EUROPEAN
COMMISSION

Brussels, XXX
PLAN/2026/831 CIS
(Pool/E2/2026/831/831-EN CIS)
[…](2026) XXX draft

COMMISSION IMPLEMENTING REGULATION (EU) …/...

of XXX

amending Implementing Regulation (EU) 2022/1646 as regards the calculation of minimum sampling frequencies

(Text with EEA relevance)

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amending Implementing Regulation (EU) 2022/1646 as regards the calculation of minimum sampling frequencies

(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 19(3), first subparagraph, points (a) and (b), thereof,

Whereas:

(1) Commission Implementing Regulation (EU) 2022/1646[2] lays down, among other things, provisions on sampling frequencies for pharmacologically active substances and residues thereof in the framework of national risk-based control plans and national randomised surveillance plans (‘the national plans’).

(2) In the light of the experience gained with the possibility in the additional provisions of Annex I to Implementing Regulation (EU) 2022/1646 of analysing Group A and Group B substances from a single animal and counting those samples towards the minimum sampling frequencies for both groups, it is appropriate to clarify that the risk criteria for taking a sample from the same animal for Group A and Group B substances are to be applied. In addition, that possibility should be extended to the national risk-based control plans for third-country imports referred to in Annex III to Implementing Regulation (EU) 2022/1646.

(3) Implementing Regulation (EU) 2022/1646 should therefore be amended accordingly.

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

2 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) As the rules laid down in Implementing Regulation (EU) 2022/1646 are related to the relevant calendar year, the amendments made to that Implementing Regulation by this Regulation should apply for the first time to the 2027 national plans. This Regulation should therefore apply from 1 January 2027.

(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

Annexes I and III to Implementing Regulation (EU) 2022/1646 are amended in accordance with the Annex to this Regulation.

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*.

It shall apply from 1 January 2027.

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

Done at Brussels,

For the Commission
The President
Ursula VON DER LEYEN