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COMMISSION IMPLEMENTING REGULATION (EU) 2026/731

of 27 March 2026

amending Implementing Regulation (EU) 2021/808 as regards its transitional provisions and certain provisions on sampling

(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) 2021/808 ([2]) lays down rules on the performance of analytical methods for residues of pharmacologically active substances used in food-producing animals, in the frame of national plans, as defined in Article 3 of Commission Implementing Regulation (EU) 2022/1646 ([3]), the interpretation of results and on the methods to be used for sampling.

(2) Methods of sampling for feed are defined in Annex I to Commission Regulation (EC) No 152/2009 ([4]). Since samples of feed can also be taken in the frame of national control plans, as defined in Article 3 of Implementing Regulation (EU) 2022/1646, as regards the use of pharmacologically active substances, the sampling of feed in the context of Regulation (EU) 2021/808 should be performed in accordance with the rules laid down in that Annex. Since that Annex does not establish detailed requirements for reporting on sampling procedures and for transport and storage of the samples, and those requirements are necessary for performing the official controls of pharmacologically active substances and residues thereof in feed, the rules set out in points 5 to 7 of Annex II to Implementing Regulation (EU) 2021/808 should apply for feed.

(3) The transitional period after which all analytical methods used for official controls of pharmacologically active substances and residues thereof must fulfil the requirements set out in Implementing Regulation (EU) 2021/808, is to expire on 10 June 2026.

(4) Based on the progress reported by the Member States, more time is needed to revalidate some analytical methods. Many National Reference Laboratories and official control laboratories will not have completed revalidation of all methods for all matrices by June 2026, despite efforts made over the past four years. Therefore, the transitional period should be extended to 31 December 2027.

([1]) OJ L 95, 7.4.2017, p. 1, ELI: http://data.europa.eu/eli/reg/2017/625/oj.

([2]) Commission Implementing Regulation (EU) 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 (OJ L 180, 21.5.2021, p. 84, ELI: http://data.europa.eu/eli/reg_impl/2021/808/oj).

([3]) Commission Implementing Regulation (EU) 2022/1646 of 23 September 2022 on uniform practical arrangements for the performance of official controls as regards the use of pharmacologically active substances authorised as veterinary medicinal products or as feed additives and of prohibited or unauthorised pharmacologically active substances and residues thereof, on specific content of multi-annual national control plans and specific arrangements for their preparation (OJ L 248, 26.9.2022, p. 32, ELI: http://data.europa.eu/eli/reg_impl/2022/1646/oj).

([4]) Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/152/oj).

(5) Annex II to Implementing Regulation (EU) 2021/808 requires a sample size of at least 12 eggs, depending on the analytical methods used. Since one ostrich egg, which can weigh 1-1,5 kg, is equivalent in weight to 24 hen eggs, one ostrich egg is considered an appropriate sample quantity. Therefore, it is necessary to specify the sampling size for ostrich eggs in that Annex.

(6) Implementing Regulation (EU) 2021/808 should therefore be amended accordingly.

(7) 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 6 of Implementing Regulation (EU) 2021/808 is replaced by the following:

'*Article 6*

Methods for sampling

Member States shall ensure that samples are taken, handled and labelled in accordance with the detailed methods for sampling laid down in Annex II to this Regulation.

The sampling of feed shall be carried out in accordance with the methods set out in Annex I to Commission Regulation (EC) No 152/2009 (*) and in points 5, 6 and 7 of Annex II to this Regulation.

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(*) Commission Regulation (EC) No 152/2009 of 27 January 2009 laying down the methods of sampling and analysis for the official control of feed (OJ L 54, 26.2.2009, p. 1, ELI: http://data.europa.eu/eli/reg/2009/152/oj).'.

Article 2

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

'However, until 31 December 2027, 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.'.

Article 3

Point 1 ('Sample quantity') of Annex II to Implementing Regulation (EU) 2021/808 is replaced by the following:

'1. **Sample quantity**

The minimum sample quantities shall be defined in the national residue control programme. The minimum sample quantities shall be sufficient to enable the approved laboratories to carry out the analytical procedures necessary to complete the screening and the confirmatory analyses. Specifically for poultry, aquaculture, rabbits, farmed game, reptiles and insects, a sample consists out of one or more animals, depending on the requirements of the analytical methods. For eggs, the sample size is at least 12 eggs, according to the analytical methods used. However, the sample size for ostrich eggs is one egg. In case several substance categories need to be analysed in one sample with different analytical methods, the sample size shall be increased accordingly.'.

Article 4

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, 27 March 2026.

For the Commission
The President
Ursula VON DER LEYEN