COMMISSION IMPLEMENTING REGULATION (EU) 2021/810

of 20 May 2021

amending Implementing Regulation (EU) 2021/2021/808 as regards transitional provisions for certain substances listed in Annex II to Decision 2002/657/EC

(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) ([1]), and in particular Article 34(6) thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2021/2021/808 ([2]) repeals, inter alia, Commission Decision 2002/657/EC ([3]). Article 4 of that Decision in conjunction with Annex II thereto set out the minimum required performance limits for the pharmacologically active substances chloramphenicol, nitrofuran metabolites, medroxyprogesterone acetate and malachite green in certain matrixes.

(2) Article 8 of Commission Regulation (EU) 2019/1871 ([4]) lays down the transitional provisions for reference points for action (RPA) for prohibited pharmacologically active substances. The minimum required performance limits for chloramphenicol, nitrofuran metabolites and the sum of malachite green and leucomalachite green, included in Annex II to Decision 2002/657/EC, should be applied as RPA for food of animal origin imported from third countries and for food of animal origin produced in the Union until 27 November 2022.

(3) For the purposes referred to in Article 8 of Regulation (EU) 2019/1871, Annex II to Decision 2002/657/EC should therefore remain applicable until 27 November 2022.

(4) To maintain continuity, this Regulation should apply from the same date as Implementing Regulation (EU) 2021/2021/808.

(5) 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

Article 7 of Implementing Regulation (EU) 2021/2021/808 is replaced by the following:

'*Article 7*

Repeals and transitional measures

Decisions 2002/657/EC and 98/179/EC are repealed from the date of entry into force of this Regulation.

([1]) OJ L 95, 7.4.2017, p. 1.

([2]) Commission Implementing Regulation (EU) 2021/2021/808 of 22 March 2021 on the performance of analytical methods for residues of pharmacologically active substances used in food-producing animals and on the interpretation of results as well as on the methods to be used for sampling and repealing Decisions 2002/657/EC and 98/179/EC (see page 84 of this Official Journal).

([3]) Commission Decision 2002/657/EC of 14 August 2002 implementing Council Directive 96/23/EC concerning the performance of analytical methods and the interpretation of results (OJ L 221, 17.8.2002, p. 8).

([4]) Commission Regulation (EU) 2019/1871 of 7 November 2019 on reference points for action for non-allowed pharmacologically active substances present in food of animal origin and repealing Decision 2005/34/EC (OJ L 289, 8.11.2019, p. 41).

However, until 10 June 2026, the requirements laid down in points 2 and 3 of Annex I to Decision 2002/657/EC shall continue to apply to methods, which have been validated before the date of entry into force of this Regulation.

For the purposes referred to in the second paragraph of Article 8 of Regulation (EU) 2019/1871, Annex II to Decision 2002/657/EC shall continue to apply until 27 November 2022.'

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*.

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

Done at Brussels, 20 May 2021.

For the Commission
The President
Ursula VON DER LEYEN