

COMMISSION IMPLEMENTING REGULATION (EU) 2021/1699**of 22 September 2021****amending Annex VIII to Regulation (EU) No 142/2011 as regards the model health certificate for movements of consignments of animal by-products from restricted zones established for the prevention and control of certain listed diseases****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016 on transmissible animal diseases and amending and repealing certain acts in the area of animal health ('Animal Health Law') ⁽¹⁾, and in particular Article 146(2), thereof,Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 ⁽²⁾, and in particular Article 21(5), point (b), thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011 ⁽³⁾ lays down implementing measures for the public and animal health rules for animal by-products and derived products laid down in Regulation (EC) No 1069/2009, including models of health certificates and the conditions governing the ways they must accompany consignments of such products.
- (2) Article 6 of Regulation (EC) No 1069/2009 provides for general animal health restrictions on the dispatch of animal by-products and derived products from susceptible species from holdings, establishments, plants or zones which are subject to restrictions pursuant to Union veterinary legislation or due to the presence of a serious transmissible disease listed in Annex I to Directive 92/119/EEC ⁽⁴⁾. That Directive is repealed and replaced by Regulation (EU) 2016/429 of the European Parliament and of the Council with effect from 21 April 2021. Regulation (EU) 2016/429 introduces, among others, a new set of rules on prevention and controls of certain diseases.
- (3) Commission Delegated Regulation (EU) 2020/687 ⁽⁵⁾ lays down rules for the prevention and control of certain listed diseases. Article 22(5) of that Delegated Regulation provides that animal by-products originating from and moved outside a restricted zone established when an outbreak of a category A disease is confirmed, in order to prevent any further spread of the disease must be accompanied by a health certificate issued by an official veterinarian stating that they are allowed to be moved from the restricted zone under the conditions established by the competent authority in accordance with Chapter II of Part II of that Delegated Regulation.

⁽¹⁾ OJ L 84, 31.3.2016, p. 1

⁽²⁾ OJ L 300, 14.11.2009, p. 1.

⁽³⁾ Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

⁽⁴⁾ Council Directive 92/119/EEC of 17 December 1992 introducing general Community measures for the control of certain animal diseases and specific measures relating to swine vesicular disease (OJ L 62, 15.3.1993, p. 69).

⁽⁵⁾ Commission Delegated Regulation (EU) 2020/687 of 17 December 2019 supplementing Regulation (EU) 2016/429 of the European Parliament and the Council, as regards rules for the prevention and control of certain listed diseases (OJ L 174, 3.6.2020, p. 64).

- (4) Regulation (EU) No 142/2011 provides rules for placing on the market of animal by products. Article 17 of Regulation (EU) No 142/2011 provides that consignments of animal by-products are to be accompanied during transport by commercial documents or health certificates set out in Chapter III of Annex VIII to that Regulation. Animal by-products legislation is a comprehensive set of rules, in particular rules on categorisation, collection, transport and processing of animal by-products. Accordingly, a new model certificate, referred to in Article 22(5) of Delegated Regulation (EU) 2020/687, should be introduced in the Chapter III of Annex VIII to Regulation (EU) No 142/2011.
- (5) Annex VIII to Regulation (EU) No 142/2011 should be amended accordingly.
- (6) Appropriate transitional period should be introduced to enable Member States and stakeholders to adapt to the new rules on movement of animal by-products from the restricted zones established in accordance with Delegated Regulation (EU) 2020/687.
- (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

Annex VIII to Regulation (EU) No 142/2011 is 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 17 October 2021.

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

Done at Brussels, 22 September 2021.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

In Chapter III of Annex VIII to Regulation (EU) No 142/2011, the following point 7 is added:

‘7. Model Health Certificate

Model of health certificate for movement of animal by-products from restricted zones established for the prevention and control of certain listed diseases

Part I: Details of consignment presented	I.1. Consignor Name Address Postal code		I.2. Certificate reference No	I.2.a. Local reference No		
			I.3. Central competent authority			
			I.4. Local competent authority			
	I.5. Consignee Name Address Postal code		I.6. No.(s) of related original certificates No.(s) of accompanying documents			
			I.7. Dealer Name Approval number			
	I.8. Country of origin	ISO code	I.9. Region of origin	I.10. Country of destination	ISO code	I.11. Region of destination
	I.12. Place of origin Name Address Postal code		I.13. Place of destination Name Address Postal code			
	I.12. Place of origin Approval number		I.13. Place of destination Approval number			
	I.14. Place of loading Postal code/Region		I.15. Date and time of departure			
	I.16. Means of transport Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other <input type="checkbox"/> Identification Number(s)		I.17. Transporter Name Address Postal code Approval number Member State			
I.18. Description of commodity			I.19. Commodity code (HS code)			
			I.20. Number/Quantity			
I.21. Temperature of products			I.22. Number of packages			
I.23. Identification of container/Seal number			I.24. Type of packaging			
I.25. Commodities certified for:						
I.26. Transit through third country <input type="checkbox"/>		I.27. Transit through Member States <input type="checkbox"/>				
Third country	ISO code	Member State	ISO code			
Exit point	Code	Member State	ISO code			
Entry point	BIP No	Member State	ISO code			
I.28. Export <input type="checkbox"/>		I.29. Estimated journey time				
Third country	ISO code					
Exit point	Code					
I.30. Route Plan Yes No						
I.31. Identification of the commodities Species (Scientific name) Quantity						

Animal by-products from restricted zones established for the prevention and control of certain listed diseases

	II. Health information	II.a. Certificate reference number	II.b. Local reference number
<p>Part II: Certification</p>	<p>I, the undersigned official veterinarian, hereby certify that:</p> <p>(1)either [II.1 The animal by-products described in Part I were obtained from kept animals:</p> <p style="padding-left: 20px;">(1)either [killed for the purpose of the prevention and control of:</p> <p style="padding-left: 40px;">(1) either [.....(introduce the name of the relevant category A disease) following the instructions of the competent authority in accordance with Regulation (EU) 2020/687 and are intended for processing by</p> <p style="padding-left: 60px;">(1) either [Method 1 to 5.]]</p> <p style="padding-left: 60px;">(1) or [incineration.]]</p> <p style="padding-left: 60px;">(1) or [co-incineration.]]</p> <p style="padding-left: 40px;">(1)or [.....(introduce the name of the relevant emerging disease) following the instructions of the competent authority in accordance with emergency measures adopted by the Commission pursuant to Article 259 of Regulation (EU) 2016/429 and are intended for processing by</p> <p style="padding-left: 60px;">(1) either [Method 1 to 5.]]</p> <p style="padding-left: 60px;">(1) or [incineration.]]</p> <p style="padding-left: 60px;">(1) or [co-incineration.]]</p> <p style="padding-left: 20px;">(1)or [not subject to killing by the competent authority for the purpose of prevention and control of category A diseases or emerging diseases, kept in establishments located in restricted zones established for the prevention and control of animal diseases in accordance with</p> <p style="padding-left: 40px;">(1) either [Delegated Regulation (EU) 2020/687,]</p> <p style="padding-left: 40px;">(1) or [temporary special disease control measures referred to in Article 71 of Regulation (EU) 2016/429,]</p> <p style="padding-left: 40px;">(1) or [emergency measures adopted by the Commission in accordance with Article 259 of Regulation (EU) 2016/429,]</p> <p style="padding-left: 40px;">and the animal by-products are moved from that restricted zone in compliance with the conditions set out in⁽²⁾, for the</p> <p style="padding-left: 60px;">(1) either [processing by methods 1-5 as set out in Chapter II of Annex IV and in case of ensilage of by-products obtained from aquatic animals as set out in point K of Section 2 of Chapter IV of Annex IV to Regulation (EU) No 142/2011.]]</p> <p style="padding-left: 60px;">(1) or [processing or treatment by methods referred to in Annex X, Annex XI or Annex XIII to Regulation (EU) No 142/2011.]]</p> <p style="padding-left: 60px;">(1) or [production of processed petfood, other than raw petfood referred to in Annex XIII to Regulation (EU) No 142/2011.]]</p> <p style="padding-left: 60px;">(1) or [transformation into compost or biogas referred to in Section 1 of Chapter III of Annex V to Regulation (EU) No 142/2011.]]</p> <p>(1)or [II.1 The animal by-products described in Part I were obtained from wild animals of listed species found dead or killed for the purpose of the prevention and control of(introduce the name of the relevant category A disease) following the instructions of the competent authority⁽³⁾ in accordance with Article 64(2)(c) of Delegated Regulation (EU) 2020/687 and are intended for processing by</p> <p style="padding-left: 20px;">(1) either [Method 1 to 5.]]</p> <p style="padding-left: 20px;">(1) or [incineration.]]</p> <p style="padding-left: 20px;">(1) or [co-incineration.]]</p> <p>Notes</p> <p>Part I:</p> <p>— Box reference I.9 and I.11: delete as appropriate.</p> <p>— Box reference I.12, I.13 and I.17: approval number or registration number.</p> <p>— Box reference I.14: complete if different from 'I.1. Consignor'.</p>		

	II. Health information	II.a. Certificate reference number	II.b. Local reference number								
	<p>— Box reference I.25: for ‘processing’, ‘treatment’ or ‘transformation’</p> <p>— Box reference I.31: Nature of commodity: ‘ABPs referred to in Article 22(5) of Delegated Regulation (EU) 2020/687.’ Category: ‘Category 1’, ‘Category 2’ or ‘Category 3’</p> <p>Part II:</p> <p>(1) Delete as appropriate.</p> <p>(2) Insert the number of the relevant article(s), the title and date of publication in the <i>Official Journal of the European Union</i> of the relevant legal act adopted by the Commission providing those conditions or the reference to the legal act or instruction approved and made public by the competent authority providing for those conditions.</p> <p>(3) See special legislation on the prevention of transmissible diseases.</p>										
	<p>Official veterinarian</p> <table data-bbox="347 685 1161 848"> <tr> <td data-bbox="347 685 922 719">Name (in Capital):</td> <td data-bbox="930 701 1161 734">Qualification and title:</td> </tr> <tr> <td data-bbox="347 725 922 759">Local Veterinary Unit:</td> <td data-bbox="930 745 1161 779">LVU No:</td> </tr> <tr> <td data-bbox="347 772 922 806">Date:</td> <td data-bbox="930 790 1161 824">Signature:</td> </tr> <tr> <td data-bbox="347 819 922 853">Stamp:</td> <td></td> </tr> </table>			Name (in Capital):	Qualification and title:	Local Veterinary Unit:	LVU No:	Date:	Signature:	Stamp:	
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