

Ukraine: Council and Parliament reach a deal to renew EU's autonomous trade measures

(12/01) The Council presidency and the European Parliament's negotiators have provisionally agreed to renew the suspension of import duties and quotas on Ukrainian exports to the EU for another year, until 5 June 2025. At the same time, the EU has decided to reinforce the protection of sensitive agricultural products by beefing up safeguards already included in the current regulation on temporary trade-liberalisation measures, in order to take into account any adverse impact on the market of one or several member states, rather than just on the EU market as a whole, as is the case now. A new automatic safeguard will also be added for certain sensitive products, such as **poultry, eggs, sugar, oats, maize, groats and honey**. The autonomous trade measures (ATMs) will allow Ukraine to continue generating its own income from trade flows with the EU, to support its economy under very challenging circumstances.

The renewed regulation will apply from 6 June 2024 until 5 June 2025 and concerns the continued suspension of all outstanding **customs duties and quotas under Title IV of the Association Agreement** between the EU and Ukraine establishing a deep and comprehensive free trade area (DCFTA). The regulation will also include two safeguard mechanisms to protect the EU market:

- a strengthened version of the existing mechanism, which will apply on the basis of regular monitoring, allowing the Commission to impose any safeguard measure if specific conditions are fulfilled
- a new, automatic safeguard mechanism which will oblige the Commission to reintroduce tariff-rate quotas if imports of poultry, eggs, sugar, oats, maize, groats and honey exceed the arithmetic mean of quantities imported in 2022 and 2023.

Other key elements of the provisional agreement are the shortening of the time period for activation of the automatic safeguard (from 21 to 14 days) and the Commission's commitment to enhanced monitoring of imports of wheat and other cereals and use of the tools at its disposal in the event of market disruptions.

Next steps:

The European Parliament and the Council will now need to approve the provisional agreement.

The Parliament's position at first reading is then expected to be adopted at one of the April plenary sessions.

The regulation is then to be adopted by the Council, signed by the representatives of the Council and the European Parliament and published in the Official Journal, before entering into force on 6 June 2024.

In EPEGA Circular No. 9 of 29 February 2024, we informed you about the European Commission's proposal to amend Delegated Regulation (EU) 2020/760. Accordingly, on 21 February, the EU Commission outlined the possibility of deleting paragraphs 6 and 7 of Article 9 of Delegated Regulation (EU) 2020/760 in the expert group on horizontal issues. As a result, imports of Ukrainian goods could no longer be used to build up reference quantities for other import quotas where cumulation is possible.

This proposal was no longer on the agenda at the most recent meeting of the group of experts on horizontal issues, which took place on 20 March. The EU Commission gave no indication as to whether this proposal, which requires the approval of the Council and Parliament and therefore cannot be implemented in the short term, will be pursued further.

Current situation on the spread of highly pathogenic avian influenza

(12/02) On 14 March, the Friedrich Loeffler Institute (FLI) published an updated risk assessment for highly pathogenic avian influenza (HPAI). According to the report, there were six HPAI outbreaks in domestic poultry in Germany in February. Two laying hen farms, two private chicken farms and two interrelated turkey fattening farms were affected. Overall, there was an increase in cases in wild birds

(n=63) for the month of February, although the frequency of reports decreased from mid-February. For Germany, the risk of HPAI virus (subtype H5) in domestic poultry holdings and bird populations in zoological facilities through direct and indirect contact with wild birds is still classified as **high** by the FLI for March, as reports of wild bird cases continue to be made. Within the EU and also within Germany, a **moderate** risk of virus entry due to the spread of the virus between holdings (secondary outbreaks) is currently assumed, as the biosecurity measures introduced remain high.

Since October 2023, a significant number of outbreaks in poultry (n=265) have been reported in **Europe**. During this period alone, the number of poultry losses in Europe amounts to six million birds. In Europe, the number of HPAI outbreaks in domestic poultry (n=61; excluding Germany) was slightly higher in February than in the previous month. Various sectors of poultry production were affected. The Republic of Moldova was severely affected with 27 outbreaks in private holdings. The outbreaks resulted in the loss of nearly a million animals in February alone. Poland reported 19 HPAI outbreaks in February, while the Czech Republic reported 13 outbreaks. Other reports were recorded in Denmark (5), Bulgaria (4), Slovakia (3) and one outbreak each in Italy, Norway, Austria, the United Kingdom and Ukraine. The number of cases in wild birds in Europe also remained at a high level in February, with 167 cases. In addition to Germany, a total of 18 European countries reported cases in wild birds, with waterfowl (swans and geese; n=114) being the most frequently affected. In addition to the North Sea and Baltic Sea coasts, south-eastern Europe is also particularly affected.

Worldwide, outbreaks in domestic poultry and wild bird cases were reported to the World Organisation for Animal Health (WOAH) in February, especially in Asia and the Americas.

Russia reported an H5N1 outbreak in domestic poultry on an island in the east of the country in February.

Africa: Niger's veterinary authority reported an H5N1 outbreak in different birds in the capital Niamey.

Southeast Asia: Dozens of H5N1 outbreaks in domestic poultry and cases in wild birds have been detected in India, Indonesia, Taiwan, Cambodia, Vietnam, Japan and South Korea. Japan and South Korea continued to report outbreaks of HPAI virus subtype H5N6 in domestic poultry and cases in wild birds.

Antarctic region: In February, the HPAI at Skuas was also confirmed on land.

South America: Peru reported an outbreak of HPAI (subtype H5) in domestic poultry. Brazil reported several cases of HPAI (H5N1) in terns and an ibis in coastal areas. An HPAI-positive hawk has been confirmed in the Falkland Islands.

North America: In North America, some outbreaks in poultry and cases in wild birds were reported for February. In Canada, four outbreaks in domestic poultry in Nova Scotia, Alberta and Quebec. In the U.S., seven outbreaks in domestic poultry in 17 states, 15 outbreaks in domestic poultry (private holdings). Dozens of wild birds tested positive in February, about a third of them in hunted ducks (teal, mallard, pintail, shoveler).

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

(12/03) 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) 2024/880 has been published in the Official Journal L on 15 March 2024.

Canada has notified the Commission of an outbreak of HPAI in poultry in the state of Alberta, which was confirmed on 21 February 2024.

The **United States** have notified the Commission of an outbreak of HPAI in poultry in the state of Massachusetts, which was confirmed on 7 March 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 two outbreaks of HPAI in a poultry establishment in the provinces of British Columbia and Saskatchewan, which were confirmed on 8 November 2023 and on 15 January 2024.

Furthermore, the **United States** have submitted updated information on the epidemiological situation in relation to seven outbreaks of HPAI in the states of Colorado (1), Kansas (5) and Ohio (1), which were confirmed between 30 November 2023 and 27 January 2024.

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 and the United States. Implementing Regulation (EU) 2024/880 entered into force on 16 March 2024 and is available at the following link: http://data.europa.eu/eli/reg_impl/2024/880/oj

Current situation on African swine fever

(12/04) In **Italy**, a total of 1,670 wild boars infected with African swine fever (ASF) were counted nationwide between 1 January 2022 and 7 March 2024, according to official figures, and there were also 21 cases of ASF in domestic pig herds. The northern Italian regions of Piedmont and Liguria are those with the highest number of infected wild boars, namely 613 and 575 respectively. The province of Pavia, not far from Milan, is the most economically affected, with the presence of ASF in nine pig farms. The agricultural profession in Italy is dissatisfied with the control of ASF and complains that so far there is no indication that the disease has at least been stopped. Two years have already passed since the first verified ASF case on the mainland of Italy.

Epizootic hemorrhagic disease does not spread further

(12/05) France reported no outbreaks of epizootic haemorrhagic disease (EHD) in February 2024. Since the first outbreak in September 2023 on the south-eastern border with Spain, EHD has spread northeast, affecting 20 departments in the regions of Pays de la Loire, Nouvelle Aquitaine, Occitanie and Brittany. However, since December 2023, there has been no further geographical expansion. In the area, the spread has slowed down noticeably. In France, a total of 3,961 outbreaks of EHD have been reported so far. Spain and Italy also reported no new EHD outbreaks in February. Due to the seasonally cooler temperatures, the risk of natural spread by vectors is currently assessed as low by the Friedrich Loeffler Institute (FLI).

EHD is a viral disease of wild and domestic ruminants (especially cattle). The symptoms are similar to those of bluetongue disease (BT) and, as with BT, transmission is also vector-related through midges of the genus *Culicoides*. Affected countries are obliged to introduce surveillance measures to monitor the spatial and temporal evolution of the disease. The existing EU rules on the movement of susceptible animals in Commission Delegated Regulation (EU) 2020/688 are implemented. The EU prohibits the dispatch of ruminants from farms within 150 kilometres of each outbreak to other Member States, except for

direct slaughter. EHD is a notifiable animal disease in Germany, which has never occurred in this country before.

Committee for the Common Organisation of the Agricultural Markets (Annex)

(12/06) The most recent meeting of the joint management committee for animal products took place on Thursday, 21 March. The agenda includes inter alia the market situation in the egg and poultry sector. The next meeting of the Common Management Committee is expected to take place on 18 April 2024.

The presentation on the situation on the EU-poultry meat market was provided by the Commission and is attached and also available on the EPEGA homepage under the following link:

http://intranet.epega.org/meta_downloads/96804/EU_market_situation_Poultry-March_2024.pdf

EU Parliament finalises Industrial Emissions Directive

(12/07) The amendment to the Industrial Emissions Directive (IED) is about to be finalised. Last week, the European Parliament approved the result of the negotiations with the Member States. The compromise was supported by 393 MEPs, 173 voted against and 40 abstained. The motion to reject the IED amendment did not receive a majority. The attempt to rework and adapt the trilogue result was also unsuccessful. In this case, a second reading would have been necessary, meaning that the project would probably have been postponed indefinitely due to the upcoming European elections. Now all that remains is for the Council to give its final approval.

EU Environment Commissioner Virginijus Sinkevičius emphasised that the amendment would allow member states to relieve farmers of bureaucratic requirements. Only 30% of the largest pig and poultry farms would be covered by the revised directive. Smaller farms, cattle farmers and all organic pig farms are not affected. The EU Commissioner also referred to the long transitional period. The new regulations would come into effect between 2030 and 2032 at the earliest. According to Sinkevičius, the EU Commission will also analyse the interaction of the IED with other legal regulations with regard to agriculture and consider splitting the directive into an industrial and an agricultural part. The compromise also stipulates that the EU Commission will present a reassessment of the need to reduce emissions from livestock farming by the end of 2026 at the latest, taking cattle farming into account. The extent to which imports from third countries should be subject to the requirements of the revised IED will also be examined.

For pig farming, the amended IED provides for a threshold value of 350 LU. Exceptions apply to extensive farming methods and organic farming. For poultry farming, the limits are set at 300 LU for laying hens and 280 LU for broiler chickens. For mixed farms with pig and poultry farming, 380 LU are envisaged. The new regulations will initially apply to the largest farms from 2030.

EU Parliament wants stricter targets to prevent food waste

(12/08) When revising the European Waste Framework Directive, the European Parliament wants to tighten up the EU Commission's proposal. On 13 March, the plenary adopted its position for the trilogue by a large majority, following the recommendations of the Environment Committee. According to this, food losses in processing and production must be reduced by at least 20% by 2030. In retail, food service providers and private households, the amount of waste per capita should even be reduced by 40%. MEPs want the EU Commission to examine the possibility of even stricter targets of 30% or 50% for 2035.

It is unclear when the trilogue will begin. The negotiations are not due to start before the European elections in June. The newly elected Parliament will therefore decide whether the current position should be retained and pursued further or revised in committee.

Amendment of maximum residue limits - Classification Sodium salicylate

(12/09) On 5 October 2023, the European Medicines Agency (EMA), based on the opinion of the Committee for Veterinary Medicinal Products, set up pursuant to Article 139 of Regulation (EU) 2019/6, and having considered the application of Dopharma B.V., recommended the extension of maximum residue limits (MRLs) for the substance sodium salicylate in chicken and the establishment of numerical MRLs. The EMA concluded that the extrapolation of the MRLs for sodium salicylate from chicken tissues to the tissues of other poultry species other than turkey is appropriate. On this basis, the Commission has now established the recommended MRL for sodium salicylate in chicken tissue and extrapolated it to other poultry species, other than turkey, but restricted to animals not producing eggs for human consumption as no residue data were provided for eggs.

The corresponding Implementing Regulation (EU) 2024/859 amending Regulation (EU) No 37/2010 with regard to the classification of the substance sodium salicylate as regards maximum residue limits in foodstuffs of animal origin was published in the EU Official Journal L on 19 March 2024. The maximum residue limits for the target tissues can be found in the Annex to this Regulation. Implementing Regulation (EU) 2024/859 enters into force on the twentieth day following its publication, i.e. on 8 April 2024. It is available at the following link: http://data.europa.eu/eli/reg_impl/2024/859/oj

Audit Report United Kingdom

(12/10) This report describes the outcome of an audit of the United Kingdom (Great Britain), carried out from 18 October to 10 November 2023 as part of the European Commission's Directorate-General for Health and Food Safety's planned work programme. The objective of the audit was to evaluate the implementation of official controls on residues of pharmacologically active substances, pesticides and contaminants in animals and animal products, in accordance with the residue control plans for those species/commodities for which the United Kingdom is listed in Annex -I to Commission Implementing Regulation (EU) 2021/405, the reliability of the guarantees offered by the United Kingdom in ensuring that the commodities concerned when exported to the EU do not contain residues of pharmacologically active substances, pesticides and contaminants exceeding EU Maximum Residue Levels/Limits or Maximum Levels and whether the United Kingdom continues to meet the requirements for listing as specified in Article 6(3) of Commission Delegated Regulation (EU) 2022/2292. The audit covered a selection of commodities for which the United Kingdom is listed with approved control plans for export to the EU: bovine, poultry, eggs, milk and honey.

The audit team found that the national control plans for residues of pharmacologically active substances, pesticides and contaminants in animals and animal products are implemented largely in line with planned arrangements. Implementation and the follow-up of non-compliant results are largely consistent with the principles laid down in EU legislation, underpinning the reliability of the guarantees offered by the United Kingdom in ensuring that only compliant food of animal origin is exported to the EU. Notwithstanding the fact that the testing laboratory is accredited to ISO/IEC 17025 with all of the analytical methods included in the scope of accreditation, successfully participates in regular proficiency tests, and is regularly audited on behalf of the central competent authority, some shortcomings in analytical method validation and the absence of quality control charts undermines the reliability of testing results generated under the national control plans. Overall, the United Kingdom continues to meet the requirements for country listing.

The report contains two recommendations addressed to the competent authorities on laboratory-related issues. It is available at the following link:

<https://ec.europa.eu/food/audits-analysis/audit-report/details/4735>

Amending Lists of Establishments

(12/11) 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: Thailand, Ukraine, USA, United Kingdom

Meat products: China, Norway, Serbia, Thailand, USA, United Kingdom

Mincd meat, meat preparations, MSM: Norway, Ukraine, United Kingdom

Meat from farmed game: New Zealand, Norway, USA

Wild game meat: New Zealand, Norway, USA, United Kingdom, Northern Ireland (UK)

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>

Annex:

- EU market situation poultry, March 2024

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