a turkey farm with around 11,000 animals in the municipality of Süderau in the district of Steinburg. On 2 February, the outbreak of highly pathogenic avian influenza was confirmed in Edermünde (Hesse) on a farm with around 15,000 laying hens. In order to prevent further spread, a protection zone within a radius of three kilometres and a surveillance zone within a radius of 10 kilometres will be set up around the affected farms. In both zones, keeping poultry indoors is mandatory.

Amendment to the lists of third countries for imports of poultry commodities from Canada and the United States

(06/02) Annexes V and XIV to Implementing Regulation (EU) 2021/404 as regards the entries for Canada and the United States in the lists of third countries authorised for the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat and meat products from poultry and game birds has been amended again in relation to highly pathogenic avian influenza (HPAI). The corresponding Implementing Regulation (EU) 2024/452 has been published in the Official Journal L on 2 February 2024.

Canada has notified the Commission of an outbreak of highly pathogenic avian influenza (HPAI) in poultry in the province of Saskatchewan, which was confirmed on 15 January 2024.

The **United States** have notified the Commission of four outbreaks of HPAI in poultry in the states of California (1), Kansas (2) and South Dakota (1), which were confirmed between 11 and 18 January 2024. With the implementing regulation that has now been published, the EU Commission has suspended the entry into the Union of consignments of poultry, germinal products of poultry, and fresh meat of poultry and game birds from those areas mentioned in Canada and the United States.

Moreover, **Canada** has submitted updated information on the epidemiological situation in relation to four outbreaks of HPAI in poultry establishments in the provinces of Columbia (2) and Saskatchewan (2), which were confirmed between 1 and 10 November 2023.

Furthermore, the **United States** have submitted updated information on the epidemiological situation in relation to 44 outbreaks of HPAI in the states of Alabama (1), Arkansas (1), California (1), Iowa (8), Minnesota (9), Missouri (1), North Dakota (2), Oregon (1), South Dakota (18) and Utah (2), which were confirmed between 6 October and 12 December 2023.

The Commission has evaluated the information submitted by Canada and the United States. The Commission considers that Canada and the United States have provided appropriate guarantees that the animal health situation that gave rise to the suspensions, no longer represents a threat to animal or public health within the Union, and that, consequently, the entry into the Union of poultry commodities from the concerned zones of Canada and the United States from which entry into the Union had been suspended, should be reauthorised.

Annexes V and XIV to Implementing Regulation (EU) 2021/404 were amended accordingly to take account of the current epidemiological situation as regards HPAI in Canada, the United Kingdom and the United States. Implementing Regulation (EU) 2024/452 entered into force on 3 February 2024 and is available at the following link: http://data.europa.eu/eli/reg_impl/2024/452/oj

Current situation on African swine fever

(06/03) On 6 February, Implementing Regulation (EU) 2024/483 laying down specific control measures for African swine fever (ASF) and amending Annexes I and II to Implementing Regulation (EU) 2023/594 was published in the Official Journal L. Previously, there had been new outbreaks of ASF in wild porcine animals in Croatia and Greece. Implementing Regulation (EU) 2024/483 is available at the following link: http://data.europa.eu/eli/reg_impl/2024/483/oj

Proposal to extend the safeguard measures for agricultural products from Ukraine (Annex)

(06/04) The EU Commission has just presented a proposal for a one-year extension of the autonomous trade facilitation for agricultural products from Ukraine from June. We have attached the proposal in the annex for your information. According to the proposal, deliveries would be capped for one year at the level of average import volumes in 2022 and 2023. The changes proposed by the EU Commission stipulate that tariffs will be introduced if import volumes exceed the corresponding levels of the previous year. This will ensure that imports are not significantly higher than in previous years. However, the Commission did not want to provide information on the exact amount of Ukrainian deliveries in 2022 and 2023.

Previously, MEPs from the European People's Party (EPP) in the European Parliament had also rejected a largely unconditional extension of autonomous trade facilitation for agricultural products from Ukraine. In a recent letter to Commission President Ursula von der Leyen, they call for particularly affected sectors in the EU to be "taken into account". The letter is signed by EPP Group President Manfred Weber, his deputy Siegfried Mureşan, as well as the Chairman of the EU Agriculture Committee, Norbert Lins, and EPP Agriculture spokesman Herbert Dorfmann. In their letter, EPP MEPs underline that farmers and producers in the poultry, sugar and egg sectors in particular are struggling with a significant increase in imports from Ukraine. The four EPP MEPs also complain about the different production standards and the lack of a level playing field for Ukrainian goods. This would be "unfair competition". The signatories therefore insist on solutions to protect the affected agricultural sectors. At the same time, it is stated that Ukraine must continue to be supported in its fight against the Russian invaders.

In the direction of the Commission, the EPP MEPs reiterate that Ukraine's agricultural exports should be diverted to third countries to a much greater extent than before. One way forward could be to set thresholds for certain products for the EU's internal market. In addition, MEPs warn that existing Ukrainian markets in third countries could be occupied by Russia.

EU Agriculture Commissioner Janusz Wojciechowski recently told EU agriculture ministers that trade flows from Ukraine had increased by 61% for poultry and by as much as 160% for eggs. The Commissioner had compared the first ten months of 2023 with the same period of 2022. Wojciechowski had also recently called for trade restrictions. In the meantime, however, it seems unclear whether he will be able to get his way with the EU Trade Commissioner Valdis Dombrovskis, who is in charge of this issue.

Removal of approvals for smoke flavours (Annex)

(06/05) Smoke flavourings are used as an alternative to the flavouring effects of traditional smoking and are also used in foods that are not traditionally smoked. Unlike smoke, however, they do not serve to preserve foods but merely to give them a particular taste. As smoke flavourings are complex mixtures of many chemical substances, special provisions apply here which differ from those for chemically defined flavourings. In 2021, the European Food Safety Authority (EFSA) published a new guidance on the application for authorisation of primary products for the production of smoke flavourings. According to this, information on the chemical composition of the primary products is required, among other things.

In 2023, eight of the ten authorised primary products were reassessed by the EFSA after their manufacturers submitted applications to the European Commission to extend the authorisation granted in 2013. In accordance with Regulation (EC) No. 2065/2003, new applications and new risk assessments by EFSA were required to extend the authorisation for a further ten years. The applicants submitted new data for this purpose. Based on the available data, EFSA has now come to the conclusion that none of the eight smoke flavouring primary products assessed can be considered safe for human health. However, a possible ban on these smoke flavors would have serious consequences for the food industry. According to the food industry, replacing the specific taste without the use of smoke flavors would be a complex undertaking that would make it difficult to produce a product that meets consumer expectations. Therefore, according to the stakeholders, the search for alternatives would take time. A transition period of at least 18 months - preferably 24 months - would therefore be necessary.

The German Federal Institute for Risk Assessment (BfR) has summarised the most important questions and answers on smoke flavourings. We have attached the current BfR FAQ catalog to this circular.

EU Supply Chain Directive not yet a done deal

(06/06) In December, the trilogue of the EU Commission, the Council and the European Parliament reached a political agreement on the design of the so-called Corporate Sustainable Due Diligence Directive (CSDDD). Companies will be required to carry out due diligence in internal structures with the aim of reducing negative social and environmental impacts of their business activities along the supply chain. This includes, among other things, reporting obligations, risk assessments and performance reviews. It must also be ensured that the business model does not contradict the Paris climate targets. The Committee of Permanent Representatives of the Member States (COREPER) is scheduled to vote on the trilogue agreement on Friday 9 February. As a rule, the approval of the Council and Parliament after trilogue agreements is only a formality.

Most recently, however, Federal Finance Minister Christian Lindner and Federal Justice Minister Marco Buschmann had spoken out against a yes vote by the Federal Government. Since the SPD and the Greens are in favour of the directive, this would result in Germany abstaining. As a result, a sufficient majority in COREPER no longer seems certain. According to internal information, other member states such as Sweden, Italy and the Czech Republic also seem to be considering abstaining on the proposal on 9 February. This would mean that the vote would either be postponed because there is no agreement or it would be renegotiated if the rejecting member states mention congruent points of criticism. As the Federal Association of Wholesale, Foreign Trade and Services (BGA) currently informs, it is apparently being considered internally whether the vote on February 9 should actually take place, or whether Germany's vote can be changed after all.

If the Permanent Representatives Committee officially votes against the proposal, a conciliation committee would be opened, giving the three parties only 8 weeks to reach an agreement. If no agreement can be reached during this time, the proposed law will have failed for the time being. For this reason, attempts are still being made to reach an agreement at this point in order to make up time. The decisive factor is which points of criticism the member states mention and whether they agree with each other. The final text of the CSDDD was published on 7 February.

Amending Lists of Establishments

(06/09) The European Commission has changed the lists of establishments approved for delivery to the EU for the game and poultry sector for the following third countries:

Meat from poultry and lagomorphs: Argentina, China, Ukraine, United Kingdom

Meat products: Brazil, Norway, Switzerland, South Africa, Thailand, Ukraine, United Kingdom

Minced meat, meat preparations, MSM: Switzerland, Serbia, United Kingdom

Meat from farmed game: New Zealand, Norway, United Kingdom, Northern Ireland (UK)

Wild game meat: Argentina, New Zealand

The current lists of establishments can be found on the website of the EU Commission under the following link:

<https://webgate.ec.europa.eu/tracesnt/directory/listing/establishment/publication/index#!/search>

Annexes:

- Proposal EU Commission – Autonomous trade facilitation for agricultural products from Ukraine
- BfR – FAQ Smoke flavourings in food

Imprint

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